

Agenda Including Addeds

Planning and Environment Committee

The 2nd Meeting of the Planning and Environment Committee

January 10, 2022, 4:00 PM

Virtual Meeting during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

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

Members

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

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6.1. Solicitor-Client Privilege / Litigation or Potential Litigation

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

7. Adjournment

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: George Kotsifas P.Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Application by 1830145 Ontario Ltd. c/o MHBC
1761 Wonderland Road North – Removal of Holding Provisions

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning and Economic Development, the following actions be taken with respect to the application of 1830145 Ontario Limited (York Developments), relating to the property located at 1761 Wonderland Road North:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting January 25, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Holding Neighbourhood Shopping Area NSA3 and NSA5 Special Provisions Bonus (h-17*h-103*NSA5(3)/NSA3*B-71) Zone, **TO** a Neighbourhood Shopping Area NSA3 and NSA5 Special Provisions Bonus (NSA5(3)/NSA3*B-71) Zone.

Executive Summary

Purpose and the Effect of the Recommended Action

The purpose and affect of this zoning change is to remove the “h-17” and “h-103” holding provisions to permit residential and service commercial uses in the form of a 17-storey, mixed-use tower.

Rationale and Recommended Action

1. The conditions for removing the “h-17” and “h-103” have been met and the recommended amendment will allow for the development of a 17-storey tower containing residential and commercial uses.
2. A Development Agreement has been entered into and securities have been provided.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London’s growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

1999 – Foxhollow Community Plan

May 20, 2004 – Report to Planning Committee regarding Official Plan Amendments and revisions to the Foxhollow Community Plan (O-6661)

December 13, 2010 – Report to Planning and Environment Committee regarding Official Plan and Zoning By-law Amendments (OZ-7825).

April 11, 2011 – Report to Built and Natural Environment Committee regarding an appeal to the Ontario Municipal Board (OMB).

July 16, 2012 – Report to Built and Natural Environment Committee regarding an appeal to the OMB.

January 22, 2013 – Report to Planning and Environment Committee regarding Official Plan Amendments (O-8131)

July 23, 2013 – Report to Planning and Environment Committee recommending OMB decision be received for information (OZ-7823).

October 19, 2020 – Report to Planning and Environment Committee recommending refusal of Official Plan and Zoning By-law Amendments (OZ-9178)

1.2 Planning History

The lands at the northwest corner of Fanshawe Park Road and Wonderland Road North are located within the Foxhollow Community Planning Area (1999) and were designated as Restricted/Highway Service Commercial. The Restricted/Highway Service Commercial lands were redesignated to Neighbourhood Commercial Node in 2009.

The subject lands were designated Office Area under the Foxhollow Community Plan (1999). An Official Plan Amendment was proposed in December 2012 to redesignate the lands to Neighbourhood Commercial Node and the proposed zoning was Holding Neighbourhood Shopping Area Special Provisions. This Official Plan Amendment also included an amendment to permit a maximum gross floor area of 23,000 meters squared in this Neighbourhood Commercial Node. The Official Plan and Zoning By-law Amendments were appealed in February of 2011. In December of 2012, the appellants withdrew their appeal relating to the Official Plan Amendment, which was then adopted by Council in January of 2013. This adoption was also appealed and consolidated with the previous appeal to the Zoning By-law Amendment. The OMB dismissed the appeals on May 15, 2013, and Municipal Council's decisions to amend the Official Plan and Zoning By-laws came into full force and effect.

This application to remove holding provisions from the subject lands was accepted as complete on September 10, 2021, and there is also an application for Site Plan Approval (SPA21-040).

1.3 Property Description

The subject lands are located in the northwest quadrant of the City and situated north of Fanshawe Park Road West and west of Wonderland Road North. The site is currently vacant, and a mixed-use 17-storey tower with residential and commercial uses is proposed.

1.4 Current Planning Information

- The *London Plan* Place Type – Shopping Area
- Official Plan Designation – Neighbourhood Commercial Node
- Existing Zoning – Holding Neighbourhood Shopping Area NSA3 and NSA5 Special Provisions Bonus (h-17*h-103*NSA5(3)/NSA3*B-71) Zone

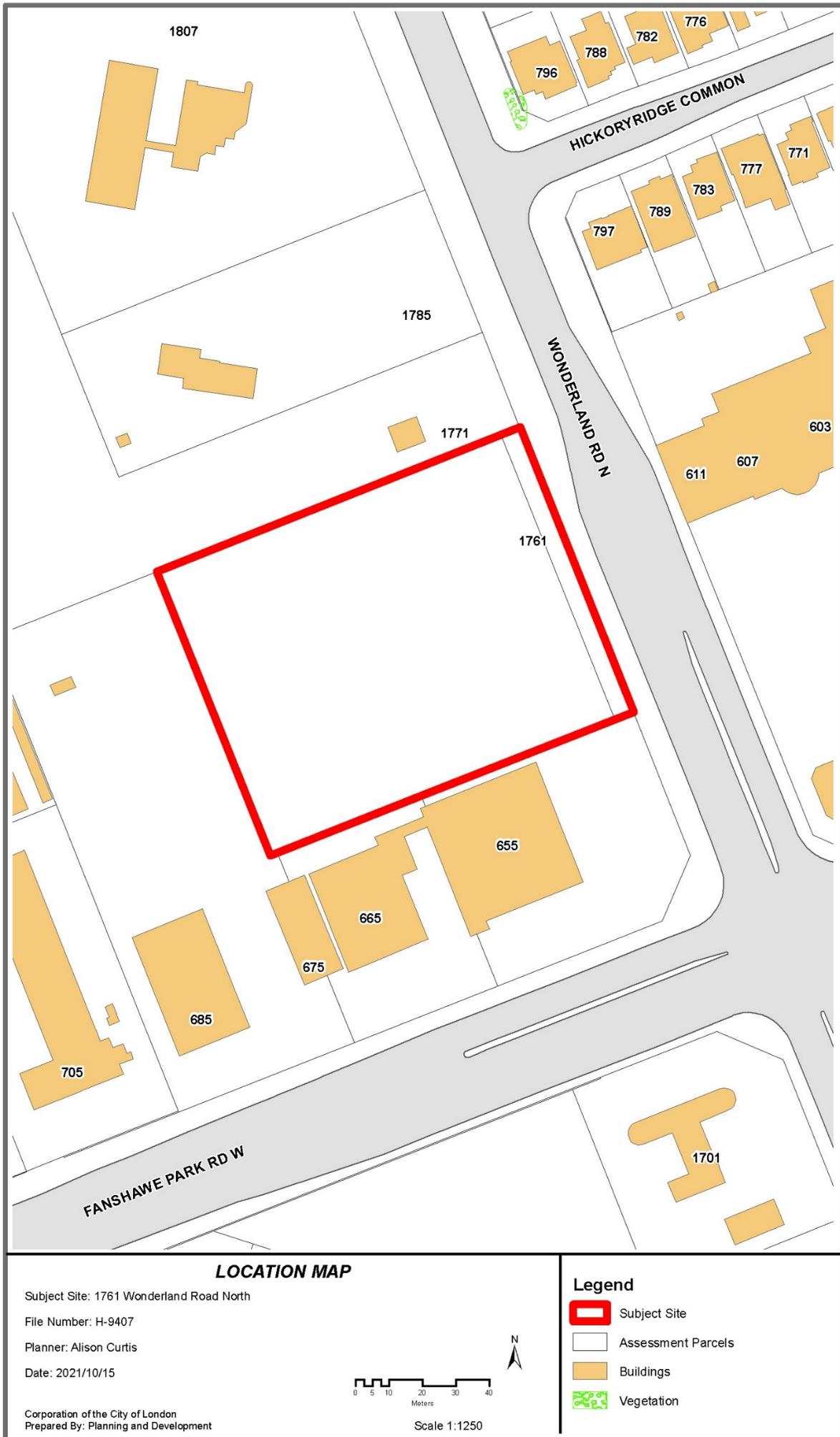
1.5 Site Characteristics

- Current Land Use – Vacant
- Area – 1.07 hectares (2.64 acres)
- Frontage – 91.3 meters
- Shape – Square

1.6 Surrounding Land Uses

- North – Office and High Density Residential
- East – Low and Medium Density Residential, Commercial
- South – Commercial
- West – Commercial and Medium Density Residential

1.7 Location Map



2.0 Discussion and Considerations

The purpose of this amendment application is to remove the h-17 and h-103 holding provisions from the subject lands.

- The h-17 holding provisions seeks to ensure the orderly development of lands and the adequate provision of municipal services. The symbol shall not be removed until full municipal sanitary sewer and water services are available to service the site.
- Holding provision h-103 ensures that urban design is addressed and incorporated in the site plan.

The removal of these provisions will allow for the future development of a 17-storey mixed use tower.

2.1 Consultation (see more detail in Appendix B)

Information regarding the application to remove Holding Provisions was provided to the public as follows:

- Notice of Intent to Remove Holding Provisions was published in the Public Notices and Bidding Opportunities section of the *Londoner* on November 4, 2021.
- Notice of Intent to Remove Holding Provisions was circulated to the relevant internal and external agencies on October 26, 2021.

There was no response from the public.

2.2 Policy Context (see more detail in Appendix C)

Section 36 of the *Planning Act* permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use (Section 36(2) of the *Planning Act*), a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 90 days to remove the holding provision(s).

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

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1. Why is it appropriate to remove this Holding Provision?

h-17 Holding Provision

The h-17 Holding Provision states that:

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

Permitted Interim Uses: Dry uses on individual sanitary facilities permitted by the applied Zone. (Z.-1-97484)

Water servicing is available to the site through the existing 450 mm PVC watermain in the Wonderland Road North Right-of-Way, and a new 150 mm PVC DR18 connection

with a full-length tracer wire to the existing watermain is proposed. The existing 200 mm diameter sanitary stub, located at the northeast corner of the site, is proposed to service the development and there is downstream capacity. This satisfies the requirements for removal of the “h-17” holding provision.

h-103 Holding Provisions

The h-103 Holding Provision states that:

Purpose: To ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manger of Planning and Development, incorporates the design objectives as identified in the Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved. (Z.-1-091840)

An application for Site Plan Approval (SPA21-040) was submitted and has been processed concurrently with the application for the Removal of Holding Provisions. Urban design briefs and building elevations were submitted as part of the Site Plan review process. The development agreement has been signed and securities provided by the applicant. This satisfies the requirements for the removal of the “h-103” holding provision.

Conclusion

It is appropriate to remove the “h-17” and “h-103” holding provisions from the subject lands at this time as full municipal services are available and a Development Agreement has been entered into, which incorporates the design objectives identified by the Council Resolution.

Prepared by: Alison Curtis, MA
Planner 1, Planning and Development

Reviewed by: Bruce Page, MCIP, RPP
Manager, Planning and Development

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Michael Pease, Manager, Development Planning (Site Plan)

BP/ac

Appendix A

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

2022

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1761 Wonderland Road North.

WHEREAS Landea Developments Inc. have applied to remove the holding provision from the zoning for the lands located at 1761 Wonderland Road North, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1761 Wonderland Road North, as shown on the attached map, to remove the h-17 and h-103 holding provision so that the zoning of the lands as a Neighbourhood Shopping Area Special Provision NSA5(5) and NSA3 Bonus Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

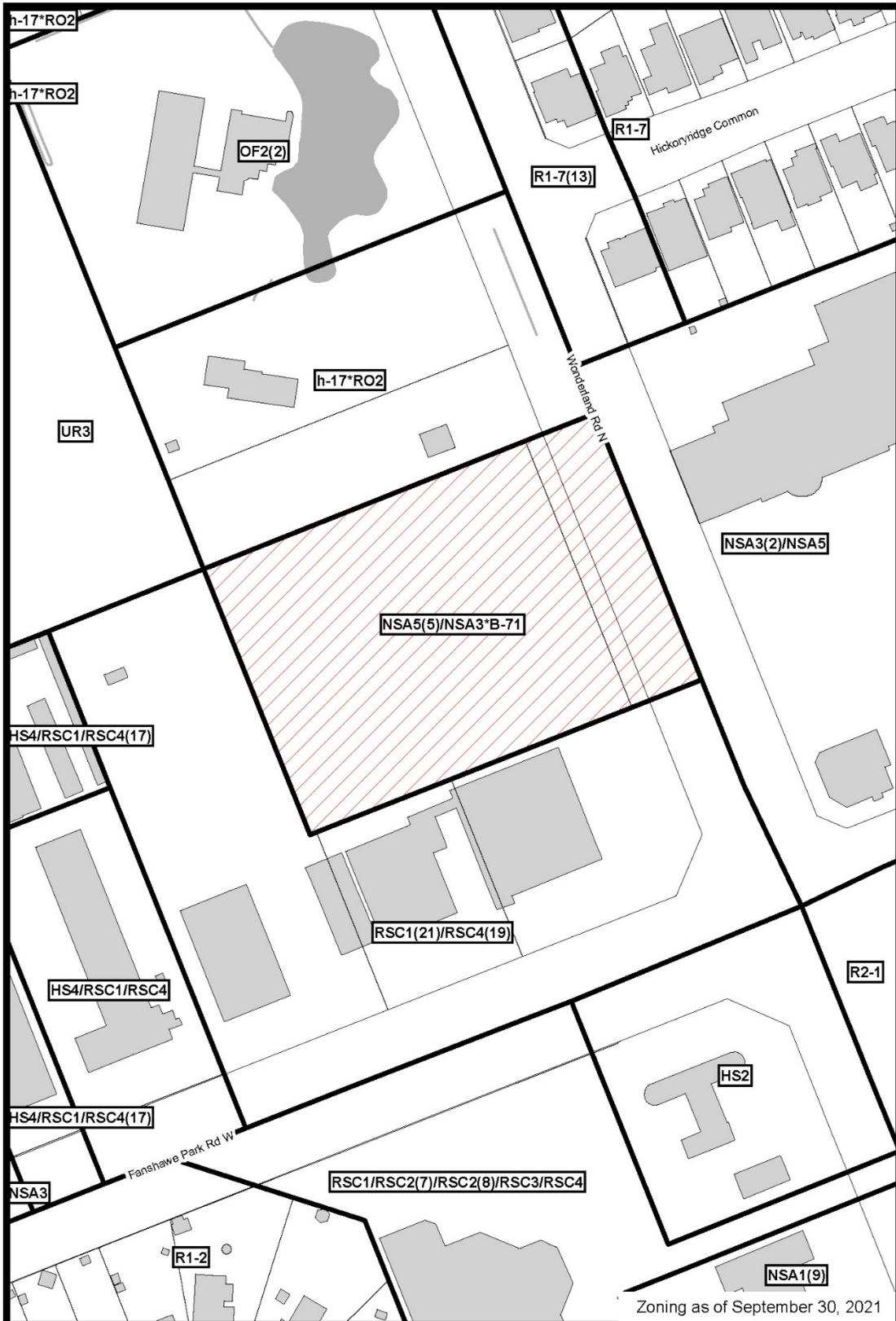
PASSED in Open Council on January 25, 2022

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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



<p>File Number: H-9407 Planner: AC Date Prepared: 2021/10/15 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Appendix B – Consultation

Community Engagement

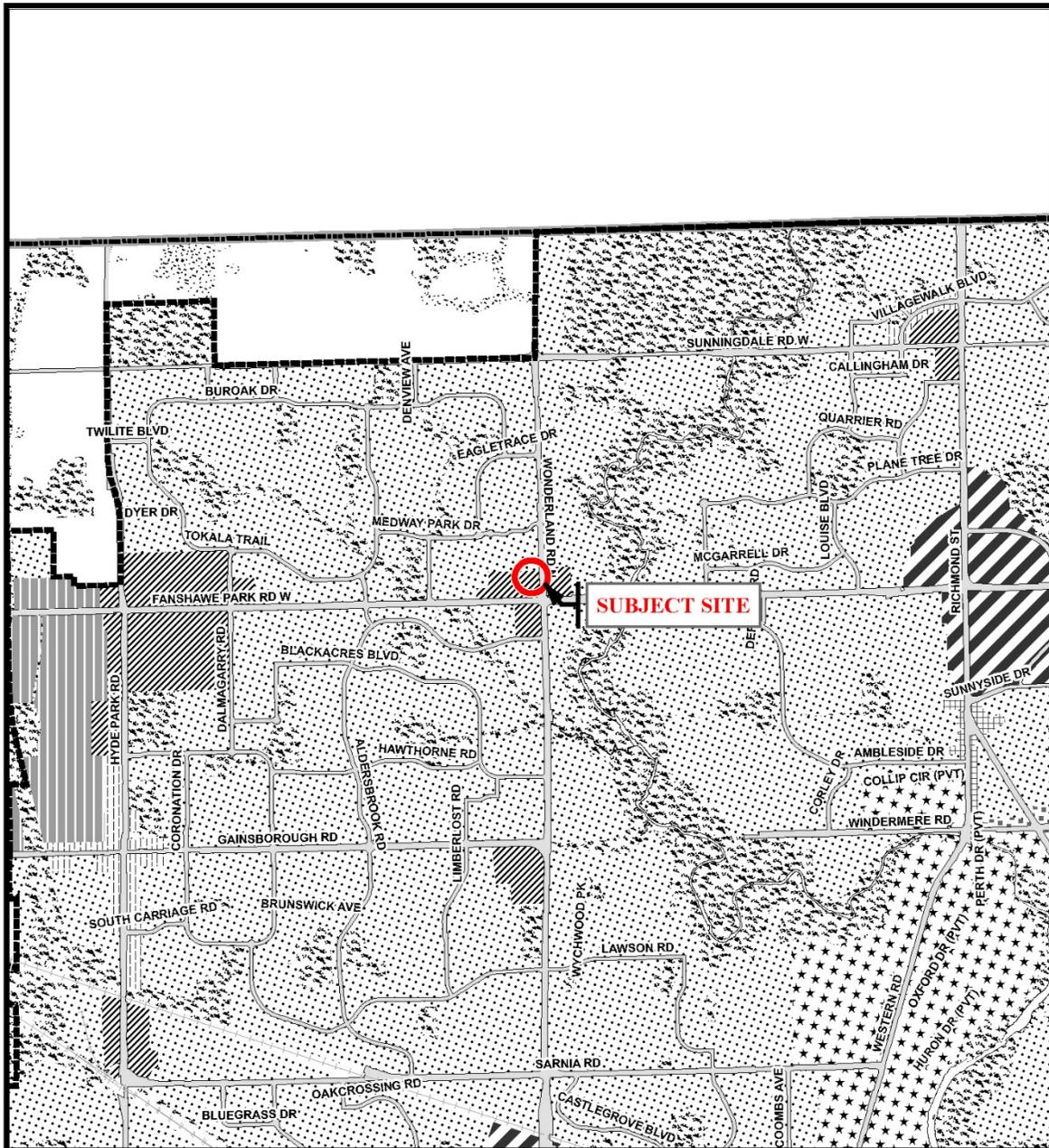
Public Liaison: Notice of the application was published in the Londoner on November 4, 2021 and notice of the application were circulated to the relevant internal and external agencies.

No replies were received.

Londoner Notice: City Council intends to consider removing the h-17 and h-103 holding provisions from the subject lands to allow for the development of a 17 story, mixed-use (residential and commercial use) tower. The purpose of the “h-17” provisions is to ensure the orderly development of lands and the adequate provision of municipal services. The symbol shall not be removed until full municipal sanitary sewer and water services are available to service the site. Holding Provision “h-103” ensures that urban design is addressed and incorporated in the site plan. A site plan will be approved, and a development agreement will be entered into which, to the Satisfaction of the General Manager of Planning and Development, incorporates design objectives. Council will consider removing the holding provisions as they apply to these lands no earlier than November 22, 2021.

Appendix C – Relevant Background

London Plan Excerpt



Legend

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

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

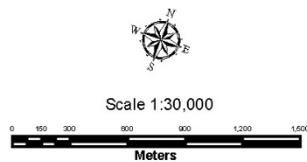
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: H-9407

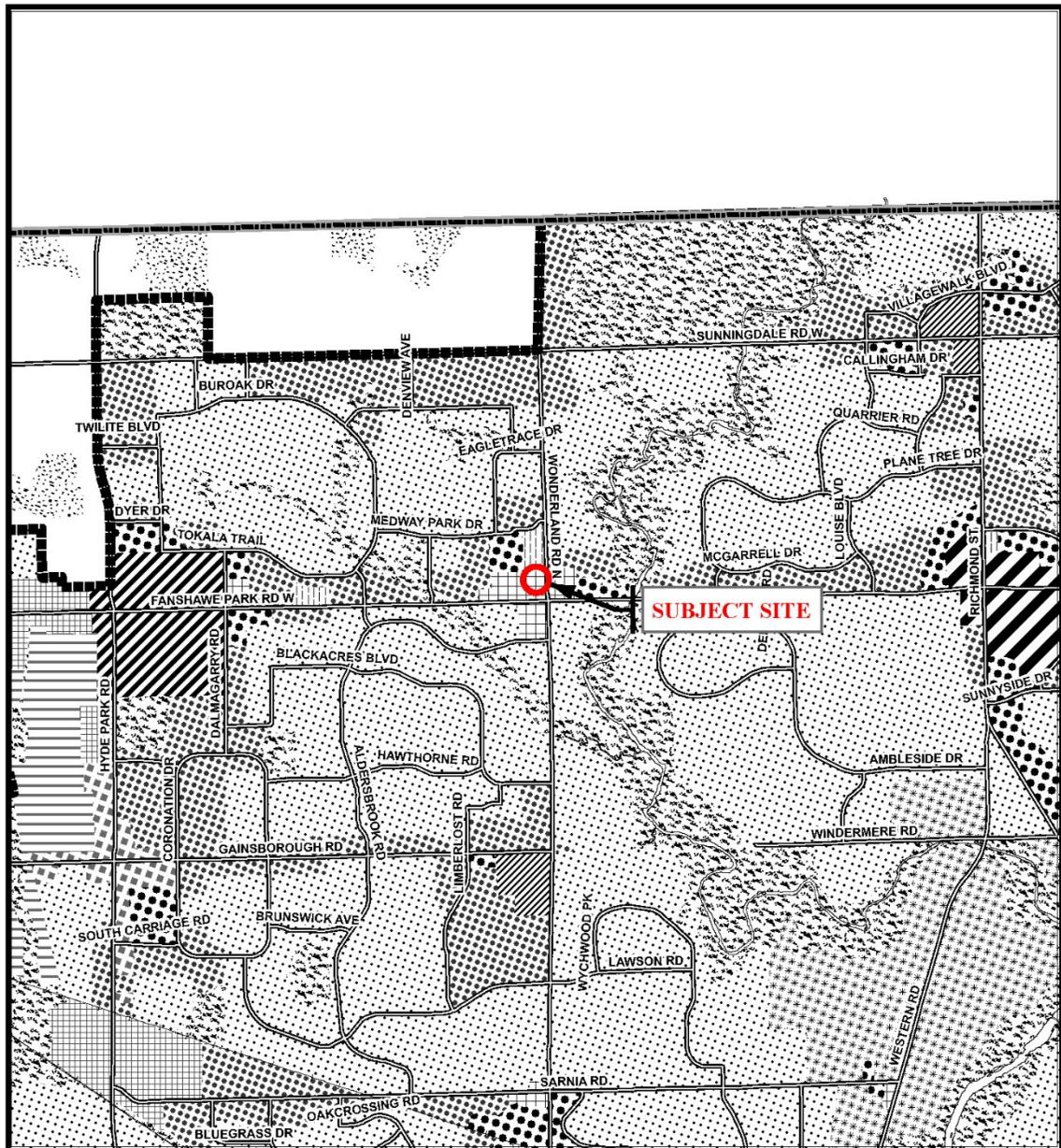
Planner: AC

Technician: RC

Date: October 15, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\H-9407-Map1-PlaceTypes.mxd

1989 Official Plan Excerpt

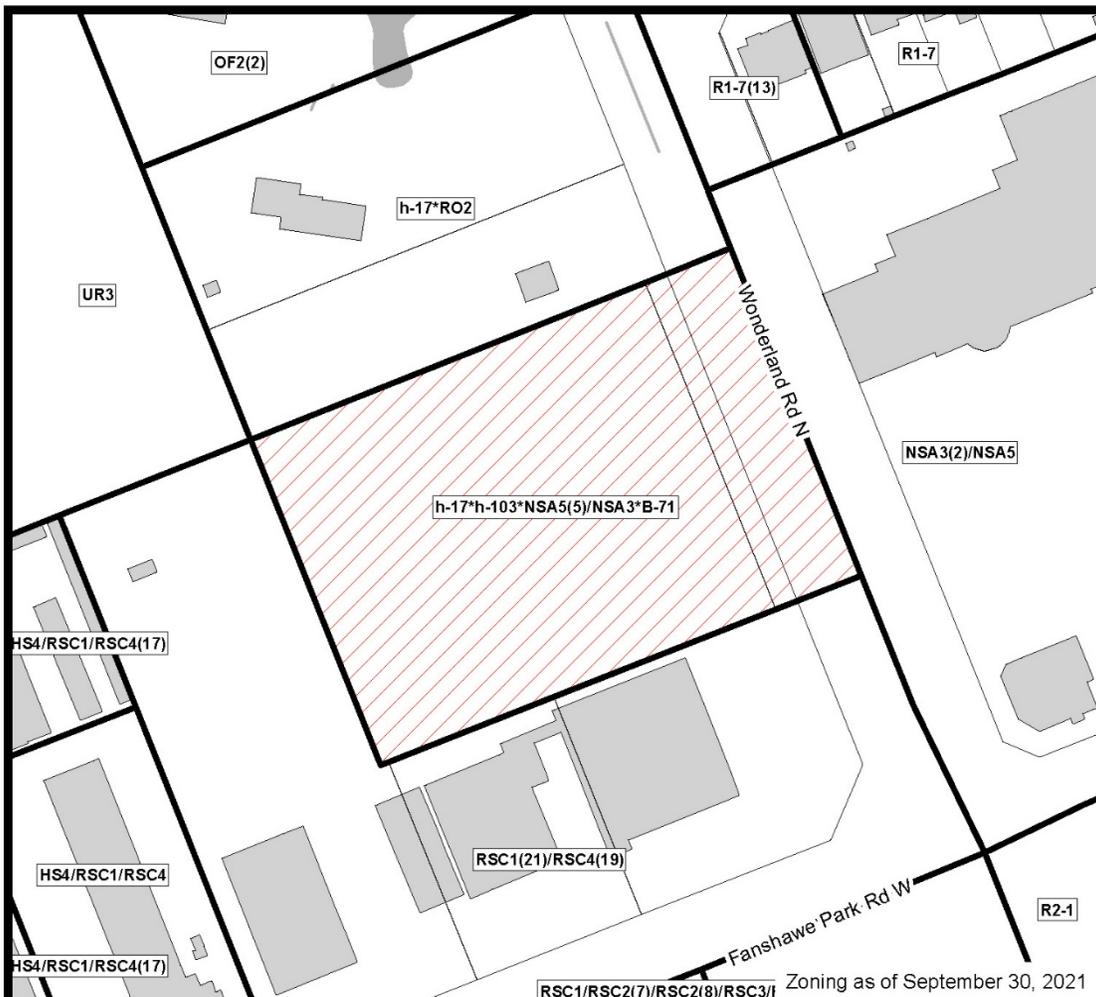


Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 100 200 300 400 500 600 700 800 900 1,000 1,100 1,200 1,300 1,400</p> <p>Meters</p>	<p>FILE NUMBER: H-9407</p> <p>PLANNER: AC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/10/15</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17*h-103*NSA5(5)/NSA3*B-71

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| 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-9407

AC

MAP PREPARED:

2021/10/15

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.,
Deputy City Manager, Planning and Economic Development
Subject: Application By: Stackhouse Developments (London) Inc.
1150 Fanshawe Park Road East
Meeting on: January 10, 2022

Recommendation

That on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Stackhouse Developments (London) Inc. relating to the property located at 1150 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Restricted Office/Convenience Commercial/Residential R8 Special Provision (h-5/h-18/RO2/CC5(1)/R8-4(60)/B-70) Zone **TO** a Restricted Office/Convenience Commercial/Residential R8 Special Provision RO2/CC5(1)/R8-4(60)/B-70) Zone to remove the h-5 and h-18 holding provisions.

Executive Summary

Summary of Request

The development for consideration is for the development of apartment building and a stacked townhouse on the west side of Stackhouse Avenue, north of Fanshawe Park Road East. The site is to be developed with vehicular access from Stackhouse Avenue. The request is to remove the holding provisions from the residential zone on 1150 Fanshawe Park Road East.

Purpose and the Effect of Recommended Action

The purpose and effect are to remove the holding ("h-5" and "h-18") symbols from the zoning to permit construction of a six (6) storey, 81-unit residential apartment building a three (3) storey stacked townhouse with 6-units.

Rationale of Recommended Action

The requirements for removing the holding provision have been met.

1. A public site plan meeting was held before the Planning and Environment Committee on September 20th, 2021. Since that time, staff have worked with applicant to ensure that matters raised through the meeting have been considered.
2. A Development Agreement has been executed and security has been posted for this development.
3. An archaeological assessment and the necessary sign off has been provided.

It is appropriate to remove the holding provisions as they are no longer required.

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 10, 1999 – Report to Planning Committee to change the zoning of the subject site to a Holding Convenience Commercial Special Provision/Restricted Office (h-27*CC5(1)/RO2) Zone. File Z-5705.

November 2, 2020 – Report to Planning Committee to change the Official Plan by adding a specific policy to Chapter 10 to permit an increased density of 133 units per hectare and Zoning of the subject site to a Holding Restricted Office/Convenience Commercial/Residential R8 Special Provision (h-5/h-18/RO2/CC5(1)/R8-4(60)/B0-70) Zone. File OZ-9215.

September 21, 2021 - Planning and Environment Committee - Stackhouse Developments (London) Inc. regarding the property located at 1150 Fanshawe Park Road East – public meeting with for Site Plan Approval - File SPA21-050.

1.2 Planning History

The lands were in the former Township of London and were annexed into the City of London on January 1, 1993. The single detached dwelling on site was constructed circa 1920.

The subject site is within the Stoney Creek Community Plan which was prepared by area landowners to provide more detailed guidance for future development and serve as a basis for Official Plan designations. In 1998, Council adopted the Multi-Family, Medium Density Residential Designation for the lands. A specific policy to allow for Convenience Commercial uses on the subject site was added in 1999 to section 3.6.5.vii) of the 1989 Official Plan. The existing zoning was also applied in 1999 through application Z-5705.

In 2003 the corner property at 1152 Fanshawe Park Road East was severed from the retained subject lands through consent application B.024/03. A minor variance application A.042/03 was also submitted to facilitate the requested severance to allow for a reduced lot frontage. The corner property at 1152 Fanshawe Park Road East continues to be used as a small retail clothing store.

The application for Site Plan Approval was accepted on June 25, 2021 for the construction of a six (6) storey, 81-unit residential apartment building and a three (3) storey stacked townhouse with 6-units. A public meeting was held at the Planning and Environment Committee (PEC) on September 20th, 2021.

1.3 Property Description

The subject site is located on the northwest corner of Fanshawe Park Road East and Stackhouse Avenue. Stackhouse Avenue is a neighbourhood connector road. The lands to the west and east of the site consist primarily of one to two (1-2) storey single family dwellings. The lands to the south comprise of a one storey commercial use, and lands to the north are currently vacant.

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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Holding Restricted Office/Convenience Commercial/Residential R8 Special Provision (h-5/h-18/RO2/CC5(1)/R8-4(60)/B0-70) Zone

1.5 Site Characteristics

- Current Land Use –single detached dwelling
- Frontage –30.4m (99.7 feet) along Fanshawe Park Road East
- Depth – 131.8m (432 feet) along Stackhouse Avenue
- Area – 0.68 ha
- Shape – ‘L’ shaped

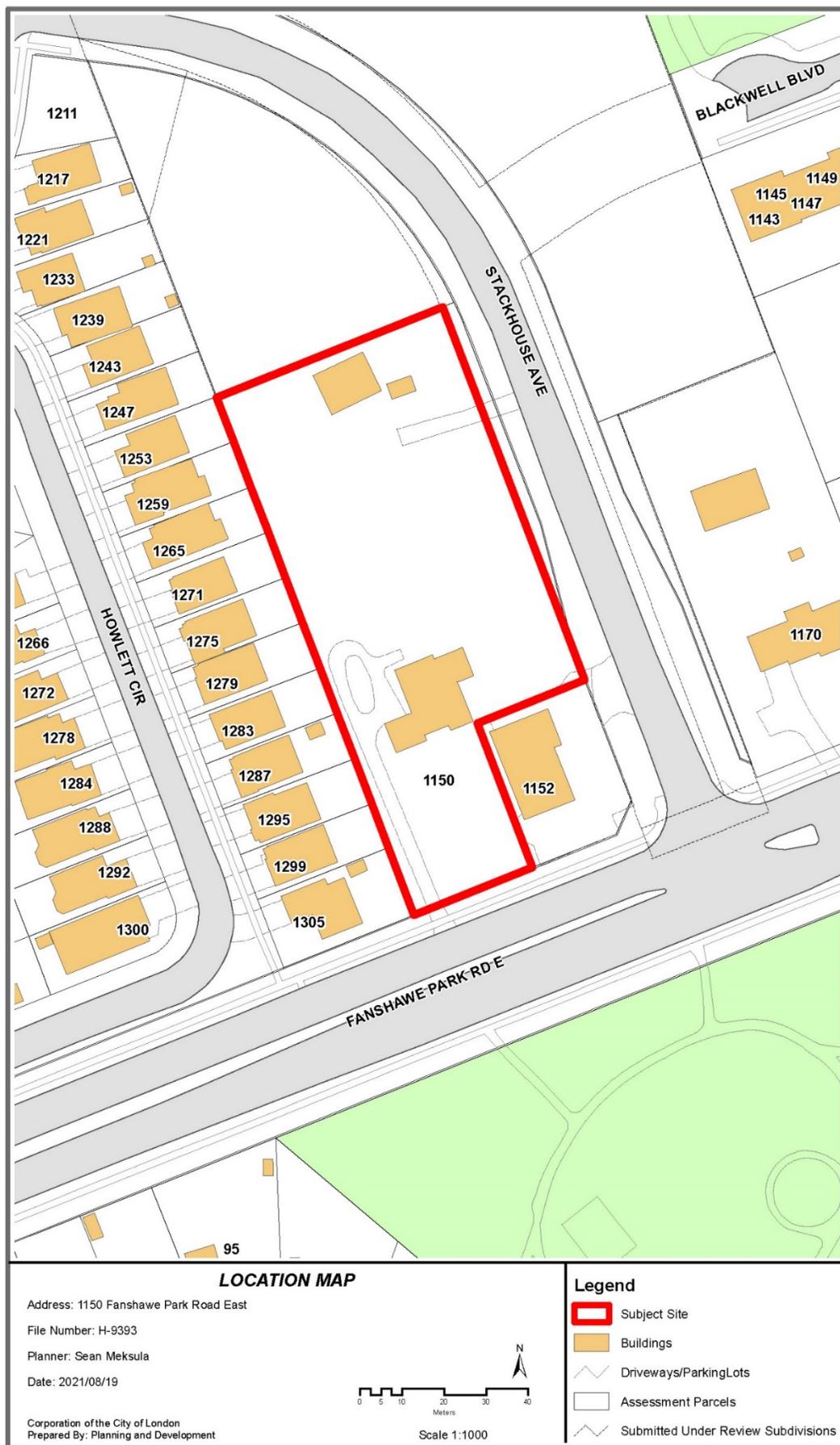
1.6 Surrounding Land Uses

- North – low density residential
- East – existing and future residential
- South – park
- West – existing residential

1.7 Intensification (identify proposed number of units)

- 87 residential units are inside of the 2016 built-area boundary and inside of the Primary Transit Area

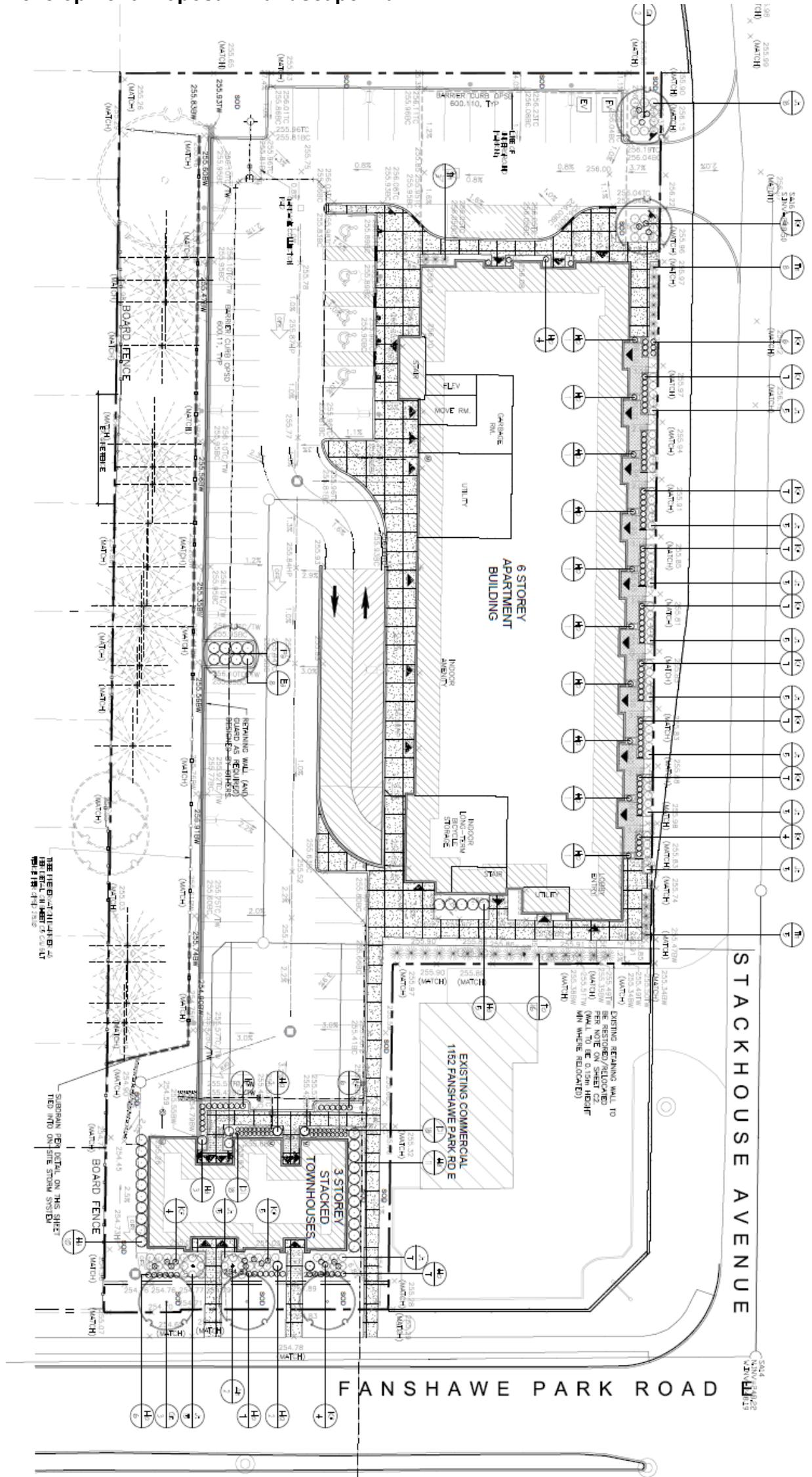
1.8 Location Map



2.0 Discussion and Considerations

The Site Plan shows a six (6) storey, 81-unit residential apartment building and a three (3) storey stacked townhouse with 6-units. The parking area is located to the west and north of the buildings which contains a total one hundred and eleven (111) vehicular

Development Proposal - Landscape Plan



2.1 Requested Amendment

The Applicant is requesting the removal of the h-5, and h-18 holding provisions on the site.

2.2 Community Engagement (see more detail in Appendix B)

On June 17, 2021 a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

2.3 Policy Context (see more detail in Appendix C)

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

The City's Official Plan and the new London Plan also contain policies with respect to holding provisions, the process, and notification and removal procedures.

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

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

h-5 Holding Provision

The “h-5” holding provision states:

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

The required public participation meeting was held at the Planning and Environment Committee (PEC) on September 20, 2021.

Several issues were raised at this meeting, including concerns around drainage, grading, noise, traffic, and no provision for drop-off area for visitors/residents, and privacy.

Site Plan staff have completed their review and ensured that these and other issues have been addressed in the approved plans. Engineering plans have been accepted that ensure drainage and grading will not negatively impact surrounding properties. Noise studies have been accepted by the City and recommendations from the study have been incorporated into the approved design details. Access and parking layout has been accepted, including a new provision for drop-off area in proximity to the main entrance. Privacy fencing and enhanced landscaped buffering has been included in the accepted plan.

The above public issues that were raised at public meeting have been addressed by staff and are incorporated in the recommended site plan.

h-18 Holding Provision

The “h-18” holding provision states that:

“To ensure that lands are assessed for the presence of archaeological resources prior to development. The proponent shall carry out an archaeological resource assessment of the entire subject property or identified part thereof and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London. No grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division. The property will be assessed by a consultant archaeologist, licensed by the Ministry of Citizenship, Culture and Recreation under the provisions of the Ontario Heritage Act (R.S.O. 1990); and any significant sites found will be properly mitigated (avoided, excavated or the resource protected), prior to the initiation of construction, servicing, landscaping or other land disturbances. The condition will also be applied where a previous assessment indicates the presence of significant archaeological resources but mitigation has not been carried out.”

A Stage 1 and 2 Archaeological Assessment was submitted as part of the site plan application. The assessment found no archaeological resources and recommended no further study on the subject site. A letter from the Ministry of Tourism, Culture and Sport was provided. This satisfies the removal of the “h-18” holding provision.

Conclusion

The applicant has satisfied the requirements to remove the “h-5”, and “h-18” holding provisions. As noted above, the applicant has entered into a development agreement for this site, a public meeting was held before Planning and Environment Committee, and an archaeological assessment with the Ministry of Tourism, Culture and Sport sign-off was submitted. Therefore, the removal of the holding provisions are recommended to Council for approval.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Subdivision Planning

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Bruce Page, Manager, Subdivision Planning
cc: Peter Kavcic, Manager, Subdivision Engineering
cc: Michael Pease, Manager, Site Plan

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9393 - 1150 Fanshawe Park Road East (SM)\PEC\DRAFT_H-9393 - 1150 Fanshawe Park Road East (SM).docx

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 1150 Fanshawe Park Road East .

WHEREAS Stackhouse Developments (London) Inc. has applied to remove the holding provisions from the zoning for lands located at 1150 Fanshawe Park Road East, 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 1150 Fanshawe Park Road East, as shown on the attached map, comprising part of Key Map No. 103 to remove the holding provisions so that the zoning of the lands as a Restricted Office/Convenience Commercial/Residential R8 Special Provision (RO2/CC5(1)/R8-4(60)/B-70).
2. This by-law shall come into force and effect on the day it is passed.

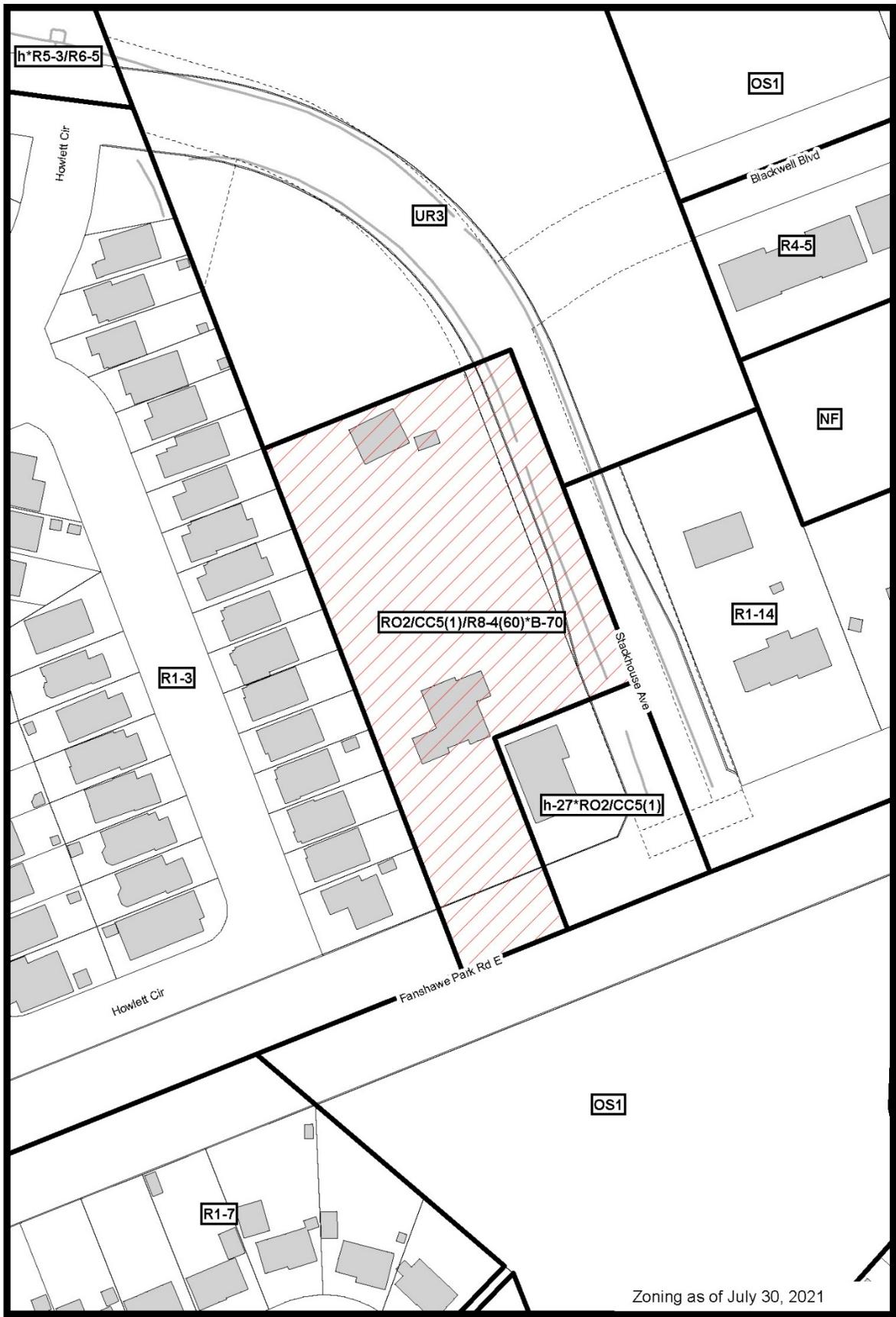
PASSED in Open Council on January 25, 2022

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

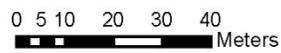
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9393
 Planner: SM
 Date Prepared: 2021/08/13
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250



Zoning as of July 30, 2021

Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 26, 2021.

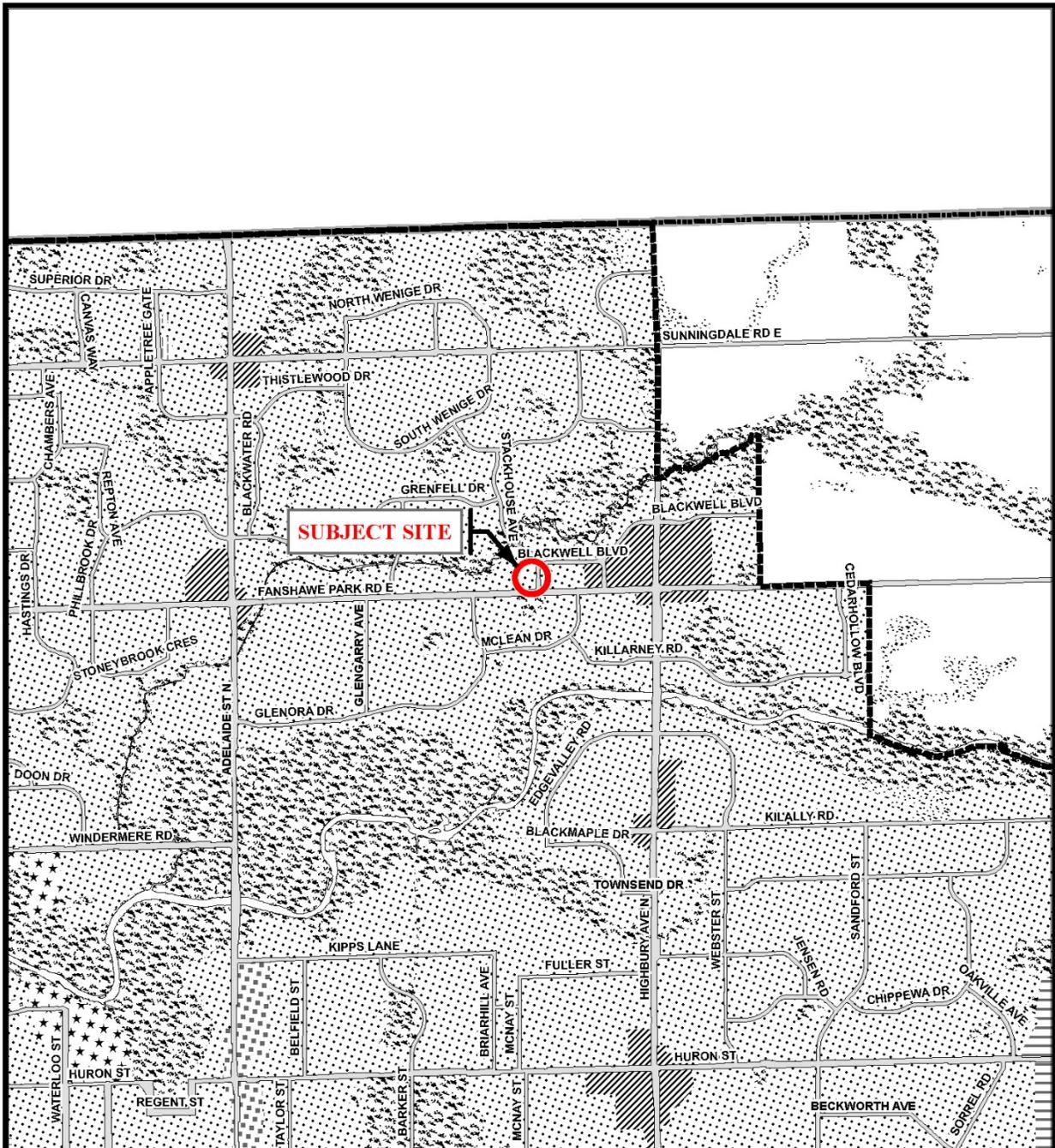
Nature of Liaison: City Council intends to consider removing the Holding (“h”, “H-5” and “h-18”) Provisions from the Holding Restricted Office/Convenience Commercial/Residential R8 Special Provision (h-5/h-18/RO2/CC5(1)/R8-4(60)/B0-70) Zone. The “h-5” provision is applied to ensure that that development takes a form compatible with adjacent land uses and requires a public site plan review. The “h-18” is to ensure that the lands are assessed for the presence of archaeological resources prior to development. Council will consider removing the holding provisions as it applies to these lands no earlier than October 12, 2021.

Agency/Departmental Comments

None.

Appendix C – Relevant Background

London Plan Place Types 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-9393

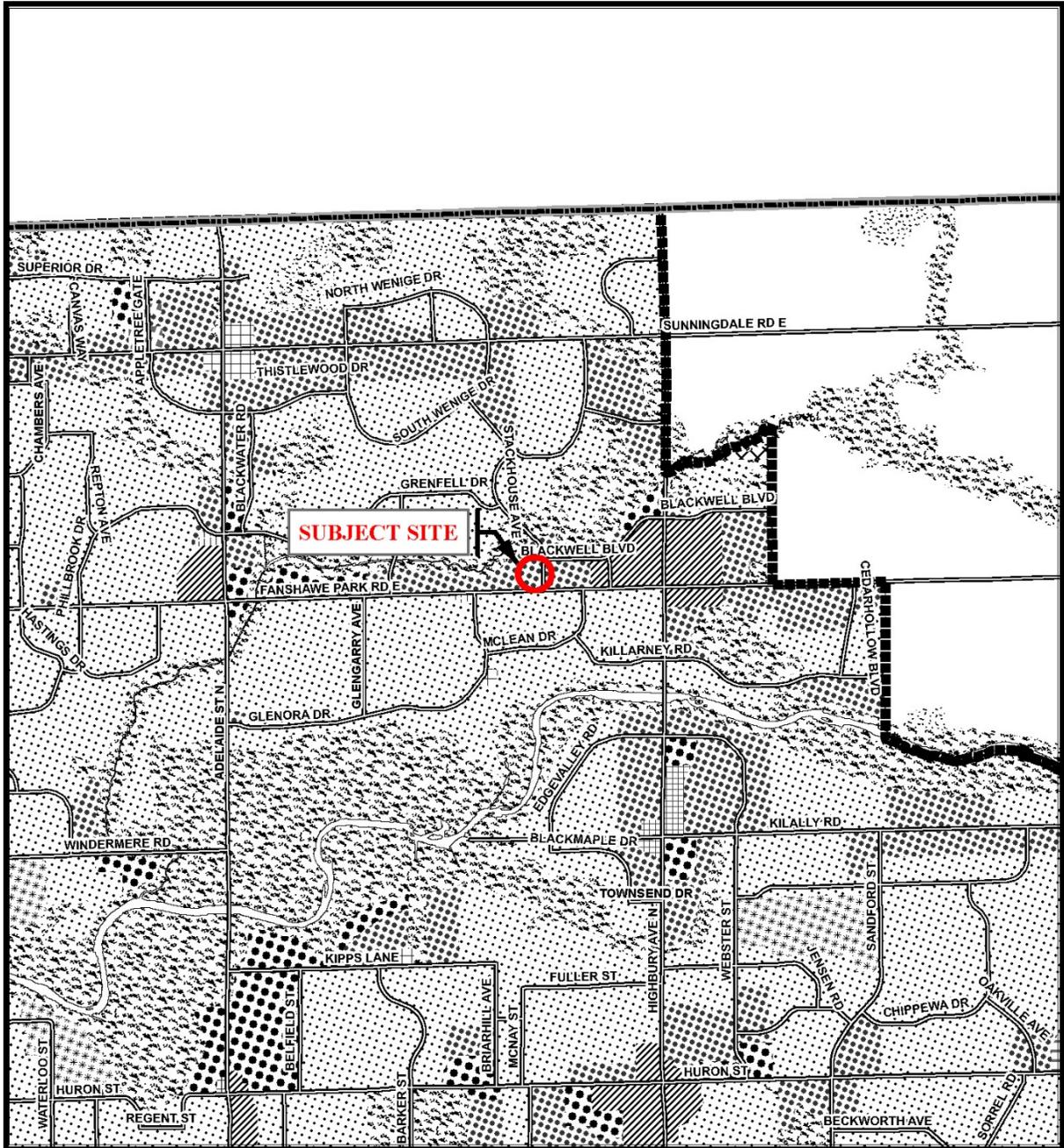
Planner: SM

Technician: RC

Date: August 19, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\H-9393-Map1-PlaceTypes.mxd

Official Plan Schedule "A" Excerpt

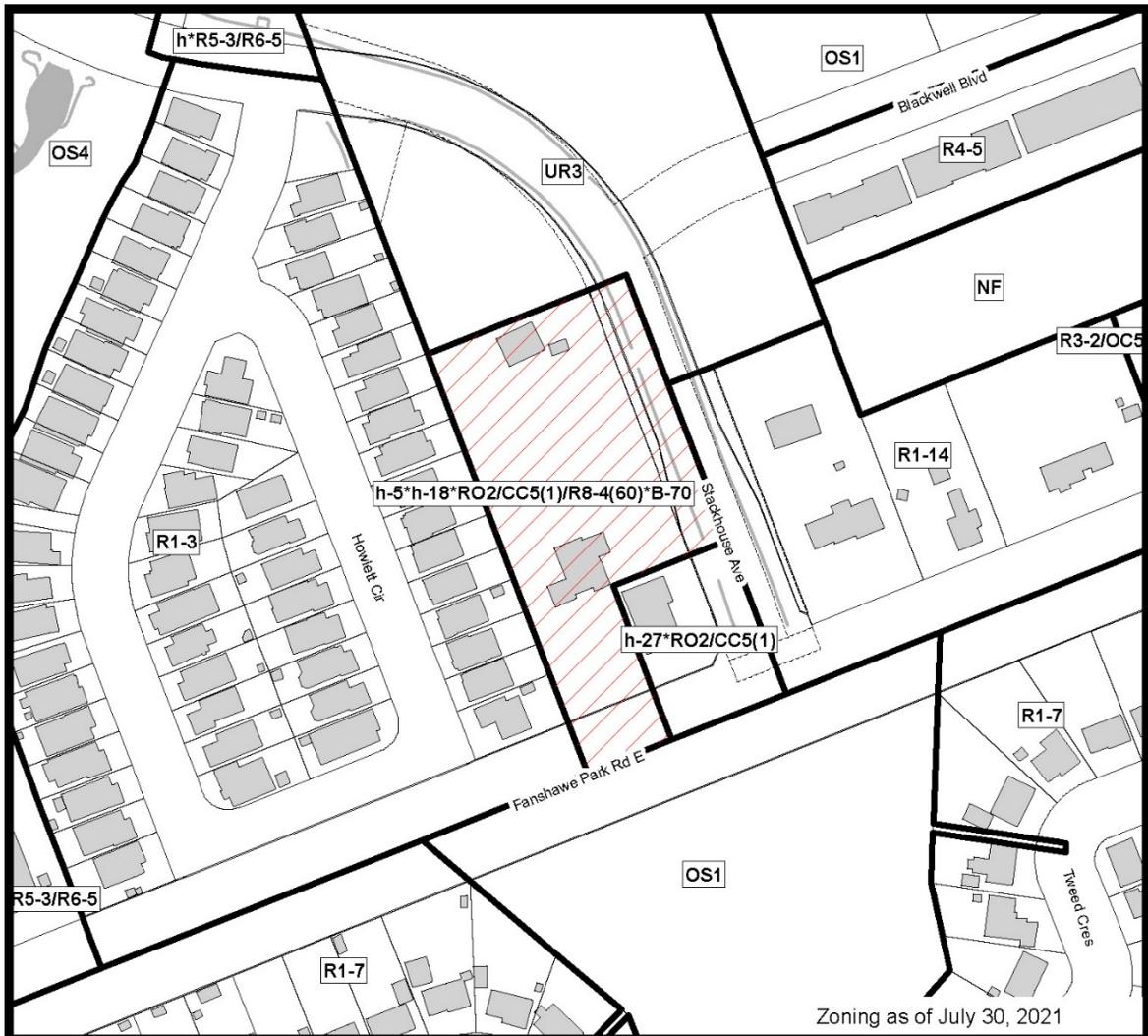


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: H-9393</p>
		<p>PLANNER: SM</p>
		<p>TECHNICIAN: RC</p>
		<p>DATE: 2021/08/19</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_Bx14_with_SWAP.mxd

Zoning by-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:

H-9393

SM

MAP PREPARED:

2021/08/19

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.,
Deputy City Manager, Planning and Economic Development

Subject: Application by: Auburn Developments Inc.
3924 Colonel Talbot Road
Removal of Holding Provision

Meeting on: January 10, 2022

Recommendation

That on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Ironstone relating to the property located at 3924 Colonel Talbot Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R1/Residential R1 Special Provision/ Residential R4 Special Provision/Residential R6 (h*R1-3(7)) and (h*R1-3/R4-6(16)/R6-5) Zone **TO** a Residential R1/Residential R1 Special Provision/ Residential R4 Special Provision/Residential R6 (R1-3(7)) and (R1-3/R4-6(16)/R6-5) Zone to remove the "h" holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding ("h") symbol from Block 132 of the draft approved subdivision (39T-12503) to permit the development of single-family homes and cluster townhouses under the Residential R1/Residential R1 Special Provision/ Residential R4 Special Provision/Residential R6 (R1-3(7)) and (R1-3/R4-6(16)/R6-5) Zones.

Rationale of Recommended Action

1. The conditions for removing the holding (h) provisions have been met and the recommended amendment will allow development of cluster townhouses in compliance with the Zoning By-law.
2. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.
3. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.

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 7, 2013 – Report to Planning and Environment Committee to establish a Municipal Council position in response to appeals from Colonel Talbot Developments Inc. on the neglect by Council to make a decision on Official Plan and Zoning By-law amendment applications; and failure of the Approval Authority to make a decision on an application for subdivision approval(39T-12503).

November 26, 2013 – Report to Planning and Environment Committee to provide an update on the status of discussions that have taken place with the applicant since May. The report also addressed the need for an updated Municipal Council position on the appeals from Colonel Talbot Developments Inc. relating to applications for draft plan of subdivision, Official Plan amendment and Zoning By-law amendment (39T-12503).

May 13, 2014 – Report to Planning and Environment Committee to provide an update on the Ontario Municipal Board Decision relating to the appeal by Colonel Talbot Developments Inc. regarding a proposed residential plan of subdivision, Official Plan and Zoning By-law amendments on the properties located at 3924 and 4138 Colonel Talbot Road (39T-12503).

March 1, 2021 – Report to Planning and Environment Committee to request multiple Zoning By-law amendments and red-line revisions to portions of the draft-approved plan of subdivision 39T-12503. The zoning amendments provided additional residential uses on portions of the land in the form of single detached, street townhouse and cluster townhouse dwellings (39T-12503/Z-9240).

1.2 Planning History

The subject lands include several adjacent properties comprising a total area of 64.77 hectares located east of Colonel Talbot Road and north of Lambeth Walk. The topography is gently sloping (northeast to southwest), with two catchment areas. The majority of the land drains southwest, eventually outletting to the Anguish Drain and Dingman Creek. The application from Colonel Talbot Developments Inc. (39T-12503 & OZ-8052), was accepted on May 2, 2013, and proposed an Official Plan and Zoning By-law Amendments together with a Draft Plan of Subdivision.

The proposed Plan of Subdivision included forty-nine (49) blocks for single detached residential lots, seven (7) blocks for medium density residential development, one (1) block for stormwater management and three (3) park blocks, served by eighteen (18) new internal roads and an extension of South Routledge Road.

A revised Draft Plan of Subdivision application was received from Colonel Talbot Developments Inc. on December 13, 2012. The proposed Draft Residential Plan of Subdivision consisted of fifty-five (55) blocks for single detached lots, five (5) blocks for low density residential development, one (1) block for stormwater management and three (3) park blocks served by seventeen (17) new internal roads and an extension of South Routledge Road. The proposed concurrent Official Plan and Zoning By-law Amendments reflected the proposed subdivision.

This revised application included an updated Servicing Report, conceptual SWM Report and Transportation Impact Study, as well as an updated EIS. The revised application noted that some changes were made in response to the circulation of the Southwest Area Plan. Notice of the revised application was circulated to municipal review agencies and members of the public in January of 2013.

An appeal to the Ontario Municipal Board was submitted by the applicant's solicitor on January 28, 2013 noting the following reasons for the appeals:

1. the neglect of the Council of the Corporation of the City of London to make a decision with respect to a Zoning By-law Amendment application;
2. the neglect of the Council of the Corporation of the City of London to make a decision with respect to an Official Plan Amendment application; and
3. the failure of the Approval Authority to make a decision pursuant to Section 51(31) of the Planning Act within 180 days after submission of the application for subdivision approval.

A report was presented to a Public Participation meeting of Planning and Environment Committee on May 7, 2013, recommending a position to be taken by Municipal Council in response to the appeals. The resolution adopted by Municipal Council at its session held on May 14, 2013, included direction requesting Administration to continue discussions with the applicant on November 26, 2013, a report to Planning and Environment Committee was submitted, providing an update on the status of discussions that have taken place with the applicant since May of that year. The report also addressed the need for an updated Municipal Council position on the appeals from Colonel Talbot Developments Inc. relating to applications for draft plan of subdivision, Official Plan Amendment and Zoning By-law Amendment.

In January 2014 the Ontario Municipal Board heard the appeal by Colonel Talbot Developments Inc. After several days of hearings, and calling no fewer than eight expert witnesses, the Board agreed to a settlement reached between the parties based on testimony and submissions of Counsel. This included revised conditions of draft approval.

Phase 1 was registered on May 30, 2019 as 33M-762. It consisted of 132 single detached lots, 2 multi-family blocks, 3 park blocks and 1 reserve (0.3 m, 1 ft.) block, all served by the extension of Barkerville Street and Campbell Street North and 5 new local streets (namely Tripp Drive, Sugarmaple Crossing, Winterberry Drive, Winterberry Place and Ayrshire Avenue).

1.3 Property Description

The subject lands are located in the southwest quadrant of the City and are included in the Lambeth Area Plan. The proposed amendments apply to multiple portions of the draft approved subdivision 39T-12503, single family residential Blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32, medium density residential Blocks 38-41 and Block 43, and 44, Park Blocks 46, 48 and 49. This is phase 2 in the Heathwoods Subdivision 39T-12503, the subject site is approximately 4.3 ha (10.6 acres) in size.

1.4 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Low Density Residential
- Existing Zoning - a Holding Residential R1/Residential R1 Special Provision/ Residential R4 Special Provision/Residential R6 (h*R1-3(7)) and (h*R1-3/R4-6(16)/R6-5) Zone

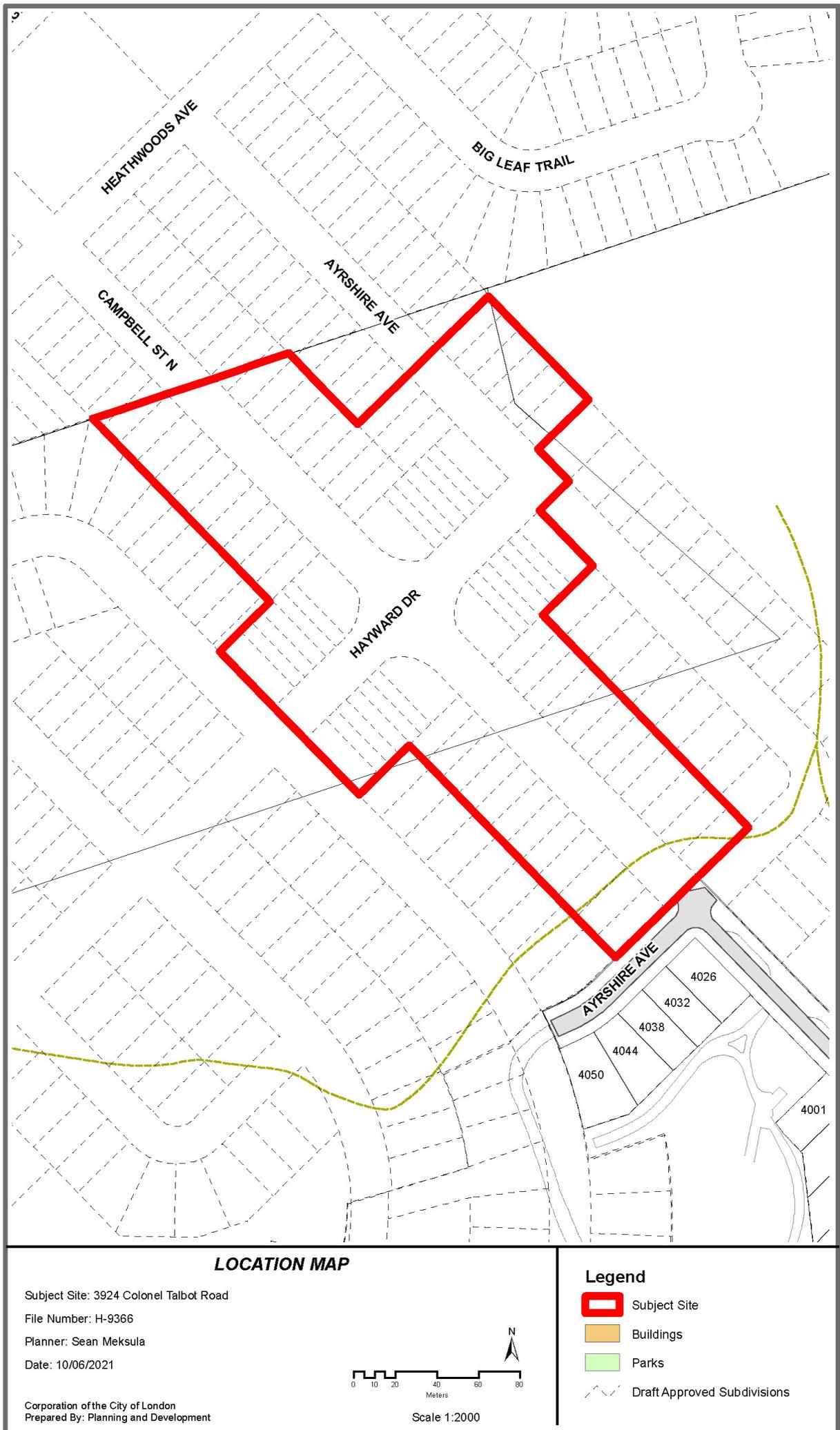
1.5 Site Characteristics

- Current Land Use – vacant
- Area – ~4.3 ha (10.6 acres)
- Shape – irregular

1.6 Surrounding Land Uses

- North – Vacant
- East – Vacant
- South – Existing residential
- West – Vacant

1.7 Location Map



2.0 Discussion and Considerations

The proposed application is to remove the “h” holding provision from the subject lands. The holding provision was included in the zone to ensure:

1. there is orderly development of land;
2. there are provisions for municipal services including water, sanitary and storm along with appropriate access; and
3. a development agreement is entered into to the satisfaction of the City.

The removal of the “h” holding provision will allow for the construction of the recently approved site plan for a cluster townhouse development comprised of 91 residential units.

2.1 Community Engagement (see more detail in Appendix B)

On June 17, 2021 a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

2.2 Policy Context (see more detail in Appendix C)

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

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

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

4.0 Key Issues and Considerations

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

h 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.

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

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

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. Therefore, the required conditions have been met to remove the “h” holding provision. The removal of the holding provision is recommended to Council for approval.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Subdivision Planning

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Condominiums

cc: Bruce Page, Manager, Subdivision Planning

cc: Peter Kavcic, Manager, Subdivision Engineering

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9366 - 3924 Colonel Talbot Road (SM)\PEC\DRAFT_H-9366 - 3924 Colonel Talbot Road _ Report (SM).docx

Bill No.(number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 3924
Colonel Talbot Road.

WHEREAS Ironstone has applied to remove the holding provision from the zoning for the lands located at 3924 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3924 Colonel Talbot Road, as shown on the attached map, comprising part of Key Map No. 110 to remove the holding provisions so that the zoning of the lands as a Residential R1/Residential R1 Special Provision/ Residential R4 Special Provision/Residential R6 (R1-3(7)) and (R1-3/R4-6(16)/R6-5) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on January 25, 2022.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

Appendix B – Public Engagement

Community Engagement

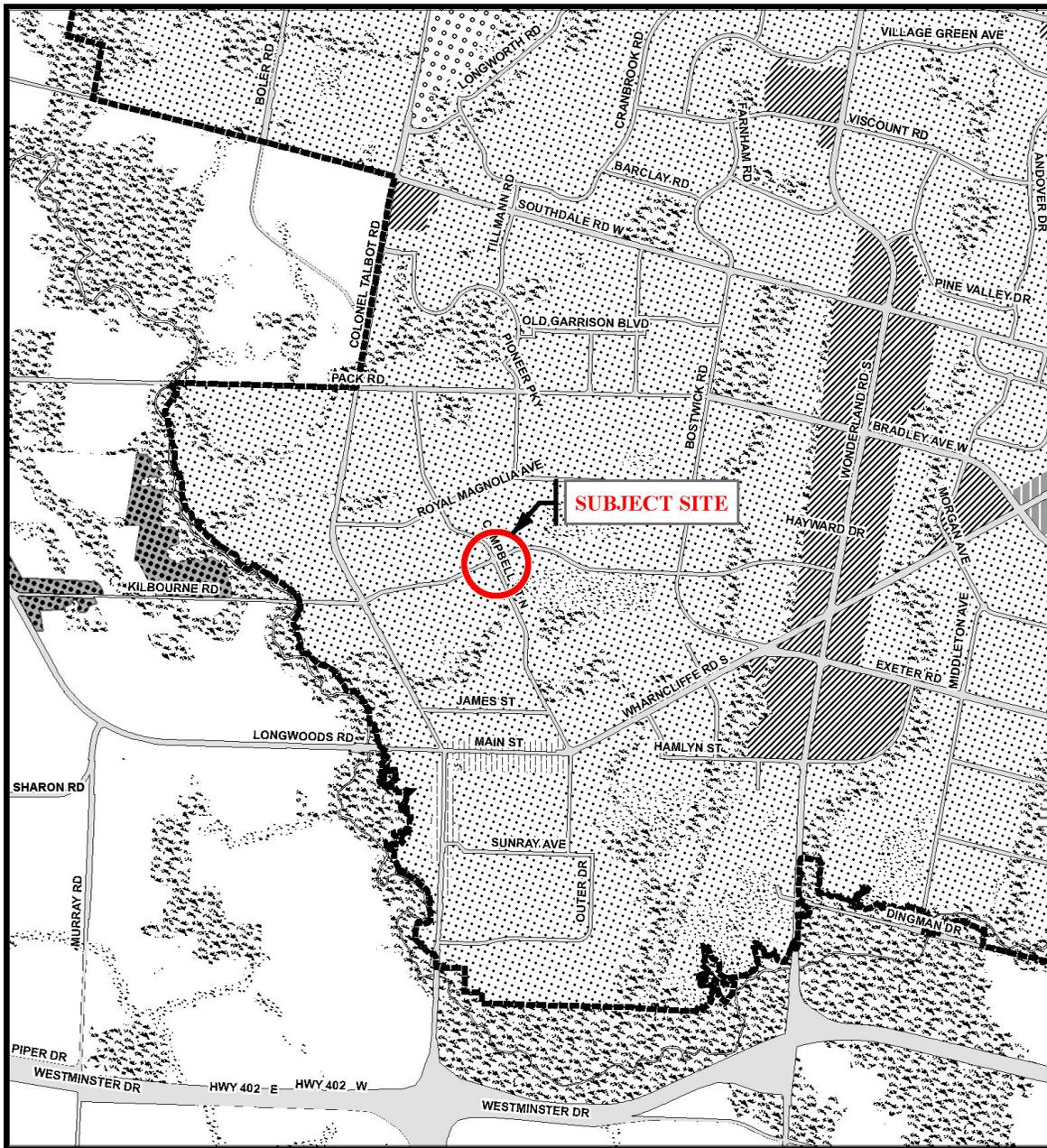
Public liaison: Notice of the application was published in the Londoner on June 17, 2021.

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h” Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol permitting the development of Heathwoods Phase 2, Draft Plan of Subdivision which includes 48 single detached dwellings and 20 street townhouses. 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. Council will consider removing the holding provisions as it applies to these lands no earlier than July 26, 2021.

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-9366

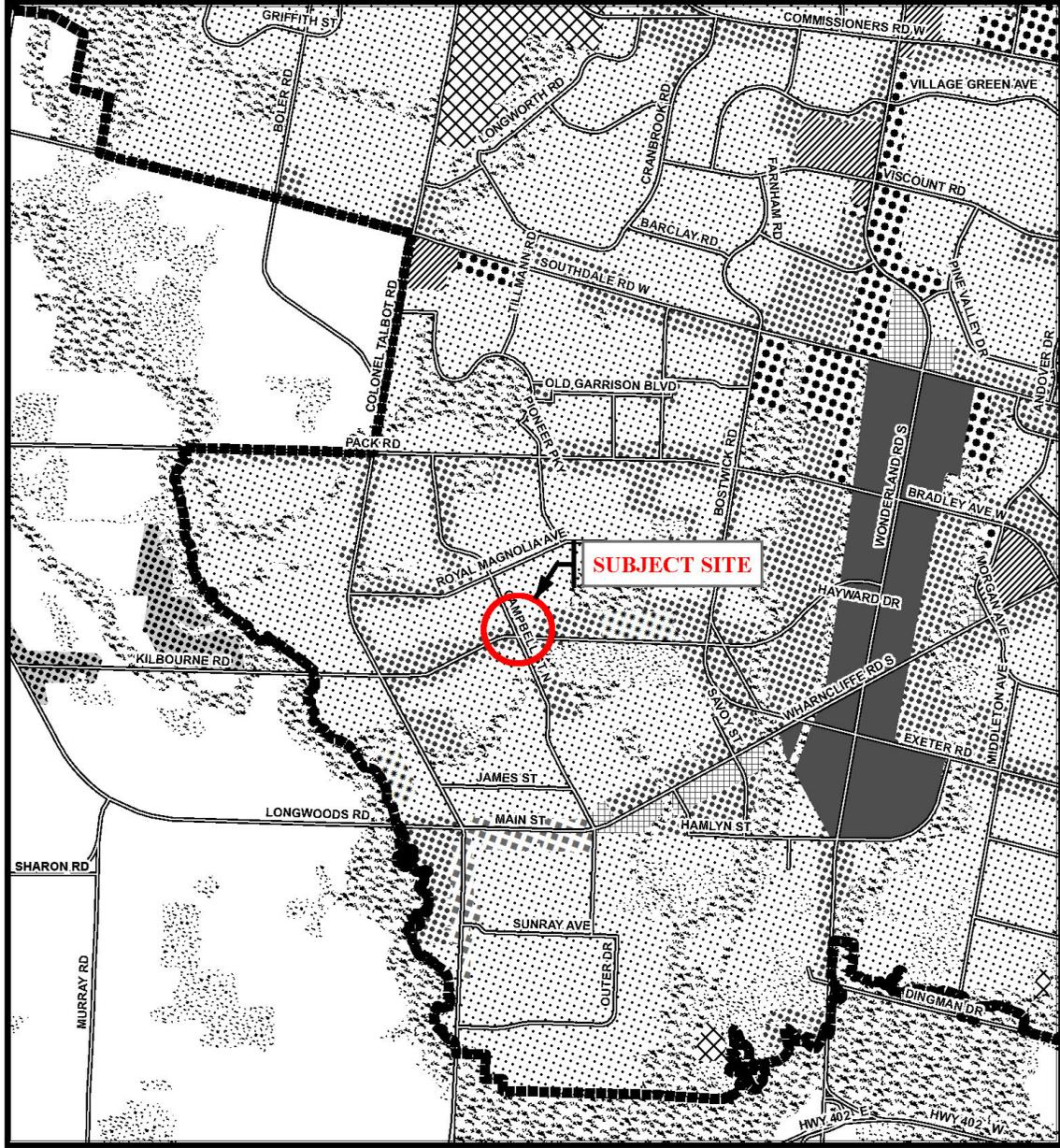
Planner: SM

Technician: RC

Date: June 8, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\H-9366-Map1-PlaceTypes.mxd

1989 Official Plan Excerpt

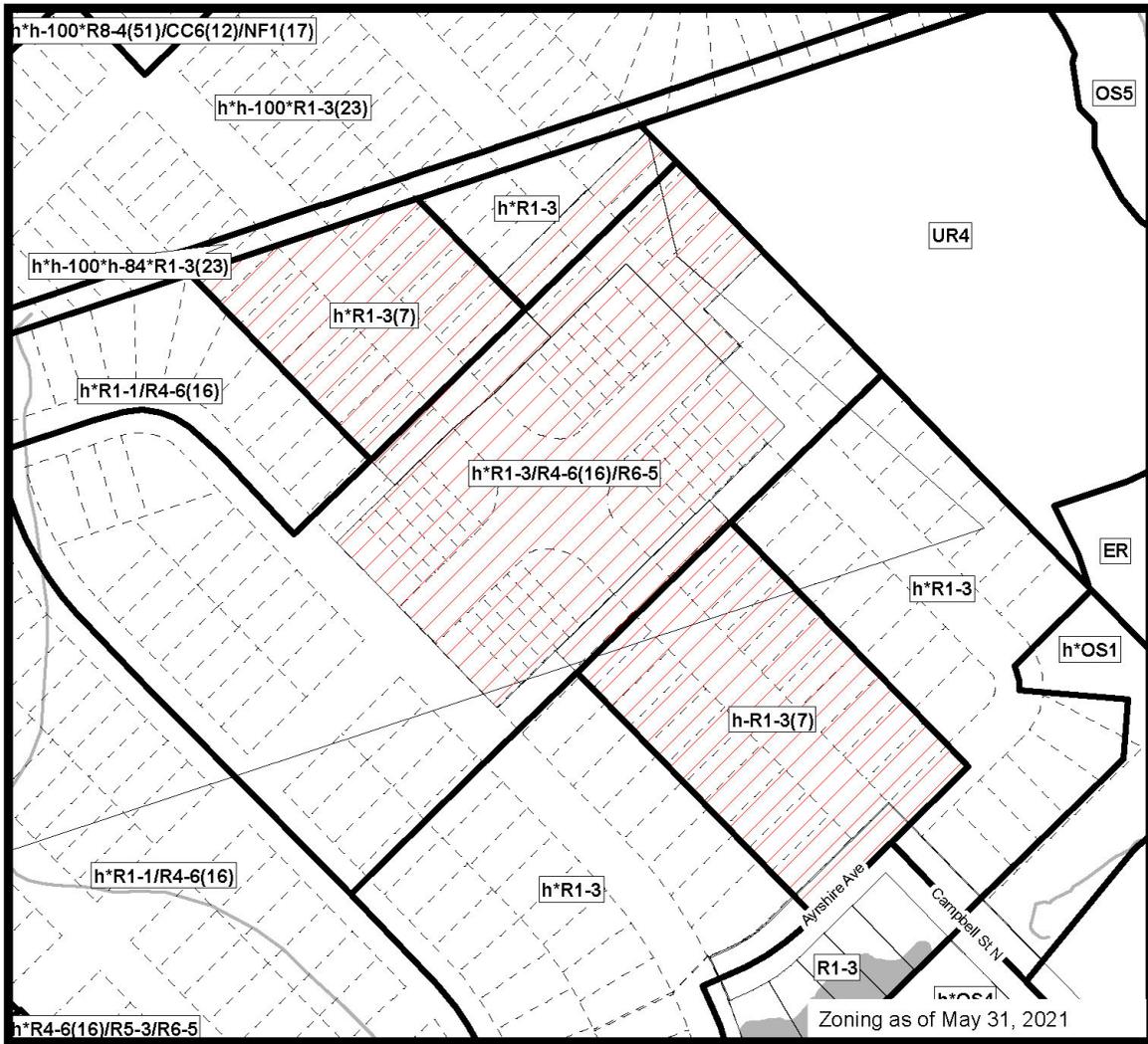


Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 155 310 620 930 1240 1550</p> <p>Meters</p>	<p>FILE NUMBER: H-9366</p>
		<p>PLANNER: SM</p>
		<p>TECHNICIAN: RC</p>
		<p>DATE: 2021/06/10</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\lrxmd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
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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-9366

SM

MAP PREPARED:

2021/06/10

RC

1:2,500

0 12.525 50 75 100

Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng
Deputy City Manager
Planning and Economic Development
Subject: Application By: Peter Sergautis
660 Sunningdale Road East
Applewood Subdivision Phase 3 - Special Provisions
Meeting on: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Peter Sergautis for the subdivision of land over Concession 6 S, Part Lot 13, situated on the north side of Sunningdale Road, west of Adelaide Street North, municipally known as 660 Sunningdale Road East;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Extra Realty Limited for the Applewood Subdivision, Phase 3 (39T-09501) attached as Appendix “A”, **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix “B”;
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

Seeking approval of Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Peter Sergautis for the Applewood Subdivision, Phase 3 (39T-09501-3).

Linkage to the Corporate Strategic Plan

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

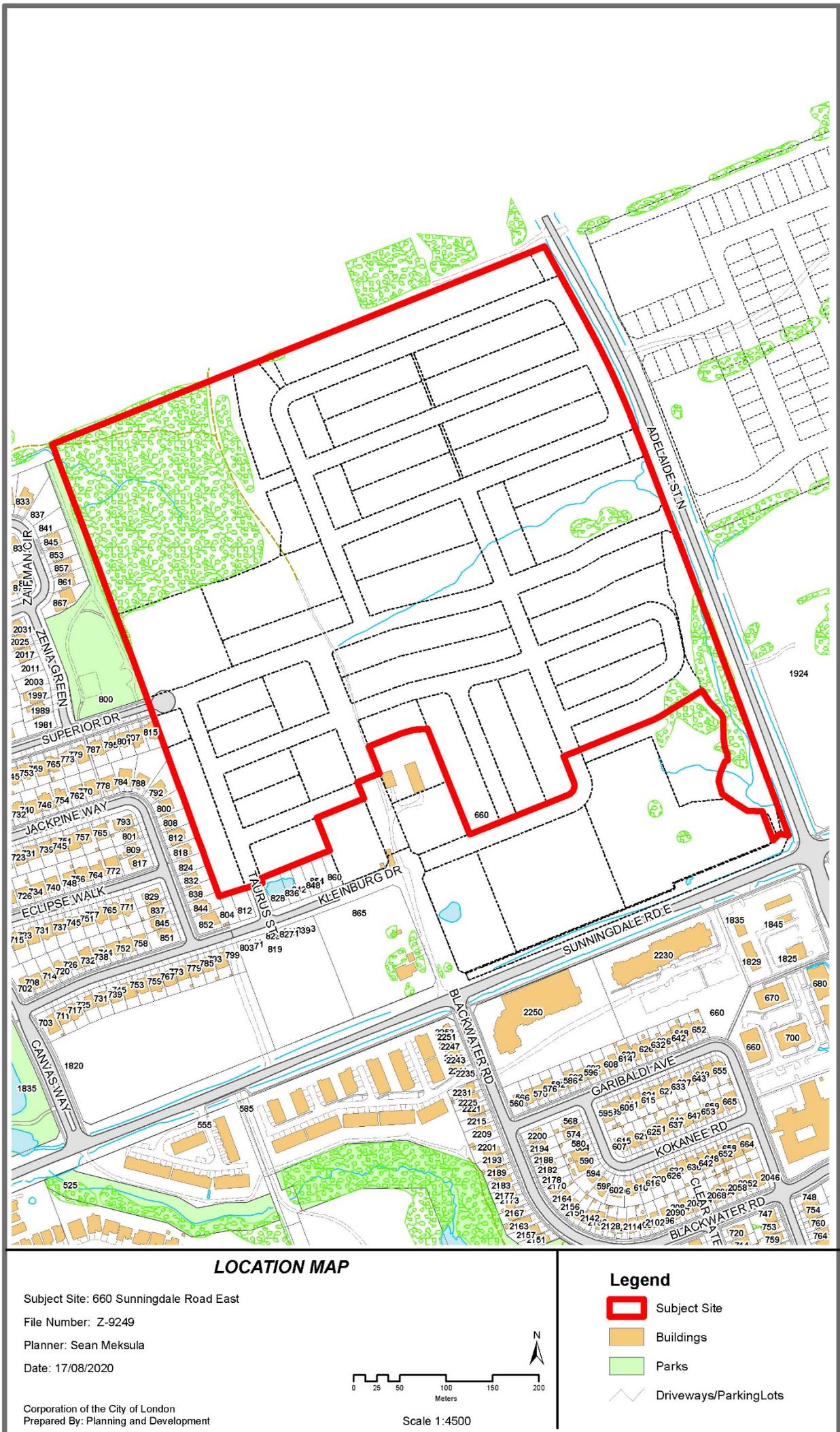
Analysis

1.0 Background Information

1.1 Property Description

The subject site (Phase 3) consists of approximately 6.54 ha (16.16 acres) land located at the northwest corner of Adelaide Street North and Sunningdale Road East. The overall Draft Approved Plan of Subdivision (39T-09501) consists of approximately 42 hectares (103.8 acres) of land and is located at the northerly limit of the City and borders with the Township of Middlesex Centre. The property slopes generally from north to south with a rolling terrain. The overall subdivision currently contains a 4-hectare (9.9 acres) woodlot (designated as Environmentally Significant Area), a small Provincially Significant Wetland, and existing buildings including a single detached dwelling (located towards the south end of the property, adjacent to the extension of Blackwater Road), and two brick barns designated under the provision of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18. The Phase 3 Block 1 is 1.89 ha (1.49 acres) land located at the south corner of Kleinberg Drive.

1.2 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The draft plan of subdivision was revised in February, 2018 and consists of 39 low density blocks (Blocks 1-39), four (4) medium density residential blocks (Blocks 40-44), two (2) commercial blocks (Blocks 46-47), two (2) commercial/mixed use residential blocks (Blocks 48-49), three (3) open space blocks (Blocks 49-51), eight (8) parkland and walkway blocks (Blocks 52-59), one (1) stormwater management block (Block 60), one (1) road widening block (Block 61), six (6) 0.3 m reserve blocks (Blocks 62-67), all served by one (1) primary collector road (Blackwater Road), one (1) secondary collector road (Street "D"/Superior Drive), and ten (10) new local streets.

The first phase of this subdivision (Phase 1a), which consisted of eight (8) single detached lots and one (1) multi-family, medium density block was registered in August 2018 as 33M-749.

The second phase (Phase 1b) of this subdivision, which consisted of one (1) commercial/residential mixed-use block, was registered in June 2019 as 33M-764.

The third phase (Phase 2) of this subdivision, which consisted of one (1) park block, three (3) commercial/residential mixed-use blocks, two (2) medium/ high density residential blocks, and one (1) road widening, all served by the extensions of Kleinburg Drive and Blackwater Road (now Appletree Gate). Block 2 includes two brick barns designated under the provision of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18.

The fourth phase (Phase 2a) of this subdivision, which consists of one (1) commercial block, two (2) commercial mixed use residential blocks, two (2) multi-family residential blocks, one (1) open space block, four 0.3 m reserves served by the extensions of Blackwater Road (now Appletree Gate) and Kleinburg Drive.

The Applicant is registering fifth phase (Phase 3) of this subdivision, which consists of one (1) medium residential block, all served by the extension of Kleinburg Drive and (now Appletree Gate) (formerly Blackwater Road).

The recommended special provisions for the proposed Phase 3 Subdivision Agreement are found at Appendix A of this report. Staff 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 outlined in the attached Source of Financing (Appendix B), there are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

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

Conclusion

Planning and Development staff are satisfied with the proposed special provisions for the Applewood 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: Sean Meksula, MCIP, RPP
Senior Planner, Planning and Development

Reviewed by: Bruce Page,
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

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.

ec: Matt Feldberg, Manager, Subdivisions and Development Inspections
Bruce Page, Manager, Subdivision Planning

December 23, 2021
GK/GB/SM/jar

Appendix A – Special Provisions

1.

15. PROPOSED SCHOOL SITES

Remove Subsections 15.3 to 15.8 as there are no school blocks in this Plan.

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

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

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

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

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

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

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

24.1 STANDARD REQUIREMENTS

Add the following 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 In conjunction with site plan approval for Block 1 within this Plan, the Owner shall install the approved servicing for any dwelling units in Block 1 in this Plan to be serviced directly from Kleinburg Drive, in accordance with the approved design criteria and accepted site plan drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

5 The Owner shall make all necessary arrangements to construct new services and make adjustments to the existing works and services on Kleinburg Drive in

Plan33M-787, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the Block in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent land owners as to what each parties consulting engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.

6.

24.2 CLAIMS

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

Remove Subsections 24.2 (a) to (g) and replace with the above.

~~(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 Deputy City Manager, Environment and Infrastructure (or designate) and Deputy City Manager, Finance Supports (or designate). The Owner acknowledges that:~~

~~i) no work subject to a Work Plan shall be reimbursable until both the Deputy City Manager, Environment and Infrastructure (or designate) and Deputy City Manager, Finance Supports (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 Deputy City Manager, Environment and Infrastructure (or designate) and the Deputy City Manager, Finance Supports (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 Deputy City Manager, Environment and Infrastructure (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:

- 7 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct and have operational temporary sediment and erosion control works internal and external to this Plan as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
- 8 All temporary erosion and sediment control measures, installed in conjunction with this Plan shall be decommissioned and/or removed when warranted, as per the accepted engineering drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

- 9 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall remove and/or decommission any temporary grading constructed as part of Phase 2A as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
- 10 Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
- 11 Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with any adjacent property owner for any regrading abutting this property, 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:

- 12 The Owner acknowledges that the storm servicing for Phase 3 of this Plan of subdivision will be provided as part of the detailed design and construction of the site plan for Block 1 which will include but not be limited to such aspects as quality, quantity and erosion & base flow control storage; minor and major flow design; hydrogeological and water balance works; sediment and erosion control measures; environmental monitoring plan; etc., as identified in the accepted Functional Stormwater Management Report for the site plan, all to the specifications and satisfaction of the City and UTRCA.
- 13 The SWM servicing report for the site plan on Block 1 must be supported by the appropriate hydrogeological supporting information to ensure the SWM Strategy for Block 1 works and construction associated with Phase 3 of this Plan of subdivision will not impact water balance to the PSW; to determine the effects of the construction associated with Phase 3 of this Plan of subdivision on the existing groundwater elevations, nearby any natural heritage features, domestic wells; to identify any abandoned wells in Phase 3 of this Plan of subdivision; and to assess the impact on the overall water balance and identify any fill required in Phase 3 of this Plan of subdivision, as well provide recommendations for foundation design should high groundwater be encountered, to the satisfaction of the City. The hydrogeological investigation should identify all required mitigation measures, and provide details related to any Low Impact Development (LIDs) features, as necessary, to the satisfaction of the City. Details related to proposed LID features, if applicable, should include information related to the long-term operations of the LID features as it relates to seasonal fluctuations of the groundwater table. If necessary, the report is to also address any contamination impacts that may be anticipated or experienced because of the said construction as well as provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site. The hydrogeological investigation should also include the development of appropriate short-term and long-term monitoring plans where applicable.
- 14 The Owner shall have its consulting Professional Engineer submit a monitoring and maintenance strategy to the City for review and acceptance outlining a program for the monitoring and maintenance of any required OGS and any low impact development (LID) features in the Site Plan on Block 1, if any, all to the satisfaction of the City, at no cost to the City. This strategy is to be in accordance with the "Low Impact Development Stormwater Management Practice Inspection and Maintenance Guide" prepared by Toronto and Regional Conservation Authority.
- 15 The Owner shall have water balance components and low impact development (LID) features, if any, installed and operational in the Site Plan on Block 1 in accordance with the accepted servicing drawings and the accepted Stormwater Management Report to the specifications and satisfaction of the City, at no cost to the City.

- 16 The Owner shall complete the following, at no cost to the City, all to the satisfaction of the City:
- i) Operate, maintain, inspect, monitor, and protect any OGS and any low impact development features, if any, including correcting any deficiencies as soon as they are detected, in accordance with the accepted maintenance and monitoring program; and,
 - ii) have its consulting Professional Engineer submit monitoring reports in accordance with the accepted maintenance and monitoring program.
- 17 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall decommission the existing temporary sediment basin and all associated works (eg. headwall, etc.) constructed as part of 33M-749 (Phase 1), all to the satisfaction of the Deputy City Manager, Environment and Infrastructure. The Owner is responsible for all costs related to the decommissioning and redirection of sewers and overland flow routes. Following the decommissioning of any existing temporary works, the Owner shall make all necessary arrangements to have any easements in this Plan quit claimed, to the satisfaction of the City, at no cost to the City.
- 18 The Owner is responsible for all costs related to the decommissioning of any temporary sediment basin(s) work and any redirection of sewers and overland flow routes.
- 19 The Owner shall co-ordinate the works associated with this Plan of Subdivision with the City's proposed construction of the Stoney Creek SWM Facility # 2, to the east on external lands adjacent to this Plan.
- 20 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.
- 21 The Owner acknowledges that the major storm outlet for this Plan of subdivision is the Dry Stoney Creek SWMF 2 via the major overland flow route within the municipal easement described in reference plan 33R-20150.
- 22 The Owner shall implement SWM Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and the approval of the City.

23

24.9 SANITARY AND STORM SEWERS

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

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Stoney Creek Subwatershed, and connect them to the City's existing storm sewer system being the unassumed 1200 mm diameter storm sewer within the municipal easement over Municipal 945 Kleinburg Drive as described in Reference Plan 33R-20835 outletting to the Regional Stoney Creek SWM Facility 1N in accordance with the accepted engineering drawings, to the satisfaction of the City.

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

- (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 Kleinburg Drive in accordance with the accepted engineering drawings, to the satisfaction of the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

- 24 Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the Deputy City Manager, Environment and Infrastructure, 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 (Phase 3) and connect them to the existing high level municipal system, namely the existing 200 mm (8") diameter watermain on Kleinburg Drive in accordance with the accepted engineering drawings;
 - ii) No Development of lands that are serviced from the municipal watermain on Kleinburg Drive, east of Appletree Gate, which include blocks labeled as Phase 2A, 2B or phase 3 shall exceed past 80 individual water services or an apartment complex containing 300 dwelling units until the Watermain on Kleinburg Drive becomes a looped system.
 - iii) Deliver confirmation that the watermain system on Kleinburg Drive has been looped to the satisfaction of the Deputy City Manager, Environment and Infrastructure when development is proposed to proceed beyond 80 units;
- 25 The Owner shall provide a multi-purpose easement over the balance of the approved draft plan of subdivision, 39T-09501, external to this plan, all to the specifications and satisfaction of the City.

26

24.11 ROADWORKS

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

27

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

- (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 Sunningdale Road via Appletree Gate. All trades and construction vehicles shall park within this Plan of Subdivision.

Add the following new Special Provisions:

- 28 The Owner shall construct and maintain a temporary/emergency access from the north limit of Kleinburg Drive to Adelaide Street North and provide the necessary easements, all to the specifications of the City and at no cost to the City.
- 29 The Owner shall contact the City for the removal of the 0.3 m reserve in Plan 33M-787 (Block 10) in order to allow access for Block 1 to Kleinburg Drive, all to the satisfaction of the City.
- 30 The Owner is advised no access will be permitted to any unopen road allowance to the east of Block 1 until the future road is constructed to the satisfaction of the City. Access for Block 1 is to be from the existing Kleinburg Drive in Plan 33M-787, to the satisfaction of the City.

24.XX PLANNING

- 31 In conjunction with the first submission of engineering drawings, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
- 32 The Owner shall provide updated detailed Urban Design Guidelines for Block 1 of this Plan of Subdivision prior to Site Plan Approval.
- 33 The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
- 34 Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Planning and Development Compliance Division monthly during development activity along the edge of the Park Block.

24.XX AGENCIES

- 35 The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
- 36 The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication / telecommunication infrastructure needed to service the development.
- 37 It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

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

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Clawson Group Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- There are no public right of ways within this Plan of Subdivision. They have been constructed in Plan 33M-787.

Sidewalks

- There are no sidewalks to be constructed within this Plan of Subdivision. They have been constructed in Plan 33M-787.

Pedestrian Walkways

- There are no pedestrian walkways within this Plan of Subdivision.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Clawson Group Inc. 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:	NIL
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	Cash payment in lieu of the 5% parkland dedication pursuant to City of London By-law C.P.-9.
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	NIL
--------------	-----

LANDS TO BE HELD IN TRUST BY THE CITY:

Temporary access:	NIL
-------------------	-----

SCHEDULE “E”

This is Schedule “E” to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Clawson Group Inc. 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:	\$ 6,000
BALANCE PORTION:	<u>\$ 34,000</u>
TOTAL SECURITY REQUIRED	\$ 40,000

The Cash Portion shall be deposited with the Deputy City Manager, Finance Supports prior to the execution of this agreement.

The Balance Portion shall be deposited with the Deputy City Manager, Finance Supports 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 ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Clawson Group Inc. 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 Deputy City Manager, Environment and Infrastructure as follows:
 - (i) over the balance of the Approved Draft Plan of Subdivision, 39T-09501, all to the specifications and satisfaction of the City.

Appendix B – Claims and Revenues

Applewood Phase 3 Subdivision
 Subdivision Agreement
 39T-09501_3

Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF	
- None.	\$0
- None.	\$0
Total	\$0
Estimated DC Revenues (January 1, 2022 to December 31, 2022 Rates)	Estimated Revenue
CSRF TOTAL	\$943,548

- 1 Estimated DC Claim Costs are for Owner led construction projects and do not include City led projects required to accommodate growth.
- 2 Estimated DC Revenues are calculated using current DC rates. The City employs a "citywide" approach to cost recovery for all eligible growth services, therefore the Estimated DC Claim Costs and Revenues in the table above are not directly comparable.
- 3 There are no anticipated claims associated with this development.

Approved by:

 Date

 Paul Yeoman
Director, Capital Assets and Projects

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application by Thames Village Joint Venture Corp.
1738, 1742, 1752 and 1754 Hamilton Road
Extension of Draft Plan Approval

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Thames Village Joint Venture Corp. relating to the lands located at 1738, 1742, 1752 and 1754 Hamilton Road the Approval Authority **BE ADVISED** that Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision **SUBJECT TO** the previously imposed conditions contained in the attached Appendix "A" (File No. 39T-17502).

Executive Summary

Summary of Request

This request is for a three (3) year extension of draft plan approval for a proposed residential subdivision located north-east of Hamilton Road, between Commissioners Road East and the Thames River.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend the Approval Authority for the City of London approve the requested extension of draft plan approval which is currently set to lapse on February 15, 2022, subject to the previously approved conditions.

Rationale of Recommended Action

1. The requested three (3) year extension is reasonable to allow sufficient time for the registration of the subdivision plan.
2. The land use pattern, lot/block configurations, and road alignments in this subdivision do not change; therefore, an extension of the lapse date can be supported. The previous conditions of draft approval were re-circulated and reviewed with departments and agencies and no new conditions, revisions or updates are recommended.

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

July 26, 2021 – Report to Planning and Environment Committee – 1738, 1752 and 1754 Hamilton Road – Thames Village Joint Venture Corporation - Special Provisions for Subdivision Agreement (File No. 39T-17502).

June 18, 2018 – Report to Planning and Environment Committee – 1738, 1742, 1752 and 1756 Hamilton Road – Thames Village Joint Venture Corporation – Applications for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (File No. 39T-17502/OZ-8147).

2.0 Discussion and Considerations

2.1 Property Description

The southwesterly half of the site is characterized by tableland consisting of open fields previously in agricultural use. The northeasterly half of the site is composed of steep, wooded ravines in which there are two watercourses tributary to the Thames River to the north. Residential uses existing on the property consist of a two residences fronting the east side of Hamilton Road (1738 and 1752-1754 Hamilton Road), and an existing dwelling at the back of the property located on tableland overlooking the Thames River and adjacent ravine (1742 Hamilton Road). Not far to the east is another home within the same area, but located on a separate parcel of land outside the proposed subdivision lands (municipal address 1746 Hamilton Road). Both residential properties share a private lane for access from Hamilton Road.

Development of a residential strip of single detached dwellings emerged over time along the north side of Hamilton Road. This was partly the result of a subdivision plan (R.P. 747) registered many years ago when the area was within the Township of Westminster. Through that registered plan, Oriole Drive, Bobolink Lane, and Cardinal Lane were dedicated as public highways. Oriole Drive and Bobolink Lane will be utilized to provide the subdivision with public road access to Hamilton Road.

The proposed subdivision lands are traversed by an untravelled road allowance lying east of Hamilton Road between Concession 1 and Broken Front Concession 'B' (known as the "Base Line" road allowance). The process of legally closing the road allowance as a public highway has been approved by Municipal Council. The bulk of the road allowance will be retained by the City for open space purposes, except for a small portion which is to be sold to the adjacent property owner/developer in order to connect development lands lying on either side of the road allowance. These lands are also traversed by the Hydro One Networks transmission corridor easement. Adjustments to the draft plan have been made to ensure that future residential development does not encroach into the hydro corridor easement lands.

2.2 Current Planning Information

- The London Plan Place Type – Neighbourhoods and Green Space
- (1989) Official Plan Designation – Low Density Residential, Multi-family, Medium Density Residential and Open Space
- Zoning – Lots and blocks within the draft plan comprise various Residential (R1, R4, R5 and R6) Special Provision, Open Space (OS5), and Urban Reserve (UR4) Zones.

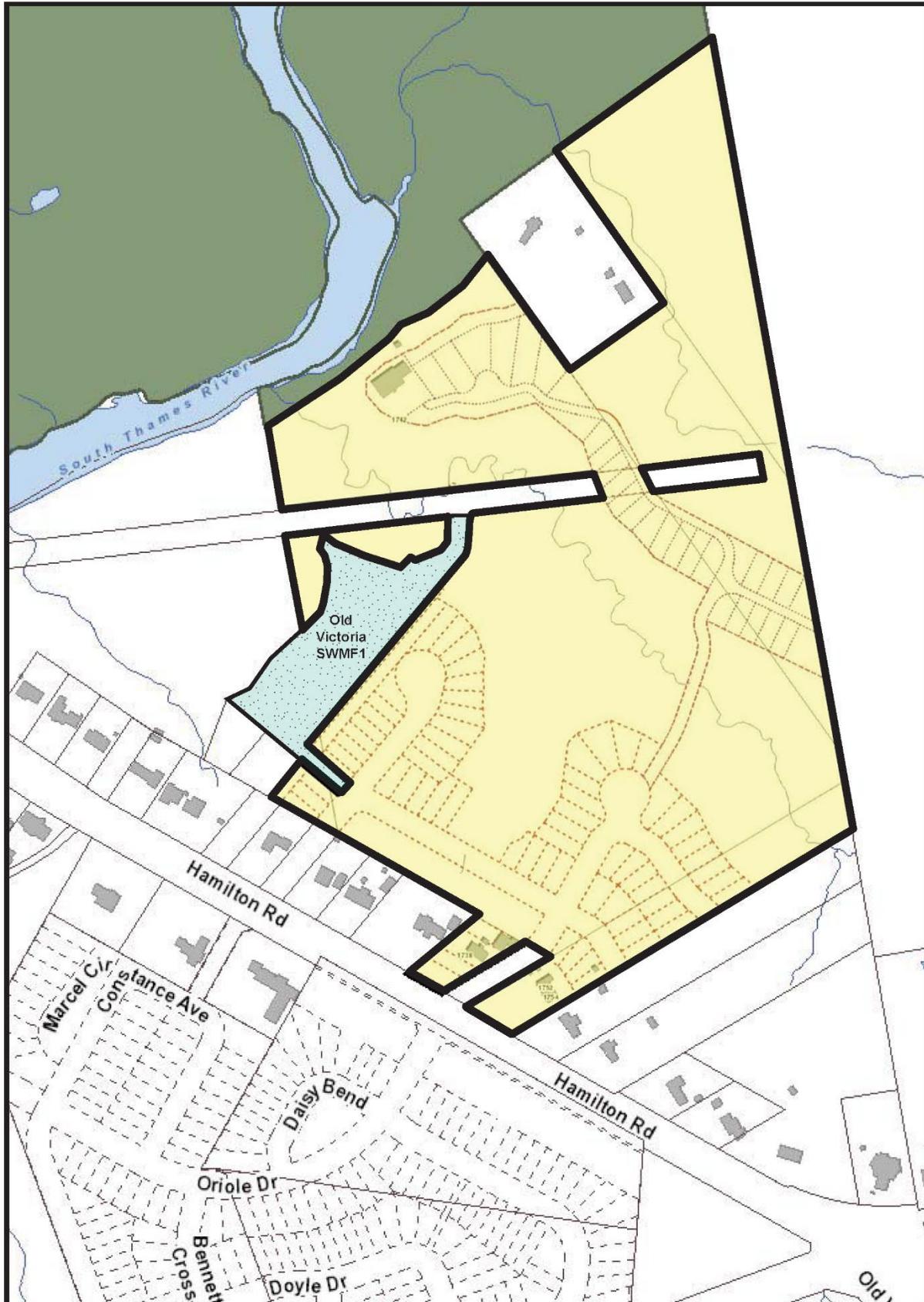
2.3 Site Characteristics

- Current Land Use – residential dwellings, vacant lands, and hydro transmission corridor
- Frontage – 95 metres (312 ft.)
- Depth – varies from approx. 270 metres (886 ft.) to 600 metres (1,970 ft.)
- Area – approx. 19.4 hectares (48 acres)
- Shape – Irregular

2.4 Surrounding Land Uses

- North – stormwater management facility, Thames River and open space
- East – agriculture
- South – low density residential
- West – low density residential

2.5 Location Map



Location Map

Subject Property: 1738, 1742, 1752 & 1756 Hamilton Rd
 Applicant: Thames Village Joint Venture Corp.
 File Number: 39T-17502 / OZ-8147
 Created By: Rob Carnegie
 Date: 5/25/2018
 Scale: 1:4000

Corporation of the City of London



Legend

- Subject Property
- Parks
- Assessment Parcels
- Buildings
- 123 Address Numbers
- Stormwater Management Facility

2.7 Planning History

On June 26, 2018, Municipal Council adopted Official Plan and Zoning By-law Amendments in conjunction with a proposed Draft Plan of Subdivision submitted by Thames Village Joint Venture Corporation for lands consisting of approximately 20 hectares on the north-east side of Hamilton Road, north of Commissioners Road East and south of the Thames River. On August 15, 2018 the City of London Approval Authority issued Draft-Approval of the subdivision plan for three years. A subsequent 180 day extension was granted by the Approval Authority on August 4, 2021 extending the lapse date to February 15, 2022.

Old Victoria Stormwater Management Facility No. 1 has been constructed by the City on the east side of Hamilton Road adjacent this subdivision plan to serve the future development. Engineering design and servicing drawings for Phase 1 of the subdivision have been reviewed and accepted, and Special Provisions for the Subdivision Agreement have recently been approved by Council.

2.8 Requested Action

This request is for a three (3) year extension of the draft plan which consists of 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets.

An extension of Draft Approval is required in order to have sufficient time to complete the final approval and registration process. The applicant has not proposed any changes to the lotting configuration, road pattern or zoning that applies to these lands. A Draft Approval extension period of three (3) years is being recommended in accordance with standard City practice. If final approval has not been provided within the three year period and the applicant requests an extension, there will be another opportunity to formally review the conditions and ensure that they are relevant to current planning policies, municipal servicing requirements, and the projects listed in the updated Growth Management Implementation Strategy (GMIS).

2.9 Community Engagement

Notice was not circulated to the public regarding the request for extension of draft approval given that no significant changes are being proposed to the zoning, lotting pattern or roadway alignments in the draft approved plan (39T-17502). In accordance with Section 51(45) of the *Planning Act* notice will be provided to the applicant, as well as any persons or public bodies who are prescribed under the Act and anyone who previously requested notification.

2.10 Policy Context

The London Plan

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the developable portions of these lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, and townhouses, as the main uses. The “Green Space” Place Type has also been applied to portions of the subject lands to recognize the presence of significant natural heritage features, watercourses, and hazard lands. Proposed land uses are consistent with the Place Types in the London Plan. The Draft-Approved Plan incorporates a high degree of neighbourhood connectivity and a multi-use walking and cycling pathway system identified on the Active Mobility Network mapping. The plan incorporates elements of the City’s Placemaking and Old Victoria Area Plan Community Design Guidelines, including a strong street-oriented built form. The main attraction is the unique backdrop of natural areas and passive open space. Components of both the public and private realm, such as “window” streets providing views and the Thames Valley Pathway (TVP) providing passive outdoor recreational opportunities, incorporate these features into the subdivision design.

(1989) Official Plan

These lands are designated Low Density Residential, Multi-family, Medium Density Residential, and Open Space on Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged up to a maximum density of 75 units per hectare. These areas may also be developed for single detached, semi-detached and duplex dwellings. The Open Space designation has been applied to existing natural features and open space, and has been further reviewed and refined through Environmental Impact Studies and hydrogeological assessments as part of the planning review and approvals process. The natural areas containing watercourses and wooded ravines, associated buffers, and restoration/renaturalization areas, are to be preserved and protected as Open Space.

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 key issues and considerations have been reviewed and addressed through the draft plan of subdivision approval process. The Draft Approval conditions have been re-circulated and reviewed with municipal departments and agencies. Based on our review the current conditions continue to be appropriate and no new conditions, revisions or updates are recommended.

Conclusion

Staff recommend a three (3) year extension to Draft-Approval for this plan of subdivision, subject to the previously approved conditions included in Appendix A. The recommended extension is considered appropriate and reasonable to allow sufficient time for final approval and registration of this subdivision plan.

Prepared by: Larry Mottram, MCIP, RPP
Senior Planner, Subdivisions and Condominiums

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic
Development

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

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections
December 23, 2021
GK/GB/BP/LM/lm

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APPENDIX 39T-17502 (Conditions to be included for draft plan approval)

THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION 39T-17502 ARE AS FOLLOWS:

1. This draft approval applies to the draft plan as submitted by Thames Village Joint Venture Corporation (File No. 39T-17502), prepared by Archibald, Gray & McKay Ltd., and certified by Juan D. Zapata, Ontario Land Surveyor dated September 20, 2017 (Project No. OVE DP), as red-lined revised, which shows 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets.
2. This approval applies for three years until February 15, 2025 and if final approval is not given by that date the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall request that street(s) be named to the satisfaction of the City.
5. The Owner shall request that the municipal addresses be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. The Owner shall enter into the City's standard subdivision agreement (including any added special provisions) which shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
9. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
10. Prior to final approval, for the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the City complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the City. The Owner acknowledges that, in the event that a submission does not include the complete information required, such submission will be returned to the Owner without detailed review by the City.

SEWERS & WATERMAINS

Sanitary:

11. In conjunction with the Focused Design Studies submission, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:

- i) A preliminary sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced, to the satisfaction of the City. Due to the depth of the outlet sewer on Hamilton Road, the sanitary plan shall include design details related to the connection of the internal sewers to the existing sewer on Hamilton Road and the proposed inverts of the internal subdivision sewers;
- ii) A servicing report for the lands which have been identified as requiring pumped sanitary servicing. The report shall confirm that there is no viable option to provide gravity servicing, identify that a pumped system would be constructed at the Owner's cost and be privately owned and operated, identify the type of private servicing system(s) which may be implemented and describe how the ownership and operation of the private system will be managed for the development of the lands within Blocks 70 and 71.
- iii) A servicing report that demonstrates an outlet to serve the subject lands and how it will ultimately outlet to the municipal sanitary sewer on Hamilton Road.
- iv) A suitable routing for the sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirements for this sanitary trunk sewer;
- v) An analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407;
- vi) Confirmation that the Upper Thames River Conservation Authority has agreed in principle to the construction of any proposed sanitary sewer through any Blocks in this Plan within the UTRCA regulatory area.

12. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:

- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 750 mm (30") diameter sanitary sewer located on Hamilton Road.
- ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
- iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
- iv) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

13. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:

- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
- ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and

infiltration into the sanitary sewer.

- iii) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
- iv) Implementing any additional measures recommended through the engineering drawing submission.
- v) Installing Parson Manhole Inserts (or approved alternative satisfactory to the City Engineer) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the City Engineer.

14. Prior to registration of this Plan, the Owner shall obtain consent from the City Engineer to reserve capacity at the Pottersburg Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the City Engineer subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.

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

Storm and Stormwater Management (SWM)

15. In conjunction with the Focused Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:

- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
- ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City. This plan is to indicate any interim and ultimate conditions and any associated infrastructure and easements;
- iii) Providing a preliminary plan demonstrating how the proposed grading and road design will match the grading of the proposed Stormwater Management Facility to be built by the City;
- iv) Addressing the rerouting, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses;
- v) Providing details of the crossing of the watercourse to Block 70;
- vi) Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and
- vi) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.

16. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:

- i) The SWM criteria and environmental targets for the South Thames Subwatershed Study and any addendums/amendments;
- ii) The Municipal Class Environmental Assessment Environmental Study Report for Old Victoria Plan – Storm Drainage and Stormwater Management Servicing Works

(January 15, 2009);

- iii) The approved Functional Stormwater Management Plan/Report for Old Victoria SWMF # 1 (AECOM 2015) and any other applicable Storm/Drainage and SWM Servicing Functional Report(s) for the subject lands or outlet systems;
- iv) The City's Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and residential development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
- v) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
- vi) The Stormwater Letter/Report of Confirmation for the subject development prepared and accepted in accordance with the file manager process;
- vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
- viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
- ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
- x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.

17. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:

- i) Construct storm sewers to serve this plan, located within the South Thames Subwatershed, and outlet them to the Thames River via the proposed regional Stormwater Management (SWM) Facility (Old Victoria SWM # 1) and the identified Tributary 2 in the Functional Stormwater Management Plan/Report for Old Victoria SWMF # 1 Report and all related stormwater/drainage servicing infrastructure in and related to, this plan of subdivision;
- ii) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan;
- iii) Grade and drain all boundaries of the Lots/Blocks, open space and renaturalization areas in this plan to blend in with the abutting SWM Facility in this plan, at no cost to the City;
- iv) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands, the Owner shall confirm the required erosion and sediment control measures were maintained and operating as intended during all phases of construction, and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
- vi) Address forthwith any deficiencies of the stormwater works and/or monitoring program.

18. Prior to the issuance of any Certificates of Conditional Approval for any lot/block in this plan, or as otherwise approved by the City, the Owner shall complete the following:

- i) All storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
- ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
- iii) Implement the re-routing, enclosure and/or removal of any existing open watercourses in this plan and identify the needs for any setbacks from the open watercourses, to the satisfaction of the UTRCA and City; and,
- iv) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City.

19. Prior to the issuance of any Certificates of Conditional Approval for any Lots/Blocks in this plan, the Old Victoria SWMF # 1, to be built by the City, to serve this plan, must

be constructed and operational.

20. The Owner shall cross reference the submitted draft plan with the reference plan 33R- 19767 for the adjacent Old Victoria SWM Facility # 1 block to ensure they are consistent as there are some discrepancies. Any additional land shall be included as part of the adjacent Open Space Block.

21. In conjunction with the engineering drawing submission, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.

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

- i) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
- ii) identify any abandoned wells in this plan
- iii) assess the impact on water balance in the plan
- iv) any fill required in the plan
- v) provide recommendations for foundation design should high groundwater be encountered
- vi) identify all required mitigation measures including the design and implementation of Low Impact Development (LIDs) solutions
- vii) address any contamination impacts that may be anticipated or experienced as a result of the said construction
- ix) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
- x) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken; all to the satisfaction of the City.

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

24. The Owner shall ensure that any storm drainage areas within this draft plan of subdivision which cannot be serviced by the proposed SWM Facility shall be identified and SWM on- site controls for these specified areas shall be provided in accordance with the accepted Design Requirement for Permanent Private Stormwater Systems, all to the satisfaction of the City Engineer. Also, any parts of this draft plan that are not serviced by the proposed Old Victoria SWMF # 1 shall be required to provide quality controls for all storm flows, all to the satisfaction of the City Engineer.

25. The Owner's professional engineer shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specification and satisfaction of the City Engineer.

26. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities, Policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time"

Design and Construction Process adopted by Council on July 30, 2013 as part of the Development Charges Policy Review: Major Policies Covering Report.

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

Watermains

28. In conjunction with the engineering drawings submission, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the City Engineer:

- i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
- ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level water distribution system;
- iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
- iv) Include modeling for two fire flow scenarios as follows:
 - Max Day + Fire confirming velocities and pressures within the system at the design fire flows; and
 - Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
- v) Include a phasing report as applicable which addresses the requirement to maintain interim water quality;
- vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;
- vii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;
- viii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
- ix) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
- x) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
- xi) Identify the effect of development on existing water infrastructure – identify potential conflicts;
- xii) Include full-sized water distribution and area plan(s);
- xiii) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices), the fire hydrant rated capacity and marker colour and the design fire flow applied to development blocks.

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

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

- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal/assumption
- ii) any incidental and/or ongoing maintenance of the automatic flushing devices

- iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal/assumption
- iv) all works and the costs of removing the devices when no longer required

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

32. 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:

- iii. Construct watermains to serve this Plan and connect them to the existing low-level municipal system, namely the existing 250 mm diameter watermain on Hamilton Road;
- iv. 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
- v. The available fire flow and appropriate hydrant colour code marker (in accordance with the City of London Design Criteria) are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval;

33. The Owner shall obtain all necessary approvals from the City Engineer for the servicing of all Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.

34. With respect to Blocks 70 and 71, the Owner shall include in all agreements of purchase and sale and/or lease, a warning clause advising the purchaser/transferee that if it is determined by the Ministry of Environment and Climate Change (MOECC) that the water servicing for the Block is a regulated drinking water system, then 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.

If deemed a regulated system, the City of London may be ordered by the Ministry of the Environment and Climate Change (MOECC) to operate this system in the future. The system may be required to be designed and constructed to City standards.

STREETS, TRANSPORTATION & SURVEYS

Roadworks

35. The Owner shall construct a cul-de-sac(s) on Street 'A' and Street 'C' in accordance with City of London Standard DWG. SR-5.0, to the specifications and satisfaction of the City Engineer. The Owner shall provide a raised circular centre island within the cul-de-sac(s) or as otherwise directed by the City Engineer.

36. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the City Engineer.

37. At 'tee' intersections, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 6 metres (20') tangent being required along the street lines of the intersecting road, all to the satisfaction of the City Engineer.

38. In conjunction with the first submission of engineering drawings submission, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:

i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, centreline radii, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.

39. The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the cul-de-sacs on Street 'A' and Street 'C'.

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

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

41. The Owner shall have its professional engineer design the roadworks in accordance with the following road widths:

i) Bobolink Drive and Oriole Drive, Street 'A' (from Hamilton Road to Street 'B') and Street 'C' have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2') with a minimum road allowance of 20 metres (66').

ii) Street 'A' (from Street 'B' to cul-de-sac) and Street 'B' have a minimum road pavement width (excluding gutters) of 6.0 metres (19.7') with a minimum road allowance of 18 metres (60').

42. The Owner shall align Street 'A' opposite Bobolink Lane, to the satisfaction of the City Engineer.

43. The Owner shall align Oriole Drive/Street 'C' opposite Oriole Drive to the west of Hamilton Road, to the satisfaction of the City Engineer.

44. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make an application to the City to lift the existing 0.3 metre reserves at the east limits of Bobolink Lane and Oriole Drive, to the satisfaction of the City.

45. In conjunction with Focused Design Studies submission, the Owner shall submit a concept plan to show how Municipal Nos. 1742 and 1746 Hamilton Road will be serviced and accessed and identifying the location of an easement over Blocks 70, 71 and 75 if needed for servicing and access of 1746 Hamilton Road.

46. The Owner shall register an easement for access from the easterly limit of Street 'C' to 1742 and 1746 Hamilton Road, to the satisfaction of the City Engineer.

47. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall provide access for 1752 and 1754 Hamilton Road to Oriole Drive/Street 'C' and close and restore the boulevard for the existing accesses to Hamilton Road, to the satisfaction of the City, at no cost to the City.

48. The Owner shall contact the City to request the closure and conveyance of the existing road allowance within this plan, to the satisfaction of the City.

Sidewalks/Bikeways

49. The Owner shall construct a 1.5 (5') sidewalk on one side of the following streets:

i) Street 'C' – north and west boulevard

- ii) Bobolink Lane – west boulevard from Hamilton Road to Street ‘B’
- iii) Oriole Drive – west boulevard
- iv) Street ‘B’ – north boulevard

Street Lights

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

Boundary Road Works

51. The Owner shall red-line this plan to align Oriole Drive and opposite Oriole Drive in the subdivision on the west side of Hamilton Road, to the satisfaction of the City Engineer.

52. The Owner shall construct Bobolink Lane at the intersection of Hamilton Road with a minimum pavement width of 10.0 metres for a minimum storage length of 30.0 metres tapered back over a distance of 30.0 metres to a minimum pavement width of 8.0 metres on the standard road width of 20.0 metres.

53. The Owner shall align the travelled portion of Bobolink Lane perpendicular to Hamilton Road, to the satisfaction of the City Engineer.

54. The Owner shall construct Oriole Drive at the intersection of Hamilton Road with a minimum pavement width of 9.0 metres on a right-of-way width of 20.5 metres for a minimum storage length of 30.0 metres tapered back over a distance of 30.0 metres to the standard road width of 20.0 metres.

55. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall undertake external works on Bobolink Lane and Oriole Drive, to construct fully serviced public street connections to the subdivision, all to the specifications and to the satisfaction of the City, at no cost to the City.

56. The Owner shall make minor boulevard improvements on Hamilton Road adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.

57. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Hamilton Road and Oriole Drive, and the intersection of Hamilton Road and Bobolink Lane, to the specifications of the City, at no cost to the City.

58. If the temporary access to 1691 Hamilton Road is still in place and functioning, prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a restricted access to Bobolink Lane in accordance with City standards, to the satisfaction of the City Engineer, at no cost to the City. Access to Bobolink Lane is to be restricted to right in/right out until such time as the temporary access to 1691 Hamilton Road is removed and decommissioned to the satisfaction of the City Engineer.

Sufficient security shall be provided to remove the restricted access in the future, if necessary, to the satisfaction of the City Engineer.

59. The Owner shall remove the right in/right out access on Bobolink Lane at such time as the temporary access to 1691 Hamilton Road is removed and decommissioned, to

the satisfaction of the City Engineer.

Road Widening

60. The Owner shall dedicate sufficient land to widen Hamilton Road to 18.0 metres (59.06') from the centreline of the original road allowance.

61. The Owner shall dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of Oriole Drive with Hamilton Road in accordance with the Z-1 Zoning By-law, Section 4.24.

Vehicular Access

62. The Owner shall restrict access to Hamilton Road by establishing blocks for 0.3 metre (1') reserves along the entire Hamilton Road frontage, to the satisfaction of the City. All vehicular access is to be via the internal subdivision streets.

Construction Access/Second Access Roads

63. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hamilton Road or other routes as designated by the City.

64. Should an emergency access be required to accommodate development, the Owner shall locate, construct, maintain and close the access to the satisfaction of the City Engineer.

65. The Owner shall ensure any emergency access required is satisfactory to the City with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design, etc. and provide any necessary easements.

66. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.

67. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:

- i) Street 'B' – south limit
- ii) Street 'C' – south limit

Temporary turning circles for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

68. The Owner shall notify the future owners of Blocks 70 and 71 that only one access will be permitted for the blocks to Street 'C'. A joint access agreement must be established for the shared access, to the specifications and satisfaction of the City.

GENERAL CONDITIONS

69. The Owner shall comply with any requirements of all affected agencies (eg. Hydro One Networks Incorporated, Ministry of Natural Resources, Upper Thames River Conservation Authority, etc.), all to the satisfaction of the City.

70. The Owner shall comply with all City of London standards, guidelines and

requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.

71. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.

72. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.

73. In conjunction with the Focused Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing

geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:

- i) servicing, grading and drainage of this subdivision
- ii) road pavement structure
- iii) dewatering
- iv) foundation design
- v) removal of existing fill (including but not limited to organic and deleterious materials)
- vi) the placement of new engineering fill
- vii) any necessary setbacks related to slope stability for lands within this plan
- viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,
- ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability associated with the Thames River, existing ravines and proposed Lots and Block(s) within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback; and any other requirements as needed by the City, all to the satisfaction of the City.

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

75. Once construction of any private services, ie: water, storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the City Engineer and at no cost to the City.

76. The Owner shall connect to all existing City services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the City Engineer.

77. In the event the draft plan develops in phases, upon registration of any phase of this subdivision, the Owner shall provide land and/or easements along the routing of services which are necessary to service upstream lands outside of this draft plan to the limit of the Plan.

78. In conjunction with Focused Design Studies submission, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be

provided to condominiums/street townhouses indicated on Street 'B'. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.

79. The Owner acknowledges that servicing for Block 72 must be approved through Site Plan Approval by the City prior to any installation of servicing.

80. The Owner shall have the common property line of Hamilton Road graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

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

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

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

i) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;

ii) The Owner must provide a video inspection on all affected unassumed sewers;

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

82. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:

i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and

ii) continue until the time of assumption of the affected services by the City.

83. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

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

84. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the City Engineer and Chief Building Official immediately, and if required by the City Engineer and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to

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

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

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

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

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

86. The Owner's professional engineer shall provide inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City Engineer.

87. In conjunction with the Focused Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.

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

89. The Owner shall not commence construction or installations of any services (e.g. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (e.g. Hydro One Networks Inc., Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking,

crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)

90. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.

91. In conjunction with the engineering drawings submission, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.

92. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the City Engineer, at no cost to the City.

93. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.

94. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.

95. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.

96. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

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

98. The Owner shall make all necessary arrangements to have adequate private easements registered on title and included in the Agreement of Purchase and Sale or Lease and in

the transfer of deed of the external lands to the north of this Plan (1746 Hamilton Road), a covenant by the purchaser or transferee stating that the purchaser or transferee of the said Lots and/or Blocks, to allow the owner 1746 Hamilton Road, to access the external lands for private access, to the satisfaction of the City, at no cost to the City.

99. The Owner shall provide access for 1746 Hamilton Road in order to not create a land locked parcel and the existing hydro services for the residential property at 1746 Hamilton Road are to be relocated, all to the satisfaction of the City and London Hydro, at no cost to the City.

100. In conjunction with the first submission of engineering drawings, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the City Engineer and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.

101. At the time this plan is registered, the Owner shall register all appropriate easements for all existing and proposed private and municipal servicing required in this plan, to service external lands, all to the satisfaction of the City Engineer, at no cost to the City.

102. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services within this draft plan (e.g. Lot 16) and on Hamilton Road, Oriole Drive and Bobolink Lane, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (e.g. private services, hydro poles, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City.

103. The Owner shall include in the Agreements of Purchase and Sale or lease and in the transfer of deed of Block 70 in this plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the said lots to observe and comply with the private easements and private sewer services needed for the servicing of Block 71 in this plan. No landscaping, vehicular accesses, parking access, works or other features shall interfere with the above-noted municipal or private maintenance accesses, servicing, grading or drainage that services other lands.

104. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall have the existing access and services to 1738 Hamilton Road, 1742 Hamilton Road and 1752 and 1754 Hamilton Road relocated and/or reconstructed to the satisfaction of the City should the existing dwellings on Lots 65 and 68 and Block 71 be retained. Any portion of the existing services not used shall be removed or abandoned and capped to the satisfaction of the City, at no cost to the City. In addition, the Owner shall regrade areas within Lots 65 and 68 to be compatible with the proposed subdivision grading and drainage, to the satisfaction of the City.

PLANNING

105. In conjunction with the Focused Design Studies submission, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.

106. The Owner shall construct 1.5m high chain link fencing with no 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. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.

107. The Owner shall construct 1.8m high continuous chain link fencing adjacent the Hydro One Networks Inc. (HONI) transmission corridor from Lots 1 to 3 and Lots 4 to 12, with no gates leading to back or side yards.

108. Where lots or blocks abut an open space area, all grading of the developing lots or

blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the Manager of Environmental and Parks Planning.

109. The Owner shall develop and deliver to all purchasers and transferees of the lots in this plan, a homeowner guide/education package as approved by the Manager of Parks Planning and Design that explains the stewardship of natural areas and the value of existing tree cover, as well as indirect suburban effects on natural areas. The Owner shall submit the homeowner guide/education package for review and acceptance, in conjunction with the Focused Design Studies submission.

110. The Owner shall implement the recommendations of the Old Victoria East Subdivision 1691, 1738, 1742 Hamilton Road, London, Ontario Environmental Impact Study Addendum prepared by Natural Resource Solutions Inc. dated July 2015 for the lands on the east side of Hamilton Road, and updated by subsequent addendums, to the satisfaction of the City. In conjunction with the Focused Design Studies submission, the Owner shall provide a schedule indicating how each of the accepted Environmental Impact Study Addendum recommendations will be implemented and satisfied as part of the subdivision approval process.

111. The Owner shall convey Blocks 73, 74, 75, 76, and 77 to the City in order to satisfy a portion of the required parkland dedication based on the rates for hazard, open space and constrained lands. The remaining parkland dedication will be taken as cash-in-lieu as per By-law CP-9, to the satisfaction of the Manager of Environmental and Parks Planning.

112. Prior to undertaking any works or site alteration including filling, grading, construction or alteration to a watercourse in a Conservation Regulated Area, the Owner shall obtain a permit or receive clearance from the Upper Thames River Conservation Authority.

113. Prior to final approval, the Owner shall ensure that any lot located adjacent to the hydro easement shall have registered on title to the lot, and included in agreements of purchase and sale or lease, the appropriate Hydro One Networks Inc. (HONI) warning clause(s), to the satisfaction of the City.

114. In conjunction with the Focused Design Studies submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future residential uses adjacent arterial roads. The noise study shall be prepared in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines. Any recommended noise attenuation measures are to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner, or may be incorporated into the subdivision agreement.

115. The Owner shall carry out a Stage 1-2 Archaeological Assessment by a licensed archaeologist. Implementation recommendations as a result of the assessment must be addressed, to the satisfaction of the Approval Authority. No final approval shall be given, and no grading or other soil disturbance shall take place on the subject property prior to the owner providing confirmation that the Ministry of Tourism, Culture, and Sport has reviewed and accepted the Stage 1-2 Archaeological Assessment into the Ontario Public Register.

116. In conjunction with the Focused Design Studies submission, the owner shall provide a conceptual park plan delineating the alignment of the west-east Thames Valley Parkway (TVP multi-use pathway) from Whites Bridge to the eastern boundary of the proposed plan of subdivision with approval from all impacted agencies and utilities, to the satisfaction of the Manager of Environmental and Parks Planning. If approval of the alignment cannot be secured, redline revisions to the plan of subdivision will be

required to accommodate the 10 meter wide multi-use pathway corridor.

117. In conjunction with the Focused Design Studies submission, the owner shall prepare and submit a restoration plan and compensation plan as identified in the recommendations of the Environmental Impact Study and Addendum prepared by Natural Resource Solutions Inc. dated July 2015. The restoration plan shall also include a monitoring program for the restoration and compensation lands for a period of five (5) years. Prior to submitting the focused design study, the Owner and his consultants, shall meet with staff to scope out the requirements of the restoration and compensation plan.

118. Prior to Final Approval of this Plan, the Owner shall submit a Municipal Address Change Application with the City, to change the addresses of 1742 and 1746 Hamilton Road, all related costs shall be solely at the Owner's expense and at no cost to the City.

119. Prior to Final Approval, the southerly boundary of the draft plan shall be established through an Application for Absolute Title under the Land Titles Act.

UTRCA

120. The Owner shall complete a Final Stormwater Management Plan/Report which addresses the Conservation Authority's outstanding concerns (as noted in their correspondence dated May 1, 2018), to the satisfaction of the UTRCA.

121. The Owner shall complete a Final Environmental Impact Study which consolidates all of the various ecological submissions and addresses the Conservation Authority's outstanding concerns (as noted in their correspondence dated May 1, 2018), to the satisfaction of the UTRCA. A Homeowners Information Package shall also be prepared, to the satisfaction of the UTRCA.

122. The Owner shall complete a Final Hydrogeological Assessment and Water Balance Analysis which addresses the Conservation Authority's outstanding concerns (as noted in their correspondence dated May 1, 2018), to the satisfaction of the UTRCA.

123. If it is determined through the review of the Final Environmental Impact Study, Hydrogeological & Water Balance and Stormwater Management studies that there is a need for a larger buffer to protect the natural hazard and natural heritage lands and their functions, the draft plan be redlined to accommodate the required buffer.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: George Kotsifas, P. Eng., Deputy City Manager, Planning and Economic Development
Subject: Strategic Plan Variance Report
Date: January 10, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following report on the Strategic Plan Progress Variance **BE RECEIVED** for information.

Executive Summary

As part of the Strategic Plan reporting cycle, variance reports are completed for any actions identified as 'caution' or 'below' plan in the Semi-Annual Progress Report. These reports are submitted to the appropriate Standing Committee following the tabling of the May and November Progress Reports. This report provides an overview of the actions relating to the Planning and Environment Committee.

Linkage to the Corporate Strategic Plan

Council's 2019-2023 Strategic Plan includes the Strategic Area of Focus 'Leading in Public Service'. This includes the Expected Result 'The City of London is trusted, open, and accountable in service of our community' and the Strategy 'Improve public accountability and transparency in decision making'.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Strategic Priorities and Policy Committee (SPPC): November 25, 2019, June 23, 2020, November 17, 2020; July 28, 2021, November 30, 2021.

2.0 Discussion and Considerations

2.1 Background

On April 23, 2019, Council set the 2019-2023 Strategic Plan for the City of London. This is a critical document that identifies Council's vision, mission, and the strategic areas of focus for 2019-2023. It identifies the specific outcomes, expected results and strategies that Council and Civic Administration will deliver on together over the next four years.

The Strategic Plan also includes a commitment to report regularly to Londoners on the implementation of the Strategic Plan, demonstrating progress being made and how this work is having an impact in the community.

As part of the Strategic Plan reporting cycle, variance reports are completed for any actions identified as 'caution' or 'below' plan in the Semi-Annual Progress Report. These reports are submitted to the appropriate Standing Committee following the tabling of the May and November Progress Reports.

2.2 Discussion

This report outlines the actions corresponding to the Planning and Environment Committee that, as of November 2021 were identified as 'caution' or 'below plan'. This report covers three milestones that were flagged as 'caution'.

Overall Strategic Plan Progress

As of November 2021, 542 (92.1%) of all actions are complete or on target. 17 (2.9%) actions were marked as 'caution' (actions behind by one quarter or three months or actions that are in progress or not yet started that are flagged as possibly not being completed by the target end date). There were no actions that were noted as 'below plan'.

Variance Explanations

1. Strategic Area of Focus: Building a Sustainable City
Outcome: London's infrastructure is built, maintained, and operated to meet the long-term needs of our community.
Expected Result: Build infrastructure to support future development and protect the environment.
Strategy: Continue annual reviews of growth infrastructure plans to balance development needs with available funding.
Action: Expand the annual Growth Management Implementation Strategy Update to include built area works.
 - Current End Date: 6/30/21
 - Revised End Date: 12/31/23
 - Rationale and Implications: An administrative review of the Growth Management Implementation Strategy is underway. In order to complete this work, the suggested new end date is 12/31/23.

2. Strategic Area of Focus: Building a Sustainable City
Outcome: London's growth and development is well planned and sustainable over the long term.
Expected Result: Direct growth and intensification to strategic locations.
Strategy: Advance the growth and development policies of the London Plan through enhanced implementation tools and investments in infrastructure.
Action: Complete Meadowlily CMP – Phase 2
 - Current End Date: 12/31/21
 - Revised End Date: 12/31/23
 - Rationale and Implications: Phase 1 of the Conservation Master Plan was completed in 2020. Phase 2 is dependent on the acquisition of the remaining lands that have been identified as part of the Meadowlily Woods Environmentally Significant Area, and it is unclear when these lands will come into public ownership. Once acquired, this phase will include significant consultation to identify management zones and trail planning and design. Depending on when these lands are acquired, future variances may be necessary.

3. Strategic Area of Focus: Building a Sustainable City
Outcome: London has a strong and healthy environment.
Expected Result: Protect and enhance waterways, wetlands, and natural areas.
Strategy: Implement strategies, policies to conserve natural areas and features.
Action: Complete Meadowlily CMP – Phase 2
 - Current End Date: 12/31/21
 - Revised End Date: 12/31/23
 - Rationale and Implications: Phase 1 of the Conservation Master Plan was completed in 2020. Phase 2 is dependent on the acquisition of the remaining lands that have been identified as part of the Meadowlily Woods Environmentally Significant Area, and it is unclear when these lands will come into public ownership. Once acquired, this phase will include significant consultation to identify management zones and trail planning and design.

Depending on when these lands are acquired, future variances may be necessary.

Conclusion

The Semi-Annual Progress Report is an important tool that allows the community, Council and Administration to track progress and monitor the implementation of Council's Strategic Plan. In some cases actions have been delayed due to shifting priorities, emerging circumstances, or the ongoing impacts of the COVID-19 pandemic. The Strategic Plan Variance Reports are intended to provide Council with a more in-depth analysis of these delays. Information included in this report can support Council in strategic decision making and inform the work of Civic Administration.

Recommended by: **George Kotsifas, P. Eng.**
 Deputy City Manager, Planning and Economic
 Development

cc. Lynne Livingstone, City Manager
 Senior Leadership Team
 Strategic Thinkers Table

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Peter Kokkoros, P.Eng., B.A. (Econ)
Director Building & Chief Building Official

Subject: Building Division Monthly Report
November 2021

Date: January 10, 2022

Recommendation

That the report dated January 10, 2022 entitled “Building Division Monthly Report November 2021”, **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 month of November 2021.

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 month of November 2021. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of November 2021”, as well as respective “Principle Permits Reports”.

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – **November 2021**

Permits Issued to the end of the month

As of November 2021, a total of 4,488 permits were issued, with a construction value of \$1.52 billion, representing 3,699 new dwelling units. Compared to the same period in 2020, this represents a 18.7% increase in the number of building permits, with a 0.07% decrease in construction value and an 6.2% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of November 2021, the number of building permits issued for the construction of single and semi-detached dwellings is 1,004 representing an 16.3% increase over the same period in 2020.

Number of Applications in Process

As of the end of November 2021, 1,172 applications are in process, representing approximately \$754 million in construction value and an additional 1,469 dwelling units compared with 953 applications, with a construction value of \$643 million and an additional 1,527 dwelling units in the same period in 2020.

Rate of Application Submission

Applications received in November 2021 averaged to 20.0 applications per business day, for a total of 442 applications. Of the applications submitted 83 were for the construction of single detached dwellings and 59 townhouse units.

Permits issued for the month

In November 2021, 452 permits were issued for 170 new dwelling units, totalling a construction value of \$113.3 million.

Inspections – Building

A total of 3,168 inspection requests were received with 2,814 inspections being conducted.

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

Of the 3,168 inspections requested, 91% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 877 inspection requests were received, with 882 inspections being conducted.

An additional 129 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 877 inspections requested, 91% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,358 inspection requests were received with 1,677 inspections being conducted related to building permit activity.

An additional 13 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,358 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2019 Permit Data

To the end of November, a total of 4,283 permits were issued, with a construction value of \$ 1.28 billion, representing 2,277 new dwelling units. The number of single/semi detached dwelling units was 648.

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 month of November 2021. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity” for the month of November 2021 as well as “Principle Permits Reports”.

Prepared by: Peter Kokkoros, P.Eng.
Director, Building and Chief Building Official
Planning and Economic Development

Submitted by: George Kotsifas, P.Eng.
Deputy City Manager
Planning and Economic Development

Recommended by: George Kotsifas, P.Eng.
Deputy City Manager
Planning and Economic Development

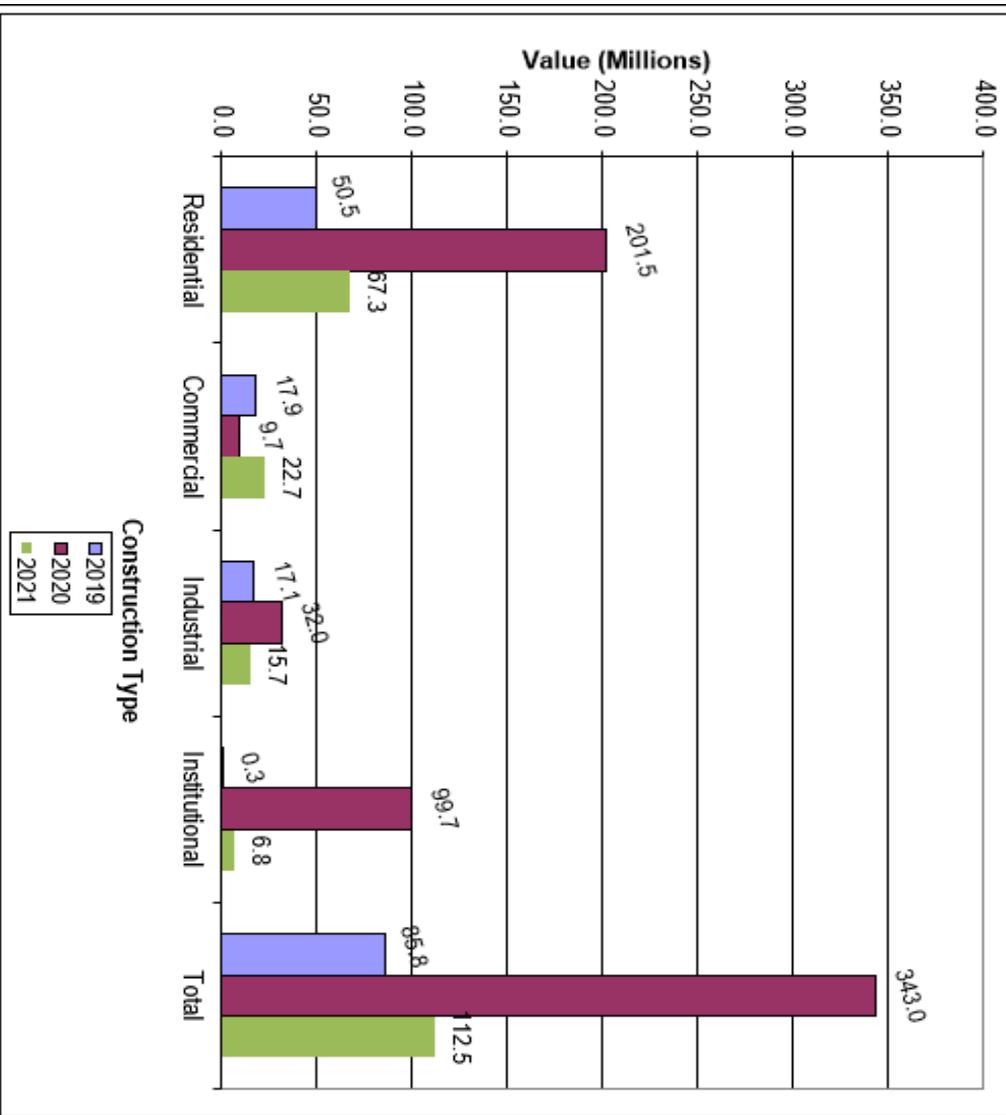
APPENDIX "A"

CITY OF LONDON
SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF November 2021

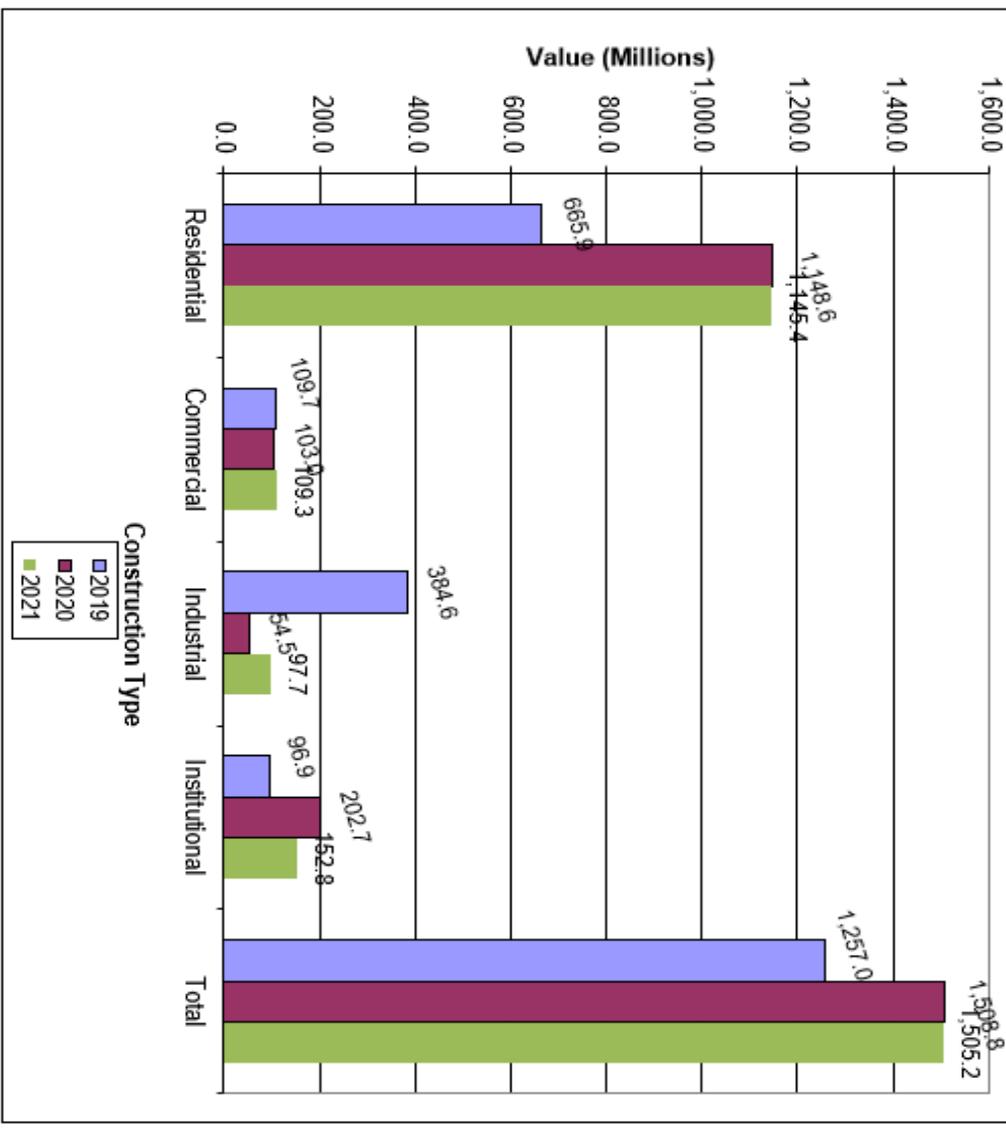
CLASSIFICATION	November 2021			to the end of November 2021			November 2020			to the end of November 2020			November 2019			to the end of November 2019		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	87	40,350,000	87	1,002	454,952,550	1,002	107	47,277,800	107	863	368,558,254	863	78	37,522,330	78	642	276,099,986	642
SEMI DETACHED DWELLINGS	1	211,000	1	2	434,500	2	0	0	0	2	1,023,000	2	0	0	0	3	884,400	3
TOWNHOUSES	28	17,728,400	74	221	201,536,600	822	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	0	0	0	14	411,371,500	1,751	4	136,437,600	504	17	596,902,400	2,034	0	0	0	18	192,486,652	875
RES-ALTER & ADDITIONS	194	9,046,139	8	1,771	77,076,791	122	156	7,409,724	8	1,400	55,852,487	53	137	4,709,125	4	1,722	53,913,622	621
COMMERCIAL -ERECT	3	6,336,700	0	27	19,811,100	0	2	1,300,000	0	11	8,460,300	0	4	10,624,300	0	19	31,606,380	0
COMMERCIAL - ADDITION	2	475,000	0	8	4,101,500	0	1	20,000	0	5	2,202,800	0	1	290,000	0	16	9,844,000	0
COMMERCIAL - OTHER	37	15,864,710	0	336	65,378,925	0	42	8,394,500	0	345	92,287,669	0	42	7,035,400	0	481	68,205,603	2
INDUSTRIAL - ERECT	0	0	0	14	46,342,409	0	2	31,578,000	0	8	40,231,400	0	2	1,624,000	0	14	320,390,000	0
INDUSTRIAL - ADDITION	2	14,000,000	0	9	30,886,560	0	0	0	0	5	7,931,300	0	3	2,742,000	0	13	44,445,100	0
INDUSTRIAL - OTHER	6	1,707,000	0	37	20,489,480	0	5	458,600	0	40	6,374,007	0	11	12,709,700	0	75	19,800,020	0
INSTITUTIONAL - ERECT	0	0	0	1	12,000,000	0	3	96,588,300	0	7	129,443,300	0	0	0	0	2	27,456,800	0
INSTITUTIONAL - ADDITION	2	4,000,000	0	8	51,273,366	0	0	0	0	8	15,178,000	0	0	0	0	9	39,233,800	0
INSTITUTIONAL - OTHER	8	2,786,500	0	125	89,553,450	0	12	3,087,800	0	157	58,084,801	0	6	290,000	0	173	30,180,960	0
AGRICULTURE	0	0	0	4	557,000	0	0	0	0	2	262,000	0	0	0	0	6	15,700,000	0
SWIMMING POOL FENCES	19	765,100	0	374	11,218,366	0	13	537,000	0	353	9,092,291	0	3	83,000	0	208	4,485,667	0
ADMINISTRATIVE	3	0	0	90	298,000	0	6	0	0	53	109,000	0	3	18,000	0	140	367,000	0
DEMOLITION	8	0	5	75	0	50	9	0	6	74	0	50	12	0	4	90	0	52
SIGN/CANOPY - CITY PROPERTY	0	0	0	8	0	0	1	0	0	6	0	0	2	0	0	30	0	0
SIGN/CANOPY - PRIVATE PROPER	52	0	0	362	0	0	28	0	0	289	0	0	37	0	0	485	0	0
TOTALS	452	113,270,549	170	4,488	1,517,252,146	3,699	407	343,499,124	665	3,780	1,518,282,793	3,438	352	85,937,255	118	4,283	1,277,582,520	2,277

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, 2021 to November 30, 2021**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
JENNUM WELLINGTON PROPERTIES INC. JENNUM WELLINGTON PROPERTIES INC.	1025 Wellington Rd	Alter Retail Store INTERIOR FIT-UP FOR NEW WINE RACK STORE, FRR	0	120,000
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 10	Erect-Townhouse - Cluster SDD ERCT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 4 BEDROOMS, W/ COVERED DECK, A/C INCLUDED, UNIT 18 DPN 10, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	459,500
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 12	Erect-Townhouse - Cluster SDD ERCT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 4 BEDROOM, FINISHED BASEMENT, COVERED DECK INCLUDED, A/C INCLUDED, ENERGY STAR, HRV & DWHR REQUIRED.	1	336,000
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 14	Erect-Townhouse - Cluster SDD ERCT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 5 BEDROOMS, W/ COVERED DECK, NO A/C, ENERGY STAR, UNIT 20 DPN 14, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	534,000
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 16	Erect-Townhouse - Cluster SDD ERCT SDD, 2 STOREY, 2 CAR GARAGE, 5 BEDROOMS, FINISHED BASEMENT, DECK INCLUDED, NO A/C, ENERGY STAR, HRV&DWHR REQUIRED. SOILS REPORT REQUIRED	1	535,000
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 8	Erect-Townhouse - Cluster SDD ERCT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 5 BEDROOMS, W/ COVERED DECK, NO A/C, ENERGY STAR, UNIT 17 DPN 8, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	512,000
THE BOARD OF GOVERNORS, UWO THE BOARD OF GOVERNORS, UWO	1151 Richmond St	Add University To construct a new air well for the removal of an existing chiller and the installation of a new chiller.	0	2,000,000
2366803 Ontario Inc.	116 King Edward Ave	Alter Apartment Building Alter interior to repair fire damage. *****Fire damage will be repaired as per existing*****	0	500,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1295 Riverbend Rd	Alter Offices Tenant fit-up in an existing building for an optometrist	0	600,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1532 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERCT NEW TOWNHOUSE CLUSTER SDD, 1 STOREY, 2 CAR, 2 BEDROOM, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 PERFORMANCE HOT2000, 33M721 LOT 36, HRV AND DWHR REQUIRED	1	418,000

A table showing the principal permits issued.

City of London - Building Division Principal Permits Issued from November 1, 2021 to November 30, 2021

Owner	Project Location	Proposed Work	No. of	Construction
			Units	Value
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd K	Erect-Townhouse - Condo ERECT TOWNHOUSE BLOCK K, 7 UNITS, DPN'S 64, 66, 68, 70, 72, 74, 76, SOILS REPORT BY EXP ENGINEERING REQUIRED.	7	1,209,300
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd L	Erect-Townhouse - Condo ERECT TOWNHOUSE BLOCK L, 7 UNITS, DPN'S 78, 80, 82, 84, 86, 88, 90, SOILS REPORT BY EXP ENGINEERING REQUIRED.	7	1,236,900
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd M	Erect-Townhouse - Condo ERECT TOWNHOUSE BLOCK M, 7 UNITS, DPN'S 92, 94, 96, 98, 100, 102, 104, SOILS REPORT BY EXP ENGINEERING REQUIRED.	7	1,209,300
SIFTON PROPERTIES LIMITED SIFTON PROPERTIES LIMITED	285 King St	Alter Offices INSTALL NEW ROOF MOUNTED HEAT RECOVERY HVAC UNIT WITH SUPPORTING STRUCTURAL STEEL	0	150,000
THE BOARD OF GOVERNORS, UWO THE BOARD OF GOVERNORS, UWO	289 Windermere Rd	Add University To construct a new air well for the replacement of a chiller	0	2,000,000
VEITCH DENTISTRY PROFESSIONAL CORPORATION	309 Horton St E	Add Dental Offices Single storey addition for Dentist Office	0	325,000
2749282 Ontario Inc	3557 Colonel Talbot Rd	Install-Townhouse - Cluster SDD Install site services.		200,000
PULSE COMMUNITIES (RHYTHM I) INC. PULSE COMMUNITIES (RHYTHM I) INC.	3575 Southbridge Ave A	Erect-Street Townhouse - Condo ERECT 4 UNIT STREET TOWNHOUSE BLOCK A, 2 STOREYS, DPNs 3581, 3583, 3585, 3587, SOILS REPORT REQUIRED.	4	798,000
Suncor Energy Inc	584 Oxford St W	Alter Service Stations REPLACEMENT OF EXISTING GAS STATION CANOPY WITH TWO SEPARATE CANOPIES	0	200,000
60 Pacific Holdings Limited C/O Briarlane Rental Property	60 Pacific Ct	Alter Warehousing INTERIOR ALTERATION WITHIN UNIT 8	0	500,000
2660625 Ontario Inc	649 Colborne St	Alter Offices CM - INTERIOR RENOVATION TO PORTION OF THE OFFICE BUILDING.	0	900,000
Larenda Management Ltd C/O Wendy's Restaurants	676 Highbury Ave N	Add Restaurant ADDING A NEW AREA TO INSTALL A NEW WALK IN COOLER AT THE REAR SECTION OF THE BUILDING.	0	150,000
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	680 Waterloo St	Alter Offices CM - INTERIOR OFFICE RENOVATIONS TO 1ST FLOOR WITH SOME COSMETIC WORK ON THE 3RD FLOOR	0	400,000
BIRCHWOOD HOMIES (911578 ONTARIO LTD.) BIRCHWOOD HOMIES (911578 ONTARIO LTD.)	6990 Clayton Walk 11	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 3 BEDROOM, FINISHED BASEMENT, NO DECK, A/C INCLUDED, SB-12 A5, UNIT 6 DPN 11 HRV & DWHR REQUIRED	1	354,500

City of London - Building Division
Principal Permits Issued from November 1, 2021 to November 30, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
BIRCHWOOD HOMES (911578 ONTARIO LTD.) BIRCHWOOD HOMES (911578 ONTARIO LTD.)	6990 Clayton Walk 19	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 5 BEDROOM, FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A5, 39CD-19511 Lot 10, HRV & DWHR REQUIRED, SOILS REPORT BY EXP ENGINEERING REQUIRED.	1	361,500
YORK DEVELOPMENTS YORK DEVELOPMENTS	6990 Clayton Walk 21	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 5 BEDROOM, FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A5, 39CD-19511 Lot 11, HRV & DWHR REQUIRED, SOILS REPORT BY EXP ENGINEERING REQUIRED.	1	362,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	6990 Clayton Walk 23	Erect-Townhouse - Cluster SDD ERECT SDD TOWNHOUSE CLUSTER, 1 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, COVERED REAR PORCH, NO A/C, SB-12 A5, HRV & DWHR REQUIRED	1	312,000
BIRCHWOOD HOMES (911578 ONTARIO LTD.) BIRCHWOOD HOMES (911578 ONTARIO LTD.)	6990 Clayton Walk 39	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, COVERED REAR PORCH, A/C INCLUDED, SB-12 A5, UNIT 20 DPN 39 HRV & DWHR REQUIRED	1	304,000
BIRCHWOOD HOMES (911578 ONTARIO LTD.) BIRCHWOOD HOMES (911578 ONTARIO LTD.)	6990 Clayton Walk 41	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 4 BEDROOM, FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A5, 39CD-19511 Lot 21, HRV & DWHR REQUIRED	1	383,500
BIRCHWOOD HOMES (911578 ONTARIO LTD.) BIRCHWOOD HOMES (911578 ONTARIO LTD.)	6990 Clayton Walk 47	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOM, UNFINISHED BASEMENT, NO DECK, A/C INCLUDED, SB-12 A5, LOT 24 39CD-19511 DPN 47 HRV & DWHR REQUIRED	1	326,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	6990 Clayton Walk 57	Erect-Townhouse - Cluster SDD ERECT SDD TOWNHOUSE CLUSTER, 1 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, COVERED REAR PATIO, NO A/C, SB-12 A5, HRV & DWHR REQUIRED	1	312,000
SOUTHSIDE CONSTRUCTION (LONDON) LIMITED SOUTHSIDE CONSTRUCTION (LONDON) LIMITED	706 Boler Rd	Install-Townhouse - Condo Install site services.		280,000
Bell Canada	725 Colborne St	Alter Offices CM - INTERIOR FIT UP FOR OFFICE SPACE	0	4,800,000
CENTURION APARTMENT PROPERTIES (75 ANN) INC. CENTURION APARTMENT PROPERTIES (75 ANN) INC.	75 Ann St	Alter Apartment Building RA - ALTERATION OF BEDROOMS TO INSTALL NEW WINDOWS. WINDOWS PERMITTED FOR BEDROOM 'C' ONLY IN GROUND FLOOR FOR UNITS F AND G.	0	120,000

City of London - Building Division
Principal Permits Issued from November 1, 2021 to November 30, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
LHSC - LONDON HEALTH SCIENCES CENTRE	800 Commissioners Rd E	Alter Hospitals INFILL OF EXISTING ASHES BUNKER, REGRADING / RESURFACING OF EXISTING PARKING LOT AND INSTALLATION OF NEW EXTERIOR EXIT STAIR, FRR	0	400,000
LIQUOR CONTROL BOARD OF ONTARIO	955 Wilton Grove Rd	Alter Warehousing ALTERATION TO EXISTING HVAC SYSTEM	0	1,000,000

Total Permits 47 Units 74 Value 32,548,400

** 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. -1551-227

OWNER
DEVELOPMENTS YORK YORK DEVELOPMENTS
VEITCH DENTISTRY PROFESSIONAL CORPORATION
CAPTAIN GENERATION - MALL LIMITED
Westbury International (1991) Corporation
2673470 ONTARIO INC
Lambeth Health Organization 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.
Deputy City Manager, Planning and Economic Development

Subject: Summerside Subdivision – Phase 17
1389 Commissioners Road East
Public Participation Meeting

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the City-initiated zoning by-law amendment relating to lands located within the Summerside Subdivision – Phase 17, known municipally as 1389 Commissioners Road East, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on January 25, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Residential R1 (R1-3) Zone **TO** a Residential R1 (R1-2) Zone.

Executive Summary

Summary of Request

City-initiated zoning amendment to change the zoning of 18 lots within within a draft-approved plan of subdivision (Summerside Phase 17) from a Residential R1 (R1-3) Zone to a Residential R1 (R1-2) Zone.

Purpose and the Effect of Recommended Action

The purpose and effect is to change the zoning of Lots 55 & 56, Lots 65 to 72, and Lots 75 to 82 to permit these lots to maintain a frontage of 9.144 metres as originally intended. These lots were inadvertently overlooked during the review of a previous application for red-line revisions and zoning amendments, and subsequent review of subdivision servicing drawings. The zoning amendment initiated by City staff is intended to a correct that oversight.

Rationale of Recommended Action

1. The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
2. The recommended zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The recommended zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation.
4. The zoning will permit single detached dwellings which are considered appropriate and compatible with existing and future land uses in the surrounding area, and consistent with the planned vision of the Neighbourhoods Place Type.

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

June 21, 2021 – Report to Planning and Environment Committee – Summerside Subdivision Phase 17 – Drewlo Holdings Inc. - Special Provisions for Subdivision Agreement (File No. 39T-92020_17).

March 1, 2021 – Report to Planning and Environment Committee – 1389 Commissioners Road East – Summerside Subdivision - Application for Approval of Red-Line Revisions to Draft Plan of Subdivision and Zoning By-law Amendments – Drewlo Holdings Inc. (File No. 39T-92020 / 39T-92020-D / Z-9283).

2.0 Discussion and Considerations

2.1 Property Description

The subject site consists of relatively flat, vacant lands that were previously cultivated farm fields.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Zoning – Residential R1 (R1-3)

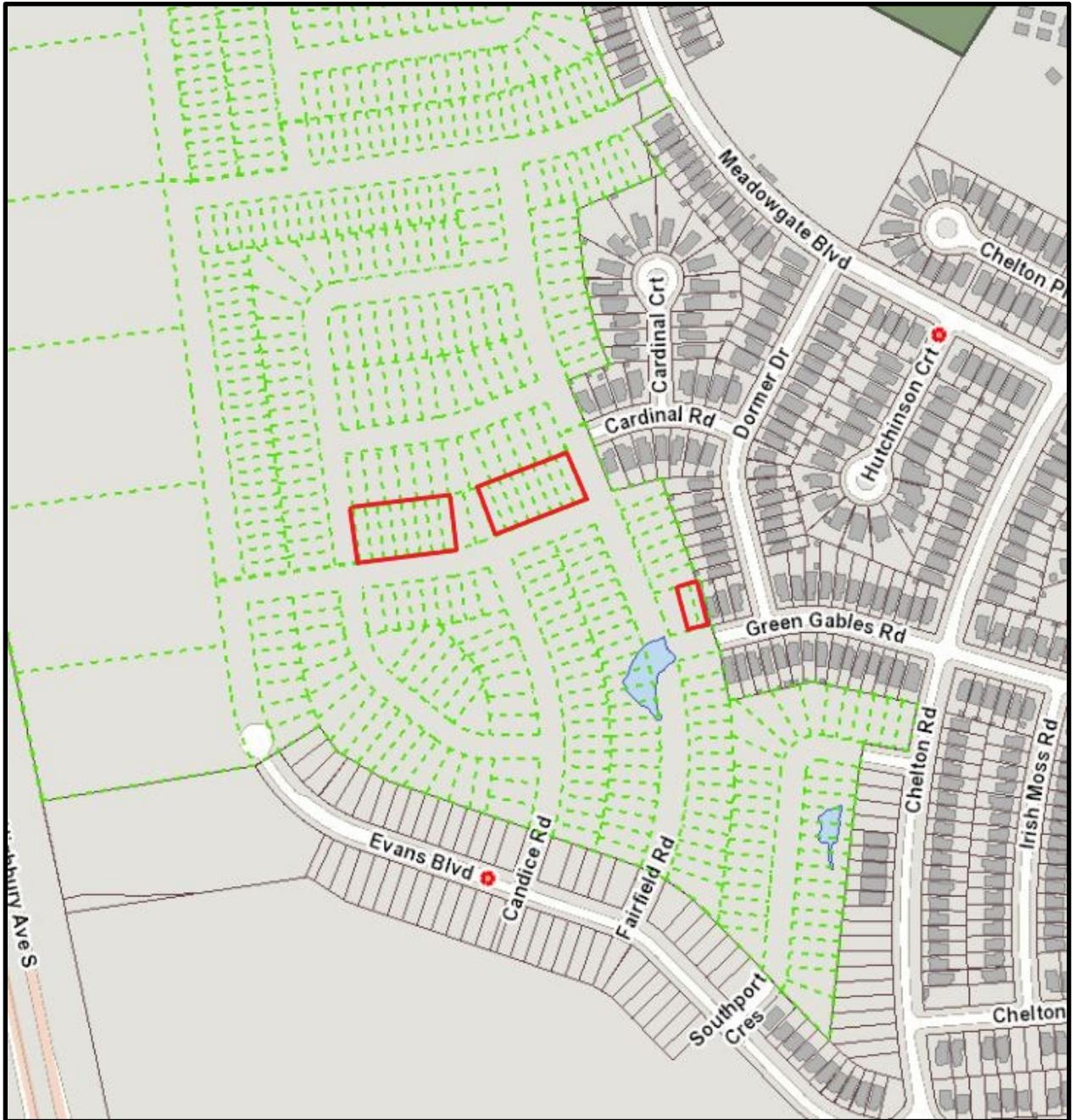
2.3 Site Characteristics

- Current Land Use – vacant
- Frontage – lot frontages are 9.144 metres
- Depth – lot depths vary from 38.8 to 40.5 metres along Karenana Road, and 33.8 metres along Green Gables Road
- Area – lot areas range from 355 sq.m. to 370 sq.m. along Karenana Road, and 309 sq.m. along Green Gables Road (0.642 hectares (6,422 sq.m.) combined area of all lots)
- Shape – irregular

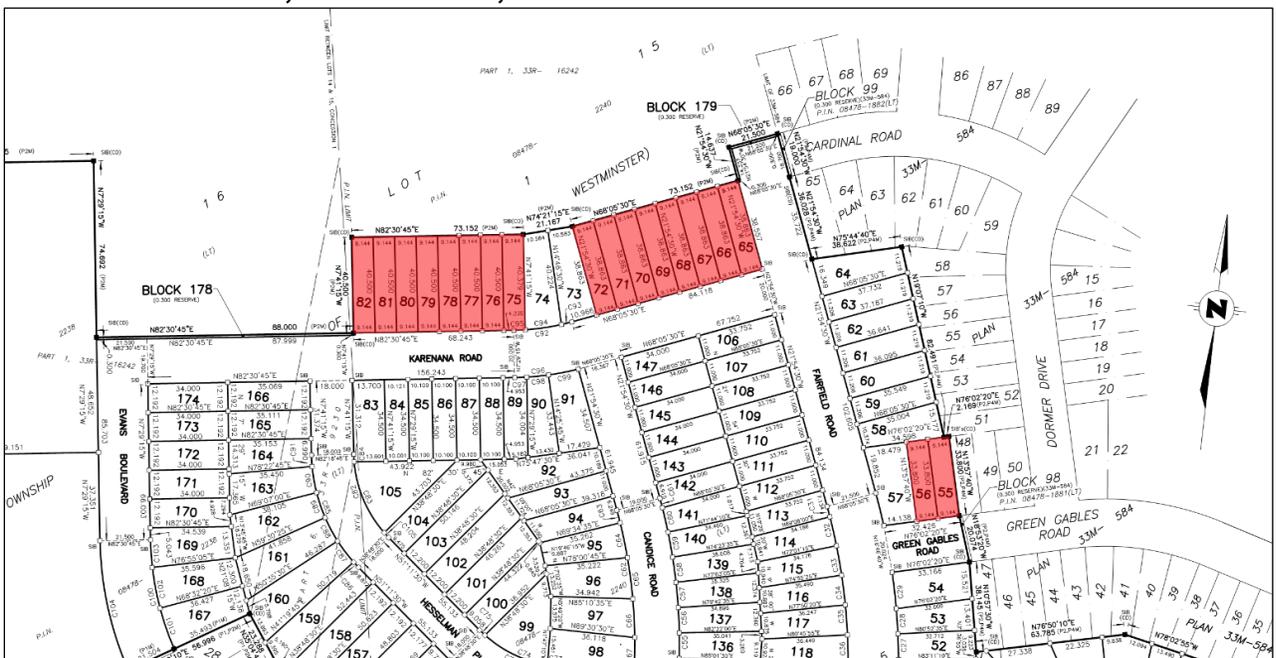
2.4 Surrounding Land Uses

- North – vacant lands for future residential development
- East – residential single detached dwellings
- South – vacant lands for future residential development
- West – vacant lands for future residential development

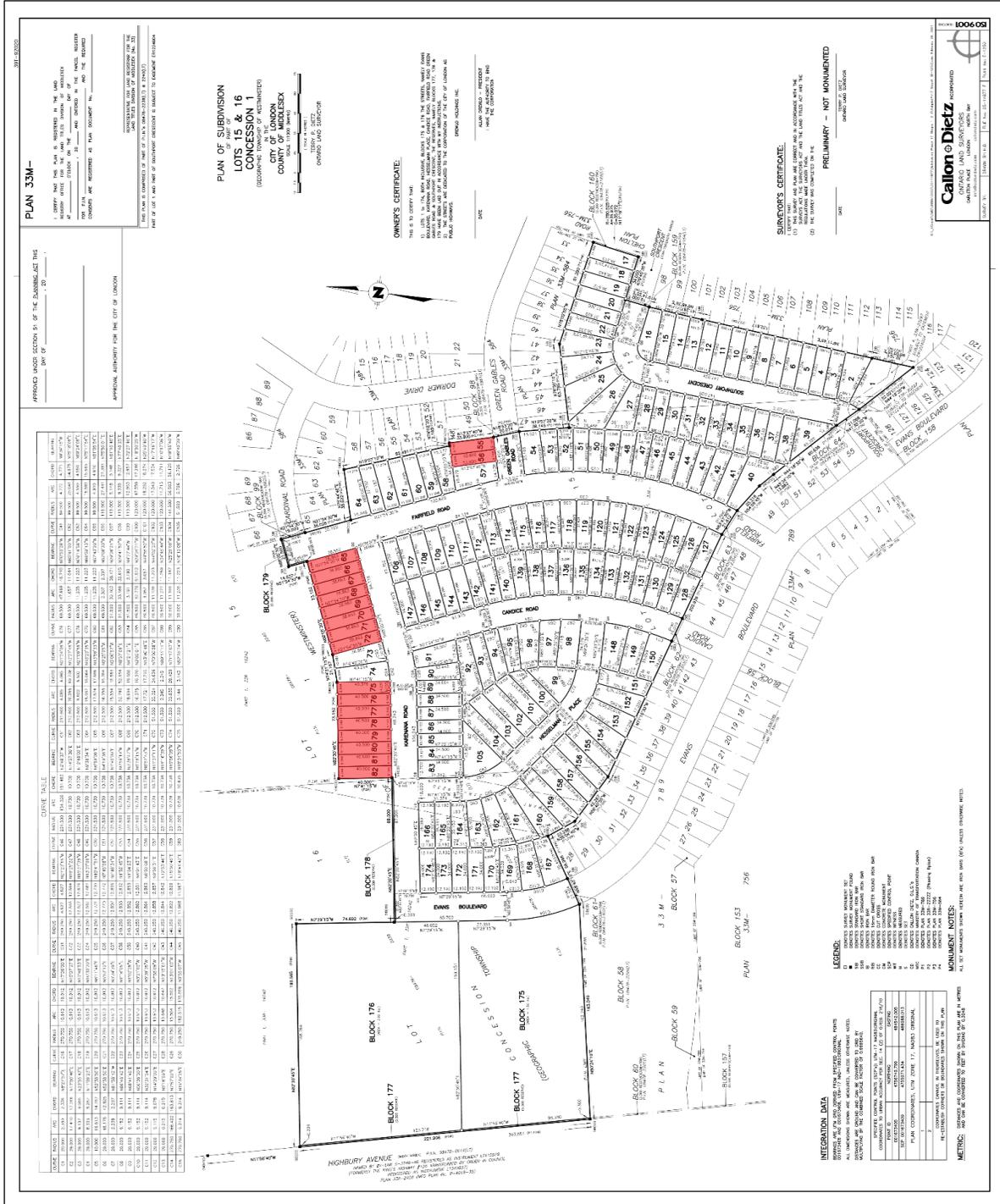
2.5 Location Map



2.6 Lots 55 & 56, Lots 65 to 72, and Lots 75 to 82



2.7 Summerside Subdivision – Phase 17



2.7 Planning History

On March 23, 2021, Municipal Council passed a Zoning By-law Amendment in conjunction with a request for proposed red-line revisions to the remaining draft-approved phases within the Summerside Subdivision (Phases 10B and 15 now known as Phases 17, 18 and 19). The zoning amendments and red-line revisions requested by Drewlo Holdings Inc. consisted of minor adjustments to lot frontages for single detached dwelling lots, replacing cul-de-sac streets with ‘through street’ connections, and removing 15 single detached lots fronting the west side of the future extension of Evans Boulevard. On April 23, 2021 the City of London Approval Authority issued Draft-Approval to the red-line revised subdivision plan for three years. Special Provisions for the Subdivision Agreement for the next phase of development (Phase 17) were approved by Council on July 6, 2021.

2.8 Proposed Amendment

This is a City-initiated amendment to the zoning by-law to change the zoning on 18 lots within Phase 17 of the draft plan of subdivision (16 lots fronting future Karenana Road and two (2) lots fronting the future extension of Green Gables Road) from a Residential R1 (R1-3) Zone, which permits single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10 metres, to a Residential R1

(R1-2) Zone, which permits single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage of 9.0 metres. The purpose and effect of this zone change is to permit these lots to have a frontage of 9.144 metres as was originally intended. These lots were inadvertently overlooked during the red-line revisions and zoning amendment application process, and subsequent review of the subdivision servicing drawings. The zoning amendment initiated by City staff is intended to a correct that oversight.

2.9 Community Engagement (see more detail in Appendix B)

There were no responses received to the Notice of Application.

2.10 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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

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

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Sections 1.4.3(c)). The policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)). The development proposal has been reviewed for consistency with the Provincial Policy Statement.

The London Plan

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 dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses. The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

(1989) Official Plan

These lands are designated Low Density Residential on Schedule ‘A’ of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. This proposal has been reviewed with the applicable policies of the (1989) Official Plan. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

As further described in Appendix C – Policy Context, Staff are of the opinion that the recommended zoning is generally consistent with the PPS, The London Plan, and the 1989 Official Plan.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These lands are currently zoned Residential R1 (R1-3). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix D.

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 Use

The recommended zoning will continue to permit single detached dwellings. Currently, the zoning is Residential R1 (R1-3) which permits single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10 metres. The recommended Residential R1 (R1-2) Zone would permit single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage of 9.0 metres. This zone variation continues to maintain compatibility with the existing uses in the Summerside Subdivision. The neighbourhood context consists of low density residential single detached dwellings interfacing existing low density residential dwellings. The lot pattern and streetscape is generally consistent with the pattern of the existing residential neighbourhood (Green Gables Road, Dormer Drive and Cardinal Road), and dwellings are expected to be similar in character and features, and similar height and massing. Therefore, the proposed zoning is considered appropriate as it permits residential dwellings on lots which are compatible with existing and future residential development, consistent with the planned vision of the Neighbourhood Place Type in The London Plan and the (1989) Official Plan.

4.2 Intensity

The proposed lot frontage and area are sufficient to accommodate development of single detached dwellings, as noted below. Within the remaining Summerside Phases 17, 18 and 19, lot frontages will range in width from 9.0 to 10.0 metres along Evans Boulevard and Maguire Drive, and from 11.0 to 12.0 metres fronting along the interior streets. The proposed lot frontages are also found to be generally in the range of lot frontages within the existing neighbourhood (9.0 - 12 metres).

Permitted building heights in accordance with Table 11* of The London Plan provide for a minimum 1 storey to maximum to 2.5 storeys at this location on a Neighbourhood Street. The recommended zoning would permit homes of either 1 or 2 storeys in height similar to the height standard that is currently permitted (maximum 9.0 metres under the R1-3 Zone variation). Building heights in the adjacent neighbourhood to the east consist 1 and 2-storey single detached homes. Development of the proposed lots is considered appropriate and compatible in terms of scale and intensity to adjacent residential development.

4.3 Form

The lot pattern along the north side of Karenana Road and the north side of the extension of Green Gable Road will continue to maintain and reinforce the street line of existing and future homes. Building setback requirements are governed by the zoning by-law. Both the R1-2 and R1-3 zones require a minimum front and exterior side yard depth of 4.5 metres to main building and 6.0 metres to the garage in order to prevent projecting garages from dominating the streetscape.

These lots will each have 9.144 metre frontages, and lot depths that range from 33.8 metres (Lots 55 & 56), 38.8 metres (Lots 65 to 72) and 40.5 metres (Lots 75 to 82). Lot areas range from 355 sq.m. to 370 sq.m. along Karenana Road, and 309 sq.m. along Green Gables Road. A comparison of minimum lot area and frontage regulations indicates that the lot size standards are within a reasonably close range between the existing and proposed zones.

In terms of the lot coverage, landscaped open space and rear yard setback regulations, the zone standards remain reasonably close. Although the R1-2 zone standards permit a somewhat higher coverage and less rear yard depth, it should be noted that the subject lots are relatively deep and their average lot area (357 sq.m.) is well above the minimum standard. Therefore, the proposed lots are considered adequate to maintain sufficient area and depth and provide for appropriate building coverage, rear yard amenity space, and landscaped open space.

Conclusion

The recommended zoning amendment is consistent with the Provincial Policy Statement, and conforms to The London Plan and (1989) Official Plan. The zoning will permit single detached dwelling lots that are considered appropriate and compatible with existing and future land uses in the surrounding area. Therefore, staff are satisfied the proposal represents good planning and recommend approval.

Prepared by: Larry Mottram, MCIP, RPP
Senior Planner, Subdivisions and Condominiums

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic
Development

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)

December 23, 2021
GK/GB/BP/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2022 PEC Reports_Current Cycle\FINAL Summerside Subdivision Ph 17 - 1389 Commissioners Rd E - Z-9446 (LM).docx

Appendix A

Appendix “A”

Bill No. (number to be inserted by
Clerk's Office)
(2022)

By-law No. Z.-1-22_____

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 1389
Commissioners Road East
(Summerside Subdivision – Phase 17).

WHEREAS the Corporation of the City of London has applied to rezone lands located at 1389 Commissioners Road East (Summerside Subdivision – Phase 17), 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 1389 Commissioners Road East (Summerside Subdivision – Phase 17), as shown on the attached map, FROM a Residential R1 (R1-3) Zone TO a Residential R1 (R1-2) Zone.

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

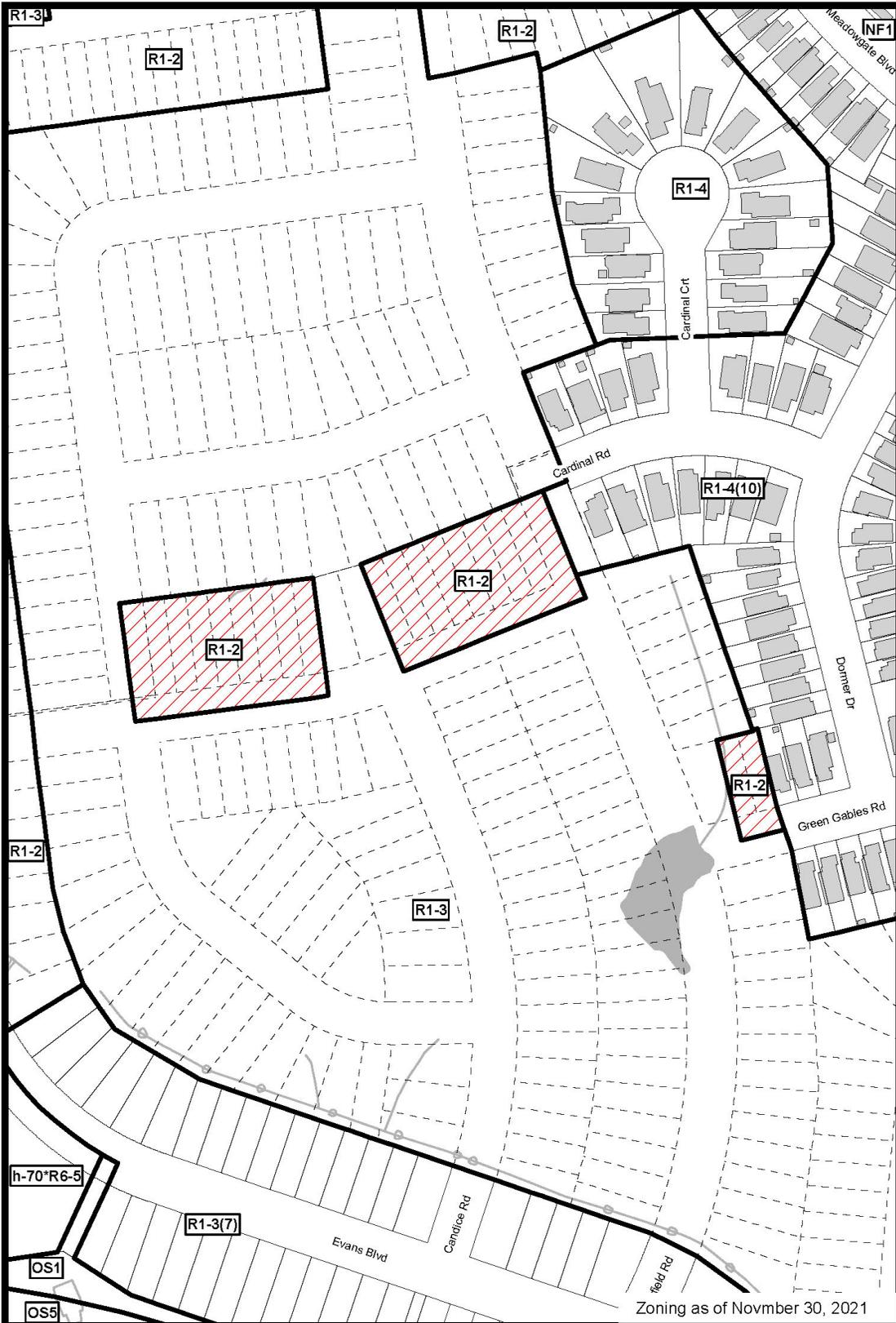
PASSED in Open Council on January 25, 2022

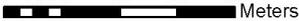
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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



<p>File Number: Z-9446 Planner: LM Date Prepared: 2021/12/08 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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Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On December 7, 2021, Notice of Application was sent to 73 property owners in the surrounding area. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 16, 2021. A Notice of Public Meeting was published in *The Londoner* on December 23, 2021.

Responses: No replies received

Nature of Liaison: The purpose and effect of this application to change the zoning of Lots 55 & 56, Lots 65 to 72, and Lots 75 to 82 within a draft-approved plan of subdivision (Summerside Phase 17) from a Residential R1 (R1-3) Zone, which permits single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10 metres, to a Residential R1 (R1-2) Zone, which permits single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage 9.0 metres. The purpose and effect of this zone change is to correct the zoning to permit these lots to have a frontage of 9.144 metres as shown on the accepted subdivision servicing drawings.

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

<u>Telephone</u>	<u>Written</u>
None	None

Agency/Departmental Comments: No significant comments/responses received.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

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

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

The PPS contains polices regarding the importance of promoting efficient development and land use patterns, ensuring effective use of infrastructure and public service facilities, and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4).

There are several policies directed at promoting healthy, livable and safe communities, including the goal of promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (Section 1.1.1 (e)).

To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Section 1.4.3(c)). These policies promote densities for new housing

which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)).

The proposed zoning amendment achieves objectives for efficient and resilient development and land use patterns. It represents development of low density forms of housing in the form of single detached dwelling lots taking place within the City's urban growth area and within a previously draft-approved plan of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities. The proposed lots are part of a larger subdivision plan which was recently revised to provide a street pattern with more through street connections by eliminating dead-end cul-de-sacs. This will increase community connectivity, support the use of public transit, promote cycling and pedestrian movement, and provide opportunities for active transportation.

There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed. Based on our review, the proposed zoning by-law amendment 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 or which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk* throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

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 dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses.

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

Our Strategy

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

2. Plan to achieve a compact, contiguous pattern of growth – looking "inward and upward".

4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.

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

6. Dependent upon context, require, promote, and encourage transit oriented development forms.

7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.

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

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

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

These strategic directions are generally reflected in the proposed zoning amendment and revisions that have been made to the original subdivision design. The proposal maintains a mix of low and medium density housing types which exist within the Summerside Subdivision consisting mostly of single and semi-detached dwellings, townhouses, and low rise apartment buildings to take advantage of existing services and facilities. By replacing the cul-de-sacs with through street connections the subdivision plan is more oriented towards a modified grid system with multiple connections to the existing street network resulting in ease of mobility and a neighbourhood that is more walkable, healthy, and connected. These draft plan phases represent the completion of Evans Boulevard which is an important connector street in the westerly portion of the Summerside Subdivision and provides an opportunity to expand bus transit routes. The revised draft plan continues to maintain a good fit within the context of the existing neighbourhood.

City Building and Design Policies

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

The proposed zoning will permit single detached residential dwellings on lots which are compatible with existing and future residential development, consistent with the planned vision of the Neighbourhood Place Type, and in keeping with the character of the neighbourhood.

220_ Neighbourhoods should be designed with a diversity of lot patterns and sizes to support a range of housing choices, mix of uses and to accommodate a variety of ages and abilities.

The proposed zoning will continue to maintain a diverse mix of lot patterns and sizes for construction of single detached homes. Lot sizes ranging in widths from 9.0 to 10.0 metres are proposed fronting along Evans Boulevard and Maguire Drive, and lot frontages ranging from 11.0 to 12.0 metres are proposed on the interior streets. The interior lot pattern also results in much deeper lots with removal of the cul-de-sacs. Because of the overall mix of residential dwelling types currently permitted, the subdivision plan maintains a range of housing choices to accommodate aging in place and individuals with special abilities.

222A_ The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.

An on-street parking plan has been prepared in conjunction with the engineering drawing review and will form part of the Subdivision Agreement. Subdivision plans with lots that have less than 11 metres of frontage are required to provide a parking plan in order to ensure there will be sufficient supply and a balanced distribution of on-street parking, and that there are no conflicts with driveways, utilities, and boulevard tree

planting. The approved parking plan has been reviewed and the proposed zoning and lot frontages do not impact the on-street parking plan, boulevard tree planting, sidewalks or street lighting.

256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.

260_ Projecting garages will be discouraged.

The proposed lot pattern along the north side of Karenana Road and the north side of the extension of Green Gable Road will continue to maintain and reinforce the street line of existing and future homes. The building setback requirements are governed by the zoning by-law. Both the R1-2 and R1-3 zones require a minimum front and exterior side yard depth of 4.5 metres to main building and 6.0 metres to the garage in order to prevent projecting garages from dominating the streetscape.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type permitting a range of uses such as single detached, semi-detached, duplex, and converted dwellings, townhouses, secondary suites, home occupations, and group homes as the main permitted uses. The minimum and maximum permitted building heights are 1 to 2.5 storeys for neighbourhood streets.

916_1. A strong neighbourhood character, sense of place and identity.

916_2. Attractive streetscapes, buildings, and public spaces.

916_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.

As noted above, the proposed zoning is consistent with the planned vision of the Neighbourhood Place Type, compatible with the adjacent existing uses, and in keeping with the character of the neighbourhood. The proposed lotting will maintain an attractive and continuous neighbourhood streetscape. This subdivision plan contributes to the diversity of housing choices allowing for affordability and aging in place. There exists a variety of low to medium density residential housing forms within the immediate area in the form of single detached and semi-detached homes, townhouse dwellings, street townhouses, and planned low-rise apartment buildings.

935_3. Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space.*

As discussed below under the Zoning By-law section, the recommended R1-2 zoning provides for an appropriate level of intensity within the neighbourhood context, and is in keeping with the Place Types policies.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578_5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.

The proposed development will be required to connect to existing municipal sanitary and storm sewer outlets and watermains within the Summerside Subdivision, in

accordance with the terms of the Subdivision Agreement. Review of the engineering design has been completed and subdivision servicing drawings have now been accepted for Phase 17.

1578_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- a. Traffic and access management.*
 - b. Noise.*
 - c. Parking on streets or adjacent properties.*
 - d. Emissions generated by the use such as odour, dust, or other airborne emissions.*
 - e. Lighting.*
 - f. Garbage generated by the use.*
 - g. Loss of privacy.*
 - h. Shadowing.*
 - i. Visual impact.*
 - j. Loss of views.*
 - k. Loss of trees and canopy cover.*
 - l. Impact on cultural heritage resources.*
 - m. Impact on natural heritage features and areas.*
 - n. Impact on natural resources.*
- The above list is not exhaustive.*

- There will be multiple access points within the subdivision plan to disperse vehicular traffic evenly and lessen the impact on the existing neighbourhood. Traffic calming measures will also be implemented to calm traffic and slow vehicle speeds.
- On-site parking will be required as per the Zoning By-law minimum requirements for single detached dwellings. The approved on-street parking plan has been reviewed and is not impacted by the slightly reduced lot frontages proposed for the subject lots.
- The proposed residential uses are not expected to generate excessive noise and emissions. Construction access routes, installation of barricades to discourage cut-through traffic, and measures to mitigate dust, dirt, mud and debris on neighbourhood streets during construction will be identified through the accepted Engineering Drawings and Subdivision Agreement.
- There are no concerns with respect to lighting, garbage, visual and privacy impacts; or any issues with loss of views and tree cover.
- Shadowing is not expected to impact nearby properties.
- Archaeological assessments for the Summerside Subdivision plan were previously undertaken and a clearance letter from Ministry of Tourism, Culture and Recreation - Heritage & Libraries Branch was issued in 2001.
- There are no concerns for natural heritage features or natural resources.

1578_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*
- c. Neighbourhood character.*
- d. Streetscape character.*
- e. Street wall.*
- f. Height.*
- g. Density.*
- h. Massing.*

- i. Placement of building.*
- j. Setback and step-back.*
- k. Proposed architectural attributes such as windows, doors, and rooflines.*
- l. Relationship to cultural heritage resources on the site and adjacent to it.*
- m. Landscaping and trees.*
- n. Coordination of access points and connections.*

The proposed zoning maintains neighbourhood character and a reasonable level of compatibility with the existing Summerside Subdivision. The neighbourhood context will consist of low density residential single detached dwellings interfacing existing low density residential dwellings. The lot pattern and streetscape is generally consistent with the pattern of the existing neighbourhood. The proposed dwellings are expected to be similar in character and features as the existing residential neighbourhood, and contain dwellings of a similar height and massing.

Therefore, based on Staff's review of The London Plan policies, this proposal is found to be in keeping and in conformity with the Key Directions, City Building and Design, Place Type, and Our Tools policies.

(1989) Official Plan

These lands are designated Low Density Residential as shown on Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. The recommended zoning to permit single detached dwellings is consistent with and conforms to the 1989 Official Plan.

Zoning By-law

The recommended zoning amendment applies to 18 lots within Phase 17 of the draft plan of subdivision (16 lots fronting future Karenana Road and two (2) lots fronting the future extension of Green Gables Road). The lots are proposed to be rezoned from a Residential R1 (R1-3) Zone, which permits single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10 metres, to a Residential R1 (R1-2) Zone, which permits single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage of 9.0 metres. These lots will each have 9.144 metre frontages, and lot depths that range from 33.8 metres (Lots 55 & 56), 38.8 metres (Lots 65 to 72) and 40.5 metres (Lots 75 to 82).

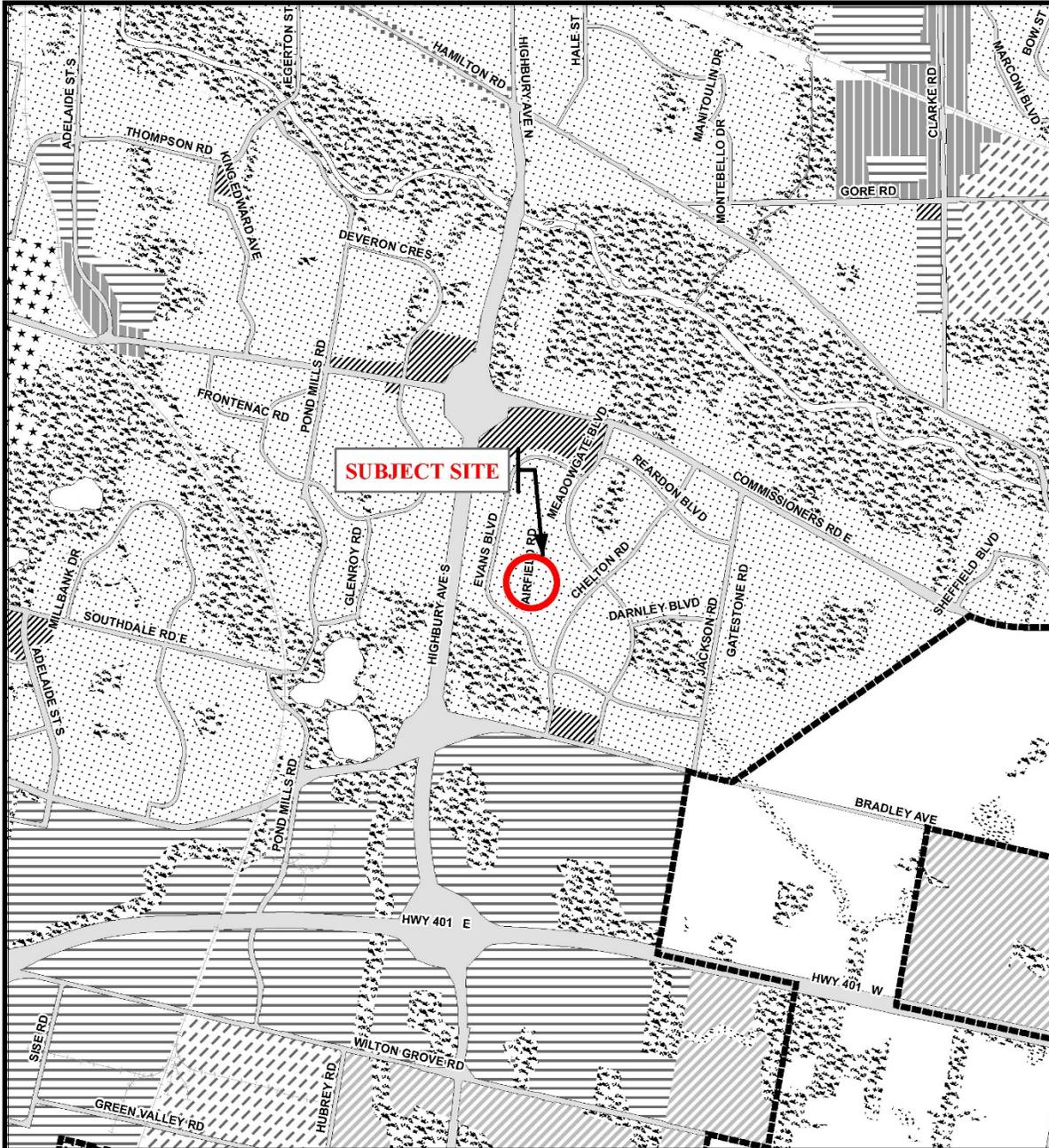
A comparison of minimum lot area and frontage regulations indicates that the lot size standards are within a reasonably close range between the existing and proposed zones.

	<u>R1-2</u>	<u>R1-3</u>
Lot Area	300	300
Minimum (m ²)		
Lot Frontage	9.0	10.0
Minimum (m)		
Landscaped Open Space Minimum	30%	35%
Lot Coverage	45%	40%
Maximum		
Rear Yard Depth	4.5	6.0
Minimum (m)		

In terms of the lot coverage, landscaped open space and rear yard setback regulations, the zone standards remain reasonably close. Although the R1-2 zone standards permit a somewhat higher coverage and less rear yard depth, it should be noted that the subject lots are relatively deep and their average lot area (357 sq.m.) is well above the minimum standard. Therefore, the proposed lots are considered large enough to maintain sufficient area and depth and continue to provide for appropriate building coverage, rear yard amenity space, and landscaped open space.

Appendix D – Relevant Background

The London Plan Map Excerpt



Legend

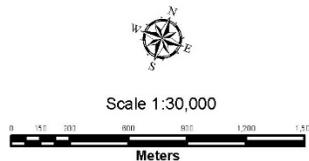
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street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

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

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

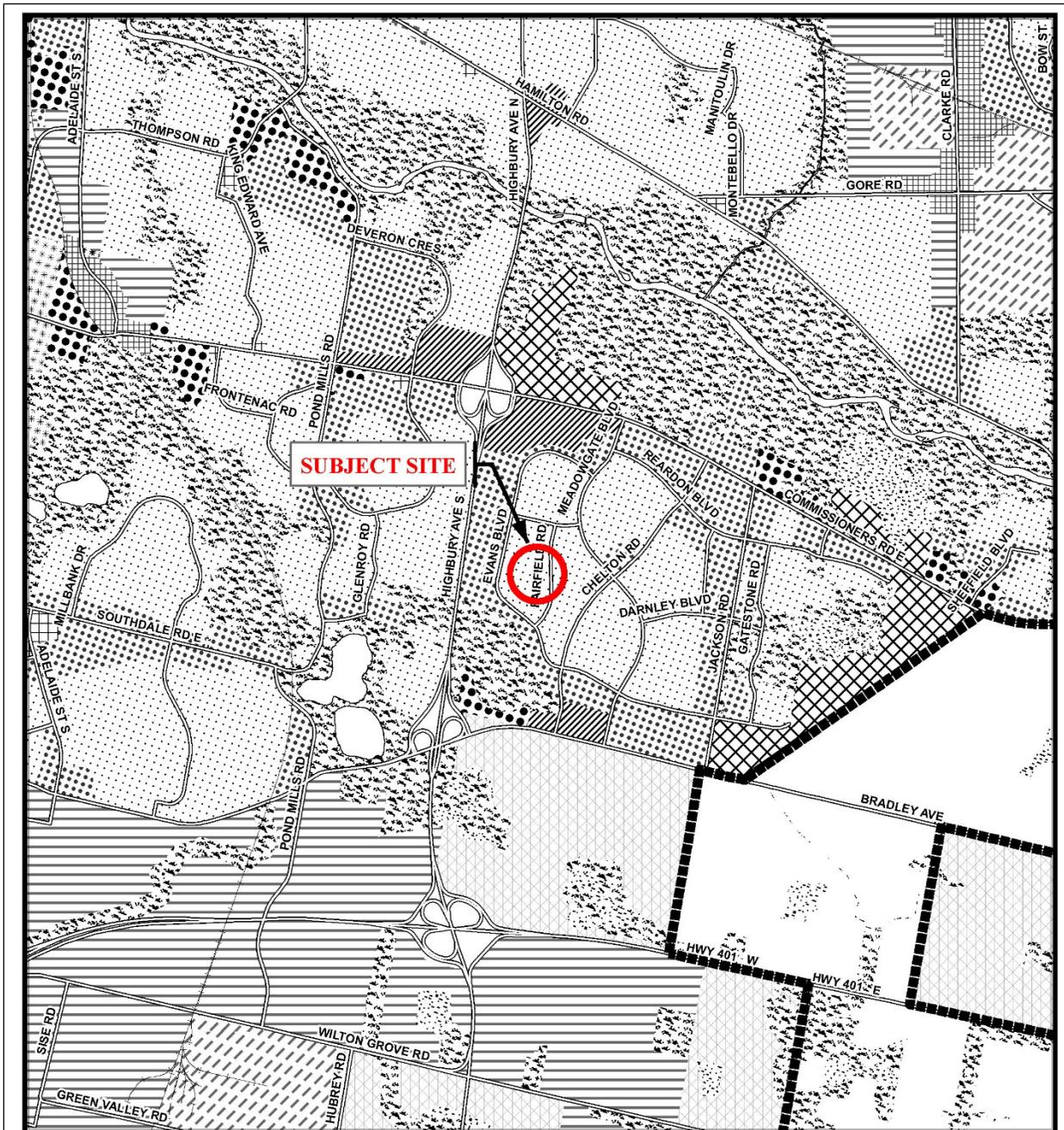
CITY OF LONDON
 Planning Services /
 Development Services

LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



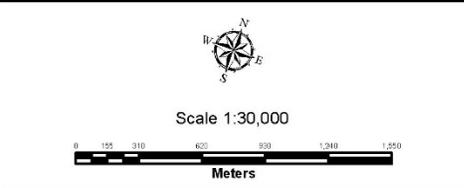
File Number: Z-9446
Planner: LM
Technician: RC
Date: December 8, 2021

1989 Official Plan Map Excerpt



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

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



FILE NUMBER: Z-9446
 PLANNER: LM
 TECHNICIAN: RC
 DATE: 2021/12/08

Zoning By-law Map Excerpt



Zoning as of November 30, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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

CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
Z-9446 LM

MAP PREPARED:
2021/12/8 RC



Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: George Kotsifas, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: 1767289 Ontario Inc.
150 King Edward Avenue
Public Participation Meeting

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of 1767289 Ontario Inc., relating to the property located at 150 King Edward Avenue:

- (a) the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area (NSA1) Zone **TO** a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone
- (b) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Orient the ground floor active uses, including commercial units and primary entrances to residential units, towards the King Edward Avenue frontage
 - ii) Ensure the public entrance(s) of commercial unit(s) are easily distinguished from residential entrances. Consider locating commercial signages above the commercial units to provide distinction between type(s) of entrance and consider incorporating weather protection (e.g., canopies) above entrances
 - iii) Provide direct walkway access from ground floor units (Commercial and Residential) to the public sidewalk along King Edward Avenue frontage
 - iv) Ensure that the design of any fourplex end units with elevations flanking the public street are oriented to the street by providing enhanced architectural details, such as wrap-around porches, entrances and a similar number of windows, materials, and articulation as is found on the front elevation
 - v) Provide safe, convenient, and direct pedestrian connections throughout the site between unit entrances, amenity spaces, parking areas and the city sidewalk

Executive Summary

Summary of Request

The owner has requested an amendment to the Zoning By-law Z.-1 to change the zoning of 150 King Edward Avenue from a Neighbourhood Shopping Area (NSA1) Zone to a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone with the intent of constructing a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and 17 residential units on the second and third floors, and 17 fourplex buildings with a total of 68 units at the rear of the property.

The requested change permits medium density development in various forms of cluster housing including single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment buildings, and fourplex dwelling. Further, the requested change permits an apartment building with commercial/office uses on the first and/or second floor.

Zoning special provisions were requested including:

For the mixed-use building:

- A minimum lot depth of 36.0 metres
- A minimum interior (south) side yard setback of 5.0 metres
- A maximum height of 11 metres
- A minimum of 48 parking spaces
- A minimum front yard depth of 1.0 metre
- A maximum front yard depth of 3.0 metres
- A maximum density of 85 units per hectare

For the fourplexes:

- A minimum front yard setback of 4.5 metres
- A maximum density of 70 units per hectare

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and 17 residential units on the second and third floor, and 17 fourplex buildings with a total of 68 units at the rear of the property

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, 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
2. The recommended amendment conforms to the in-force policies of The London Plan including but not limited to the Key Directions and Shopping Area Place Type
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Neighbourhood Commercial Node designation
4. The recommended amendment facilitates the redevelopment of an underutilized parcel of land within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. The City of London is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is located on King Edward Avenue, approximately 55 metres south of Thompson Road. The site has a frontage of roughly 119 metres along King Edward Avenue and a total area of 1.29 hectares. The site is developed with a nearly vacant commercial plaza and large surface parking lot currently being used for storing road construction material and soil.

King Edward Avenue is a secondary collector road with an average daily traffic volume of 3,000 vehicles per day. The road classification in The London Plan is a Neighbourhood Connector.



Figure 1: 150 King Edward Avenue Plaza looking east



Figure 2: 150 King Edward Avenue Plaza looking west



Figure 3: 150 King Edward Avenue parking lot

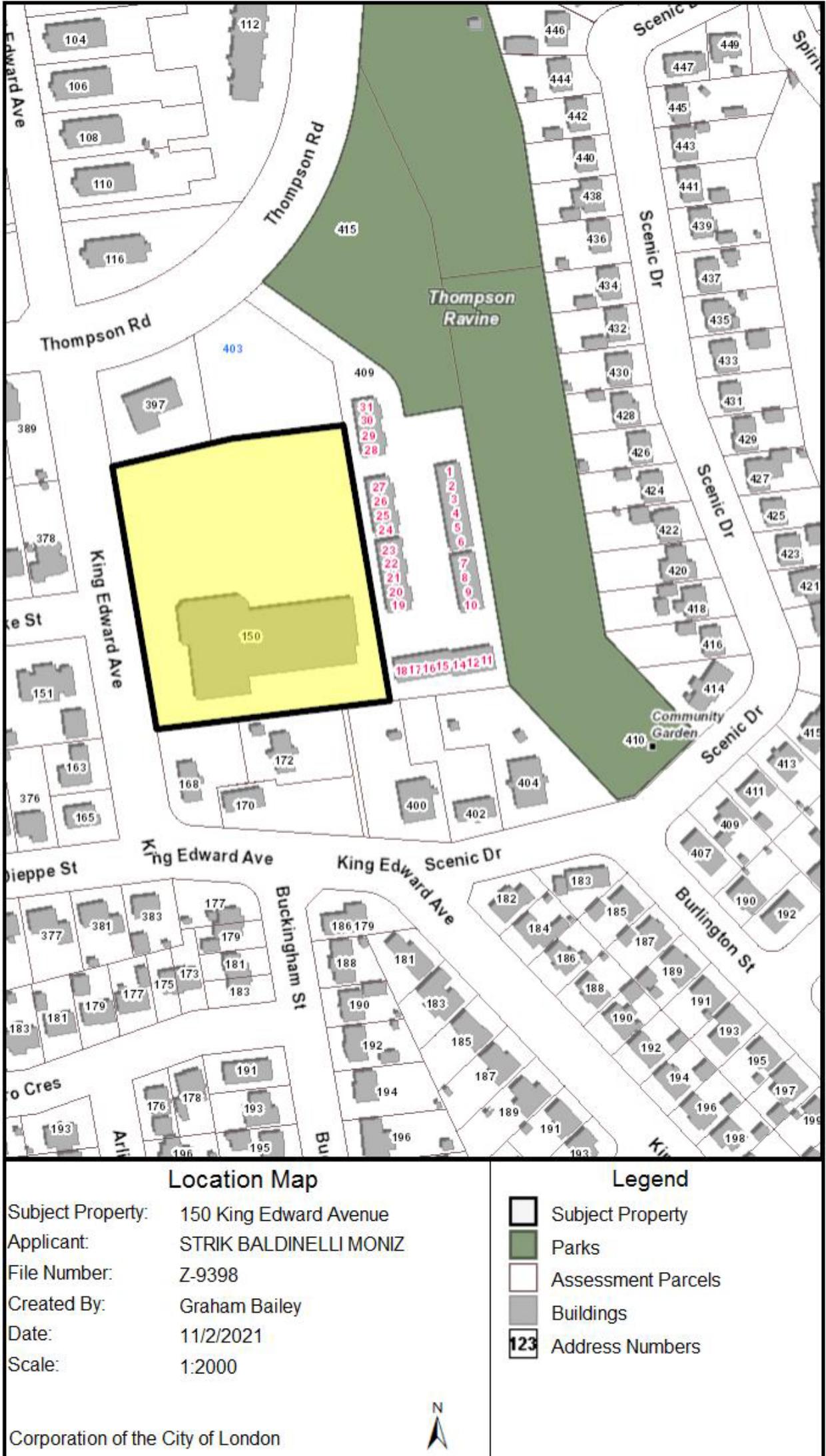
1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Neighbourhood Commercial Node
- The London Plan Place Type – Shopping Area
- Existing Zoning – Neighbourhood Shopping Area 1 (NSA1)

1.4 Site Characteristics

- Current Land Use – Nearly vacant commercial plaza and surface parking lot
- Frontage – 119 metres
- Depth – Irregular
- Area – 1.29 hectares
- Shape – Irregular

1.5 Location Map



1.6 Surrounding Land Uses

- North – Convenience store, laundromat, and vacant residential zoned land. Across Thompson Road, low-rise apartment buildings and a gas station
- East – Two-storey townhouses and green space
- South – Low-rise apartment buildings
- West – Single detached dwellings and a place of worship

1.7 Intensification

The proposed 85 residential units represent intensification with the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to develop a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and 17 residential units on the second and third floors, and 17 fourplex buildings with a total of 68 units at the rear of the property. The site concept plan is shown in Figure 4. Building renders are shown in Figures 5 and 6.

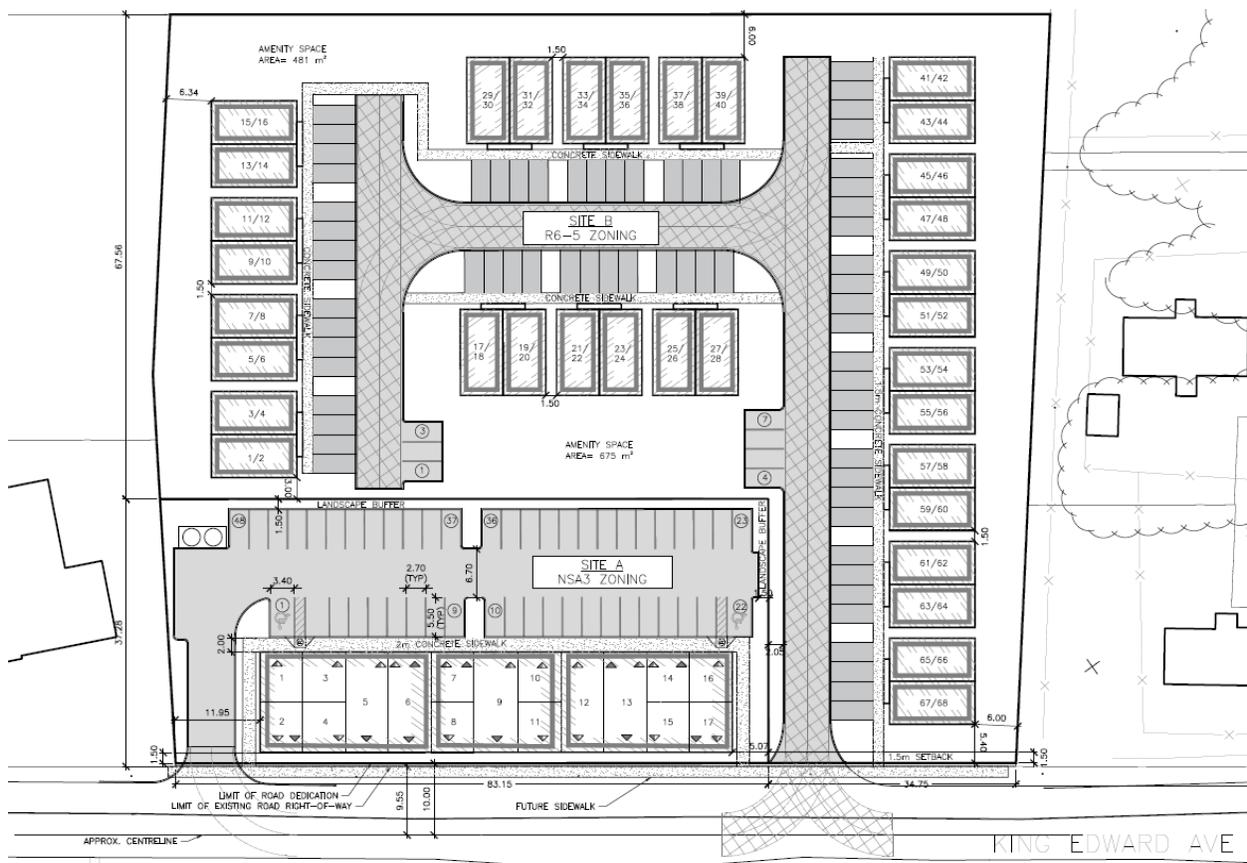


Figure 4: Site Concept Plan



Figure 5: Concept Rendering - North View



Figure 6: Concept Rendering - South View

2.2 Requested Amendment

The applicant has requested to change the zoning on the subject site from a Neighbourhood Shopping Area (NSA1) Zone to a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone. The NSA1 Zone permits bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, video rental establishments, and brewing on premises establishments.

The NSA3 Zone permits any use permitted in the NSA1 Zone and an apartment building with any or all the other permitted uses on the first and/or second floor. The R6-5 Zone permits a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment building, and fourplex dwelling in a cluster form.

Special zoning permissions have been requested. For the NSA3 Special Provision (NSA3(_)) Zone:

- A minimum lot depth of 36.0 metres
- A minimum interior (south) side yard setback of 5.0 metres

- A maximum height of 11 metres
- A minimum of 48 parking spaces

Civic Administration identified additional special provisions for the NSA3 Special Provision (NSA3(_)) Zone through the review of the application:

- A minimum front yard depth of 1.0 metre
- A maximum front yard depth of 3.0 metres
- A maximum density of 85 units per hectare

Further, through discussion with the applicant, the originally submitted conceptual site plan was slightly reworked resulting in the removal of two special provisions related to lot coverage and parking setback that were included in the Notice of Application.

The special zoning provisions requested for the Residential R6 Special Provision (R6-5(_)) Zone are:

- A minimum front yard setback of 4.5 metres
- A maximum density of 70 units per hectare

2.3 Community Engagement (see more detail in Appendix B)

Written responses were received from one household:

The letter supported the residential intensification but did not support the commercial units included in the proposed mixed-use building.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The PPS is issued under the authority of section 3 of the *Planning Act*. The *Planning Act* requires that decisions affecting planning matters “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, liveable, and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. Section 1.1. also supports accommodating an appropriate affordable and market-based range and mix of residential types and employment uses to meet long-term needs. Section 1.1.3 identifies settlement areas as the focus of growth and development including ensuring the vitality and regeneration of settlement areas being critical to the long-term economic prosperity of the community. Section 1.4 of the PPS provides for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents.

The London Plan

The London Plan constitutes the Official Plan for the City of London. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city.

The London Plan was adopted by Municipal Council on June 23, 2016 and approved by the Province on December 28, 2016. The majority of The London Plan is now in force and effect, but numerous policies do remain under appeal to the Local Planning Appeals Tribunal. The London Plan policies under appeal 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 Municipal Council but are not determinative for the purposes of this planning application.

Eight key directions serve as the foundation for The London Plan. These directions give focus and a clear path forward to the exciting, exceptional, and connected London collectively envisioned for 2035.

Key Direction #1 Plan strategically for a prosperous city identifies the importance of revitalizing the city's urban neighbourhoods and business areas (55_4).

Key Direction #5 Build a mixed-use compact city outlines the importance of achieving a compact, contiguous pattern of growth – looking “inward and upward” (59_2), sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods (59_3), and 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 (59_4).

Key Direction #8 Make wise planning decisions identifies ensuring new development is a good fit within the context of an existing neighbourhood (62_9).

The site is in the Shopping Area Place Type and adjacent to a Neighbourhood Connector (King Edward Avenue) as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses with the Shopping Area Place Type include a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses (877_1). Mixed-use buildings will be encouraged (877_2). Buildings within the Shopping Area Place Type will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted (878_2).

1989 Official Plan

The subject site is designated Neighbourhood Commercial Node in accordance with Schedule 'A' of the 1989 Official Plan. Permitted uses in the Neighbourhood Commercial Node include small retail stores, food stores, pharmacies, convenience commercial uses, personal services, financial institutions, service-oriented office uses such as real estate, insurance and travel agencies, community facilities such as libraries or day care centres, professional and medical/dental offices, small-scale restaurants, commercial recreation establishments, and similar uses that draw customers from a neighbourhood-scale trade area. Residential units above ground floor commercial uses may be allowed. Multi-family high or medium density residential uses may also be permitted through a zoning by-law amendment application, concurrent site plan application, and consideration of design features which allow integration of the two uses (4.3.8.3). Outside of Central London, a multi-family high density residential development will not exceed an approximate net density of 150 units per hectare (3.4.3) and a multi-family medium density residential development will not exceed an approximate net density of 75 units per hectare (3.3.3).

Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood. Free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops and reduce the visual impact of large open parking lots (4.3.8.4).

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) encourages accommodating an appropriate affordable and market-based range and mix of residential types and

commercial employment (1.1.1 b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost effective development patterns, optimization of transit investments, and standards to minimize land consumption and serving costs (1.1.1 e)). The PPS also requires planning authorities to direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (1.4.3 c)).

The London Plan

Key Direction #1 – plan strategically for a prosperous city – identifies revitalizing London’s urban neighbourhoods and business areas (55_4) and Key Direction #5 – building a mixed-use compact city – directs a mix of housing types within our neighbourhoods so that they are complete communities and support aging in place (59_5).

Policy 871_ outlines The London Plan’s vision for the Shopping Area Place Type. Shopping areas will constitute an important part of London’s complete communities, providing commercial centres with a wide range of uses, and over time will re-format to become mixed-use areas.

Policy 876_ encourages the repurposing, reformatting, infill, and intensification of existing centres to take advantage of existing services, use land more efficiently, and reduce the need for outward expansion.

Policy 877_1 of the Shopping Area Place Type permits a broad range of retail service, office, entertainment, recreational, educational, institutional, and residential uses. Policy 877_2 encourages mixed-use buildings.

1989 Official Plan

The subject property is designated Neighbourhood Commercial Node in the 1989 Official Plan. This designation contemplates small retail stores, food stores, pharmacies, convenience commercial uses, personal services, financial institutions, service-oriented office uses such as real estate, insurance and travel agencies, community facilities such as libraries or day care centres, professional and medical/dental offices, small-scale restaurants, commercial recreation establishments, and similar uses that draw customers from a neighbourhood-scale trade area. Residential units above ground floor commercial uses may be allowed. Multi-family high or medium density residential uses may also be permitted through a zoning by-law amendment application, concurrent site plan application, and consideration of design features which allow integration of the two uses (4.3.8.3).

Analysis

Consistent with the PPS and conforming to the 1989 Official Plan and The London Plan, the recommended mixed-use building and fourplexes will contribute to and diversify the existing range and mix of housing types in the area, which consist of low-rise apartment buildings to the south, townhouses to the east, and one- and two-storey single detached dwellings to the west. The recommended amendment facilitates the development of an underused site within a settlement area. Further, the recommended amendment ensures the shopping area remains a neighbourhood-oriented shopping destination by maintaining commercial uses in the mixed-use building.

The recommended amendment reformats and intensifies the existing shopping area without requiring new public infrastructure and makes efficient use of the land and existing services.

While the recommended mixed-use building and fourplexes have a different intensity and built form than surrounding development, the analysis of intensity and form below shows that the subject lands can be developed in a way that is appropriate for the site and adjacent neighbourhood.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The PPS identifies that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of communities (1.1.3). The PPS further dictates that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodate a significant supply and range of housing options through intensification and redevelopment (1.1.3.3). Also, appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety (1.1.3.4).

Planning authorities shall provide for an appropriate range and mix of housing options and densities (1.4.3) including permitting and facilitating all types of residential intensification, including residential units and redevelopment (1.4.3 b) and promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities (1.4.3 d).

The London Plan

The London Plan places an emphasis on growing “inward and upward” to achieve a compact form of development (79_). Residential intensification will play a large role in achieving our goals for growing “inward and upward” (80_). Further, the London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The intent of The London Plan is to allow for the more intense and efficient use of Shopping Area sites through redevelopment, expansion, and the introduction of residential development (878_1). Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility (878_4). Further, lots will be of sufficient size and configuration to accommodate the proposed development and help mitigate planning impacts on adjacent uses (878_5).

The London Plan also uses height as a measure of intensity. In the Shopping Area Place Type, the minimum height is one-storey with a maximum height of up to four-storeys, with bonusing up to six-storey (Table 8 – Summary of Minimum and Maximum Heights by Place Type*).

1989 Official Plan

In the Neighbourhood Commercial Node designation in the 1989 Official Plan, commercial development within the node shall normally range in size from 1,000 square metres to 13,000 square metres gross floor area (4.3.8.5).

The 1989 Official Plan identifies that several of the existing commercial nodes have sufficient vacant land areas and/or older, existing developments which are conducive to redevelopment and intensification. Redevelopment within these areas should be considered where the integration of additional uses, such as residential, with retail functions could achieve a more mixed-use commercial environment (4.3.3). Policies 4.3.3. i) to ix) address and prevent conflict between the different land uses with and adjacent to the commercial node.

As noted in Section 4.1 on Use, multi-family high or medium density residential uses may also be permitted in a Neighbourhood Commercial Node through a zoning by-law amendment application, concurrent site plan application, and consideration of design features which allow integration of the two uses (4.3.8.3). Outside of Central London, a multi-family high density residential development will not exceed an approximate net density of 150 units per hectare (3.4.3) and a multi-family medium density residential development will not exceed an approximate net density of 75 units per hectare (3.3.3).

Analysis

Consistent with the PPS and conforming to the 1989 Official Plan and The London Plan, the recommended intensification will support the vitality of the neighbourhood by ensuring a compact form of development that uses existing infrastructure and services. Further, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area.

The recommended intensification will redevelop a largely vacant shopping area by providing new residential uses and reformatted commercial uses.

The subject lands lie within an area characterized by a mix of various housing forms ranging from single detached dwellings to low-rise apartment buildings. Further, the site is adjacent to existing commercial uses. The site is large enough to accommodate a more intensive redevelopment of an underutilized site within a settlement area.

The site is in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment. The proposal complies with the height standards in The London Plan for the Shopping Area Place Type and the requested density of development conforms to the maximum density of 75 units to 150 units per hectare contemplated in the 1989 Official Plan for the Neighbourhood Commercial Node designation.

The proposed development of 68 units in 17 fourplexes equates to 70 units per hectare. The proposed 17 residential units and 735 square metres of commercial space in the mixed-use building equates to 82 units per hectare (rounded to 85 units per hectare for the requested special provision). On a site-wide basis, the 85 residential units and commercial space equates to 79 units per hectare. The proposed densities are within the maximum density of 75 to 150 units per hectare contemplated in the 1989 Official Plan.

The proposed 735 square metres of commercial space is slightly less than the minimum 1,000 square metres contemplated in the 1989 Official Plan; however, the existing commercial plaza often had frequent vacancies. The shrinking of the commercial footprint will still maintain the required commercial uses in the Neighbourhood Commercial Node designation while offering tenants a new street-oriented format.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS promotes efficient development and land use patterns which sustain the financial well-being of the Province and the municipalities over the long term (1.1.1 a)). Further, the PPS promotes appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety (1.1.3.4). The PPS also supports long-term economic prosperity by encouraging a sense of place by promoting well-designed built form (1.7.1 e)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing growth (66_). Further, The London Plan places an emphasis on growing “inward and upward” to achieve a compact form of development (79_). Key Direction #5 of The London Plan accommodates opportunities for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce the need to grow outward (59_4).

Within the Shopping Area Place Type, all planning and development applications will conform with the City Design policies of The London Plan (879_1). Further, sites should be designed to screen any large fields of parking from the street and parking between the buildings and the street will be discouraged (879_4).

The London Plan Our Tools policies provide direction on reviewing potential impacts on adjacent and nearby properties (1578_6) and the degree to which the proposal fits within its context (1578_7).

1989 Official Plan

The 1989 Official Plan identifies that Commercial Nodes be developed in accordance with the general principles of urban design as noted in Chapter 11 and the Commercial Urban Design Guidelines (4.3.2.). Specifically, Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood. Free-standing structures along the street frontage should be developed to improve the design of the street edge and reducing the visual impact of large open parking lots. The design, appearance, and scale shall be in harmony with the surrounding residential area with adequate screening and buffering between uses (4.3.8.4). Appendix D of this report includes a complete Planning Impact Analysis addressing matters of form.

Analysis

Consistent with the PPS and conforming to the 1989 Official Plan and The London Plan, the recommended development proposal will optimize the use of land and existing infrastructure in the area. The subject site is located within a developed area of the city and the redevelopment of the subject site will contribute to achieving a more compact form of growth. The proposed mixed-use building and fourplexes represent a more compact form of development than the commercial plaza and large surface parking lot that currently occupy the site.

The location and massing of the mixed-use building and the fourplexes is consistent with urban design policies. The mixed-use building fronts King Edward Avenue and frames the street providing for a street-oriented design. Entrances to the commercial units face the street. To help reduce the requirement for encroachment agreements for building elements such as canopies, balconies, and the opening of doors, a one (1.0) metre minimum to three (3.0) metre maximum front yard depth have been included in the recommended zoning for the mixed-use building. This front yard depth will continue to allow the building to be located close to the street.

The parking area is located behind the mixed-use building. There is no parking between the street and the mixed-use building. The parking for the fourplexes is appropriately located throughout the site providing parking to the units and for visitors.

The proposed mixed-use building and fourplexes are of similar height to the surrounding buildings and can be considered harmonious with the surrounding residential neighbourhood. The proposed building placements provide for separation between the proposed development and neighbouring homes and commercial buildings, mitigating compatibility concerns including loss of privacy and shadowing. Sufficient space is available to provide for appropriate screening and buffering along the north, east, and south property boundaries adjacent to the existing homes and businesses.

Comments from Urban Design staff highlighted various considerations for more detailed design to be completed at site plan approval. These include:

- Ensure to direct the ground floor active uses including commercial units, primary entrances to residential units towards the King Edward Avenue frontage
- Ensure the public entrance(s) of commercial unit(s) are easily distinguished from residential entrances by providing definitions through signage, canopies, and architectural features. Consider locating commercial signages above the commercial units and do not extend beyond that to provide distinction between type(s) of entrance. Incorporate weather protection (e.g., canopies) above entrances

- Provide direct walkway access from ground floor units (commercial and residential) in the mixed-use building to the public sidewalk along King Edward Avenue
- Ensure that the design of any end units with elevations flanking the public street are oriented to the street by providing enhanced architectural details, such as wrap-around porches, entrances and a similar amount of windows, materials and articulation as is found on the front elevation
- Provide an accessible outdoor amenity space for the residents of the mixed-use building
- Provide safe, convenient, and direct pedestrian connections throughout the site between unit entrances, amenity spaces, parking areas and the city sidewalk.

These comments have been included for consideration during the site plan approval process in the staff recommendation.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Shopping Area Place Type. Further, the recommended amendment conforms with the in-force policies of the 1989 Official Plan, including but not limited to the Neighbourhood Commercial Node designation. The recommended amendment will facilitate the development of an underused site within the Built-Area Boundary and the Primary Transit Area with a use, intensity, and form that is appropriate for the site.

Prepared by: **Graham Bailey, MCIP, RPP**
Senior Planner, Core Area and Urban Regeneration

Reviewed by: **Michael Tomazincic, MCIP, RPP**
Manager, Strategic Land Development

Recommended by: **Gregg Barrett, AICP**
Director, Planning and Development

Submitted by: **George Kotsifas, P. Eng**
Deputy City Manager, Planning and Economic Development

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

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 150
King Edward Avenue

WHEREAS 1767289 Ontario Inc. has applied to rezone an area of land located at 150 King Edward Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 150 King Edward Avenue, as shown on the attached map comprising part of Key Map No. A108 from Neighbourhood Shopping Area (NSA1) Zone to a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone.

2) Section Number 23.4 of the Neighbourhood Shopping Area (NSA3) Zone is amended by adding the following Special Provision:

) NSA3() 150 King Edward Avenue

a) Regulations

i) Lot Depth (Minimum)	36.0 metres (118.11 feet)
ii) Front Yard Depth (Minimum)	1.0 metres (3.28 feet)
iii) Front Yard Depth (Maximum)	3.0 metres (9.84 feet)
iv) Interior Side Yard Setback (south) (Minimum)	5.0 metres (16.40 feet)
v) Height (Maximum)	11.0 metres (36.09 feet)
vi) Parking Spaces (Minimum)	48 spaces
vii) Density (Maximum)	85 units per hectare

3) Section Number 10.4 of the Residential (R6-5) Zone is amended by adding the following Special Provision:

) R6-5() 150 King Edward Avenue

a) Regulations

i) Front Yard Setback (Minimum)	4.5 metres (14.76 feet)
------------------------------------	-------------------------

ii) Density
(Maximum)

70 units per hectare

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

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

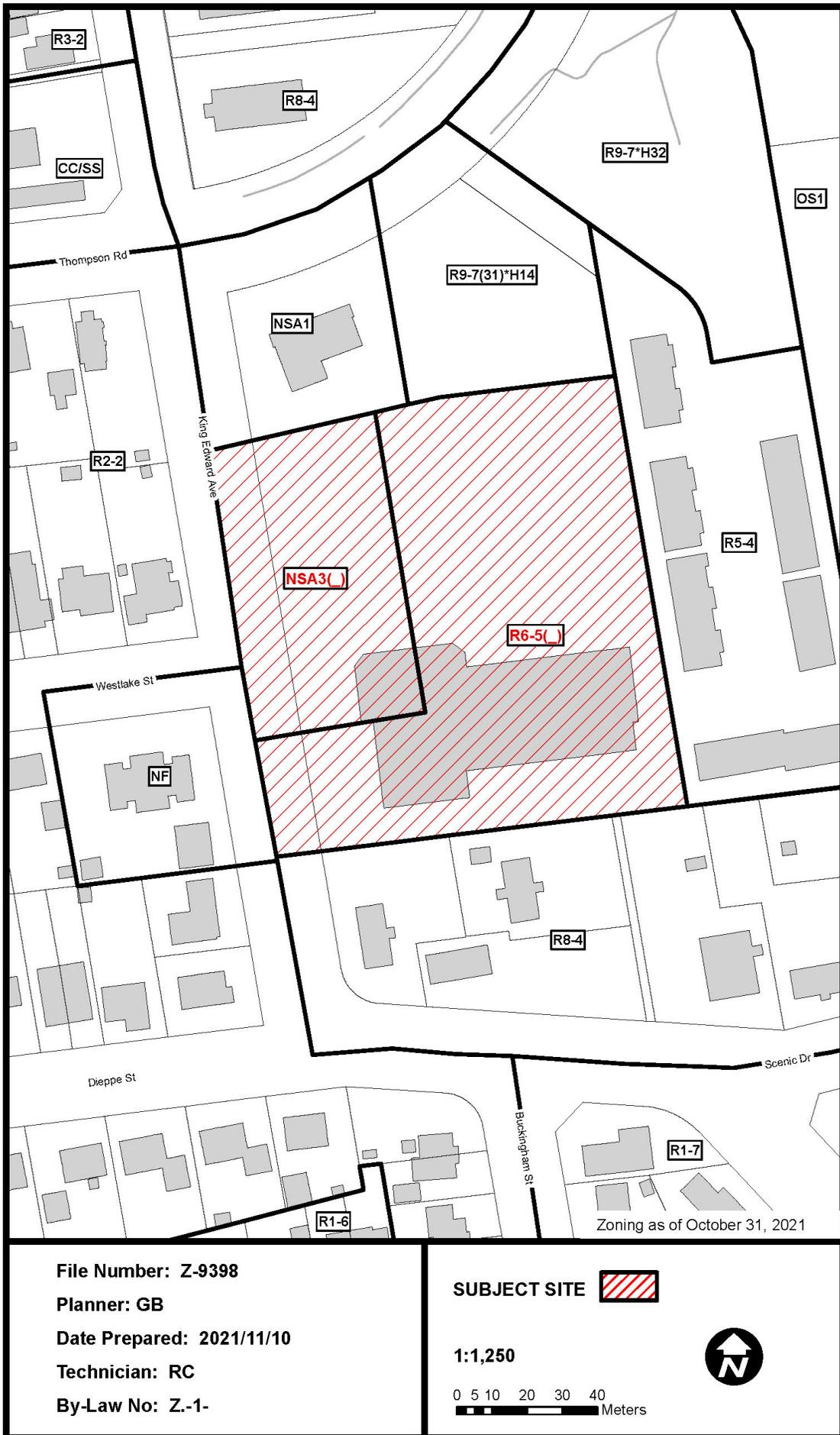
PASSED in Open Council on January 25, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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



Appendix B – Public Engagement

Community Engagement

Notice of Application (September 2, 2021)

On September 2, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on September 2, 2021. A “Planning Application” sign was also posted on the site.

One replied was received.

Nature of Liaison: The purpose and effect of this zoning change is to permit: (1) a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and a total of 17 residential units above and (2) to the rear of the site, 17 fourplex buildings with a total of 68 units. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Shopping Area Zone **TO** a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone. Special provisions for the NSA3 Special Provision (NSA3(_)) Zone include a minimum lot depth of 36m, a minimum south side yard setback of 5m, a maximum lot coverage of 31%, a maximum height of 11m, a minimum of 48 parking spaces, and a minimum parking setback of 1.35m. Special provisions for the Residential R6 Special Provision (R6-5(_)) Zone include a minimum front yard setback of 4.5m and a maximum density of 70 units per hectare.

Responses:

Support for:

Residential intensification

Support for the residential intensification on the site to improve the neighbourhood.

Concern for:

Commercial units

Concern that the commercial units will continue to experience constant turnover and vacancies like the existing plaza on the site.

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

RE: FILE#Z-9398 (150 KING EDWARD AVENUE, LONDON, ON, N5Z 3T4)

Dear Mr. Bailey,

We are the property owners at 397 Thompson Road, London, ON. We agree with 100% residential intensification. However, we do not agree with a three-storey mixed-use commercial building. The proposed application envisions a redevelopment of a commercial plaza to include a 3-storey mixed-use building fronting onto King Edward Avenue with ground-floor commercial retail uses makes absolutely no sense.

The reason is because a planning justification report submitted by Strik, Baldinelli, and Moniz has already been evaluated. On page 2, under Contents 3: Site Description of the report states, "the subject property is a former commercial plaza that once offered several day-to-day retail and service opportunities for the community. Presently, the subject site consists of a surface parking lot and a single storey commercial building that is mainly vacant."

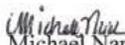
The site has experienced constant turnovers not because of the price of low rent but because commercial tenants do not survive the long haul. It has been proven that this location is unfit for brick and mortar retail establishments. It is like a revolving door, in and out, over and over again and therefore the building always remains vacant. Furthermore, it negatively impacts the commercial vacancy rate especially in the Southeast area of London, ON.

The framework is to improve residential intensification in the community of Glencairn. The City of London is expanding and requires accommodation by supporting future residential strategic growth.

We believe that by attempting to revive an already underperforming commercial property is pointless.

Mr. Bailey, we may be able to see success with a 100% residential development project. However, we may not be able to see it within our lifetime if these types of applications are not approved.

I can be contacted by email: [REDACTED] Thank you very much for your time and warm consideration,


Michael Nam
2533772 Ontario Inc.

Urban Design (September 22, 2021)

- The applicant is commended for providing a building design that incorporates the following design features; a mixed-use building that establishes a built edge along the King Edward Avenue street frontage with residential/commercial unit entrances from the public street frontage and locates all parking at the rear of the site.
- Consistent with the previous staff comments, please consider the following in establishing appropriate zoning regulations (i.e. setbacks) and as direction to the Site Plan authority.
 - Ensure to include a special provision for a minimum and maximum setback of the proposed mixed-use building in Site 'A' from the west property line along King Edward Avenue.
 - Include a 1-3m setback from the King Edward Avenue frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
 - Ensure to direct the ground floor active uses including commercial units, primary entrances to residential units towards the King Edward Avenue frontage.
 - Ensure the public entrance(s) of commercial unit(s) are easily distinguished from residential entrances by providing definitions through signage, canopies and architectural features. Consider locating commercial signages above the commercial units and do not extend beyond that to provide distinction between type(s) of entrance. Incorporate weather protection (e.g., canopies) above entrances.
 - Provide direct walkway access from ground floor units (Commercial and Residential) in Site 'A' to the public sidewalk along King Edward Avenue frontage.
 - Ensure that the design of any end units (67/68) in Site 'B' with elevations flanking the public street are oriented to the street by providing enhanced

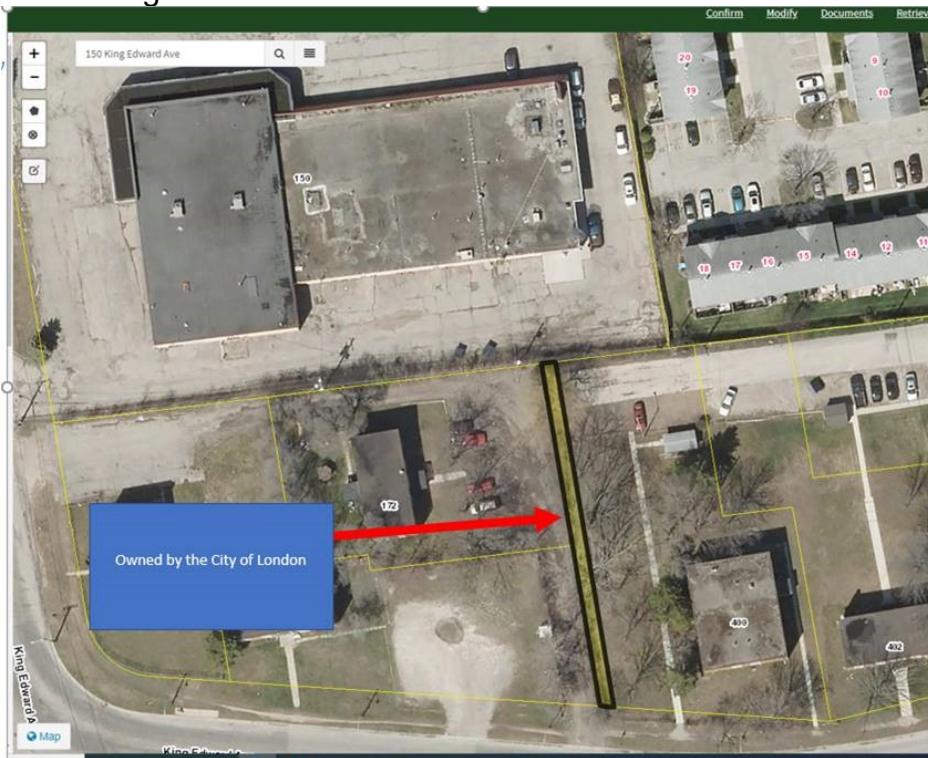
architectural details, such as wrap-around porches, entrances and a similar amount of windows, materials and articulation as is found on the front elevation.

- If the property is to be severed as Site 'A' and Site 'B', provide an accessible outdoor amenity space for the residents of the mixed-use building portion.
- Provide safe, convenient and direct pedestrian connections throughout the site between unit entrances, amenity spaces, parking areas and the city sidewalk.

Parks Planning and Design (September 17, 2021)

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.
- There is an existing City owned walkway block on the south property line that runs south to connect to King Edward Avenue. Through this development process consideration for this walkway should be upgraded and connected to King Edward Avenue.



London Hydro (September 20, 2021)

- 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 safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Appendix C – Policy Context

Provincial Policy Statement, 2020

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

1.1.1 a), b), c), d), e)

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

Policies subject to London Planning Appeals Tribunal Appeal PL170100 indicated with asterisk)

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

54_ to 62_ - Our Strategy, Key Directions

66_ - Our City, Planning for Growth and Change

79_ - Our City, The Growth Framework, Intensification

80_ - Our City, The Growth Framework, Intensification

83_ - Our City, The Growth Framework, Intensification

84_ - Our City, The Growth Framework, Intensification

90_ - Our City, The Growth Framework, Primary Transit Area

126_ - Our City, The Economic Framework

129_ - Our City, The Economic Framework, Downtown, Transit Villages, Rapid Transit Corridors, and Shopping Areas

153_ and 154_ - Our City, Urban Regeneration

193_ - City Design, What Are We Trying to Achieve?

235_ - City Design, Streetscapes

252_, 255_, 256_, 259_, 268_, and 269_ - City Design, Site Layout

271_, 272_, 277_, 278_, 279_, 280_, 281_, 282_, and 283_ - City Design, Parking

286_, 291_, and 295_ - City Design, Buildings

789_ 4. – Urban Place Types, General Framework

*Table 8 – Urban Place Types, Framework of Heights, Minimum and Maximum Heights by Place Type

871_, and 872_ - Shopping Area, Our Vision for the Shopping Area Place Type

874_ - Shopping Area, Role Within the City Structure

876_ 3. and 4., Shopping Area - How Will We Realize Our Vision?

877_ 1., 2., and 4., Shopping Area - Permitted Uses

878_ 1., 4., 7., Shopping Area - Intensity

879_ 3., Shopping Area - Form

1578_ - Our Tools, Evaluation Criteria for Planning and Development Applications

*Map 1 – Place Types

Map 3 – Street Classifications

1989 (Official Plan)

4. Downtown and Commercial Land Use Designations

4.2 Commercial Land Use Designations

4.2.1 Planning Objectives for all Commercial Land Use Designations

4.2.2 Urban Design Objectives for all Commercial Land Use Designations

4.3 Commercial Nodes

4.3.1 Planning Objectives

4.3.2 Urban Design Objectives

4.3.3 Mixed-Use Development, i) through ix)

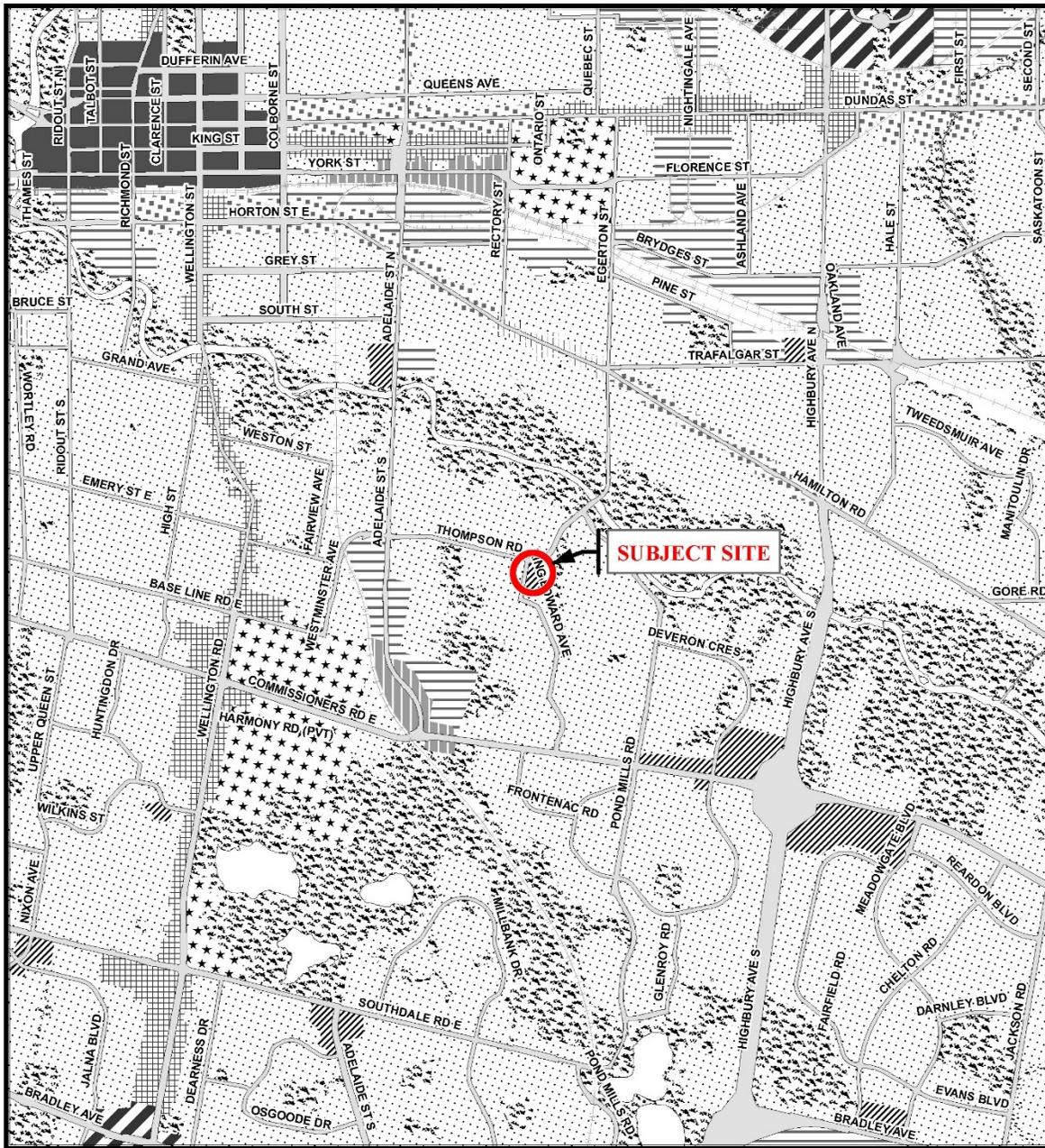
- 4.3.8 Neighbourhood Commercial Node
- 4.3.8.2 Permitted Uses
- 4.3.8.4 Form
- 4.3.8.5 Scale
- 4.5 Planning Impact Analysis
- 11. Urban Design Principles
- 11.1.1 ii), iv), vi), vii), viii), ix), x), xi), xiii), xiv), xv), xix),
- 19. Implementation

4.5 Planning Impact Analysis	
Criteria	Response
The policies contained in the Section relating to the requested designation	The proposed land use conforms with the in-force policies of Section 4 of the Official Plan
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan, like other uses in the area, and contributes to a variety of housing forms
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses	The parcel of land is large enough to accommodate the intensity of the proposed use without an adverse effect on the surrounding uses
The supply of vacant land or vacant buildings in the area which is designated and/or zoned for the proposed uses	The subject land and building are nearly vacant and is zoned for some of the proposed uses (commercial, not residential). Other vacant land in the area was recently rezoned for residential uses
The potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian, and vehicular safety, and on surrounding properties	A Traffic Impact Assessment or similar study was not required as part of a complete application. City staff did not identify any need for traffic controls to mitigate any increase in potential traffic from the proposed change
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses	The height of the proposed mixed-use building and fourplexes is similar to and compatible with the surrounding land uses. Suitable setbacks are on all four sides of the proposed development further reducing any potential impact on the surrounding land uses
The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties	A Traffic Impact Assessment or similar study was not required as part of a complete application. City staff did not identify any need for traffic controls to mitigate any increase in potential traffic from the proposed change. No concerns were identified with vehicular access points during circulation of the application

Where adjacent to sites under separate ownership, access and traffic circulation should be co-ordinated	The proposed form of development and the surrounding land uses is not conducive to the coordination of access and traffic circulation
The exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The applicant is commended for providing a building design that incorporates the following design features; a mixed-use building that establishes a built edge along the King Edward Avenue, street frontage with residential/commercial unit entrances from the public street frontage and locates all parking at the rear of the site. At the site plan, additional attention should be paid to detailed design criteria to further urban design goals
The potential impact of the proposed development on surrounding natural features and heritage resources	Not applicable
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development	Not applicable
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law	The requested amendment conforms with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process
Compliance with Ministry of the Environment (MOE) noise guidelines	Not applicable
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis	Landscaping and privacy fencing, in combination with building massing and setbacks are expected to mitigate adverse impacts on the surrounding land uses
Impacts of the proposed change on the planned transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development

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.

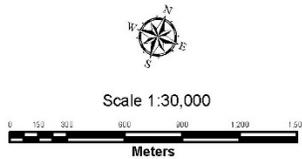
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9398

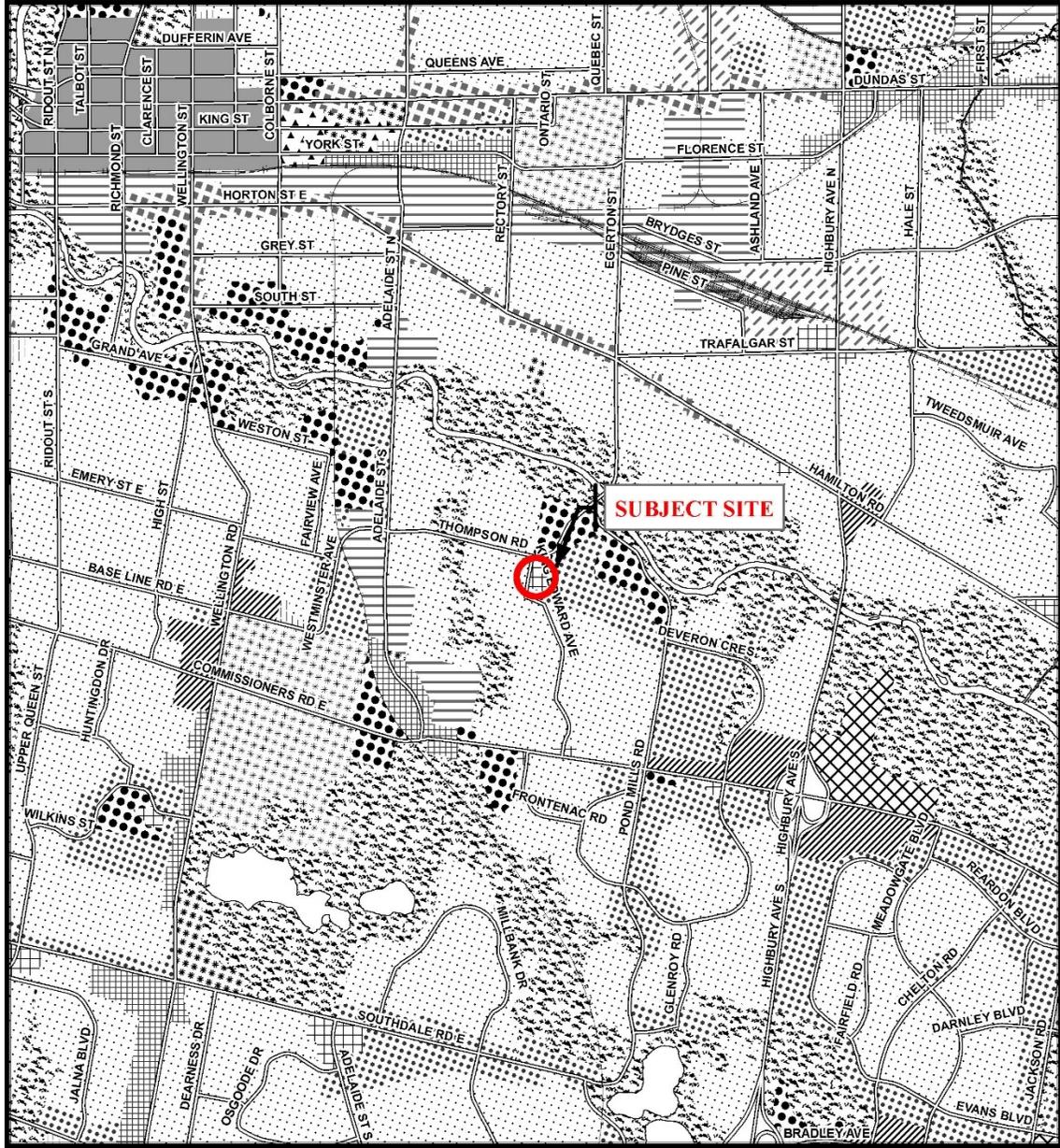
Planner: GB

Technician: RC

Date: November 10, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9398-Map1-PlaceTypes.mxd

1989 Official Plan – Schedule A – Land Use

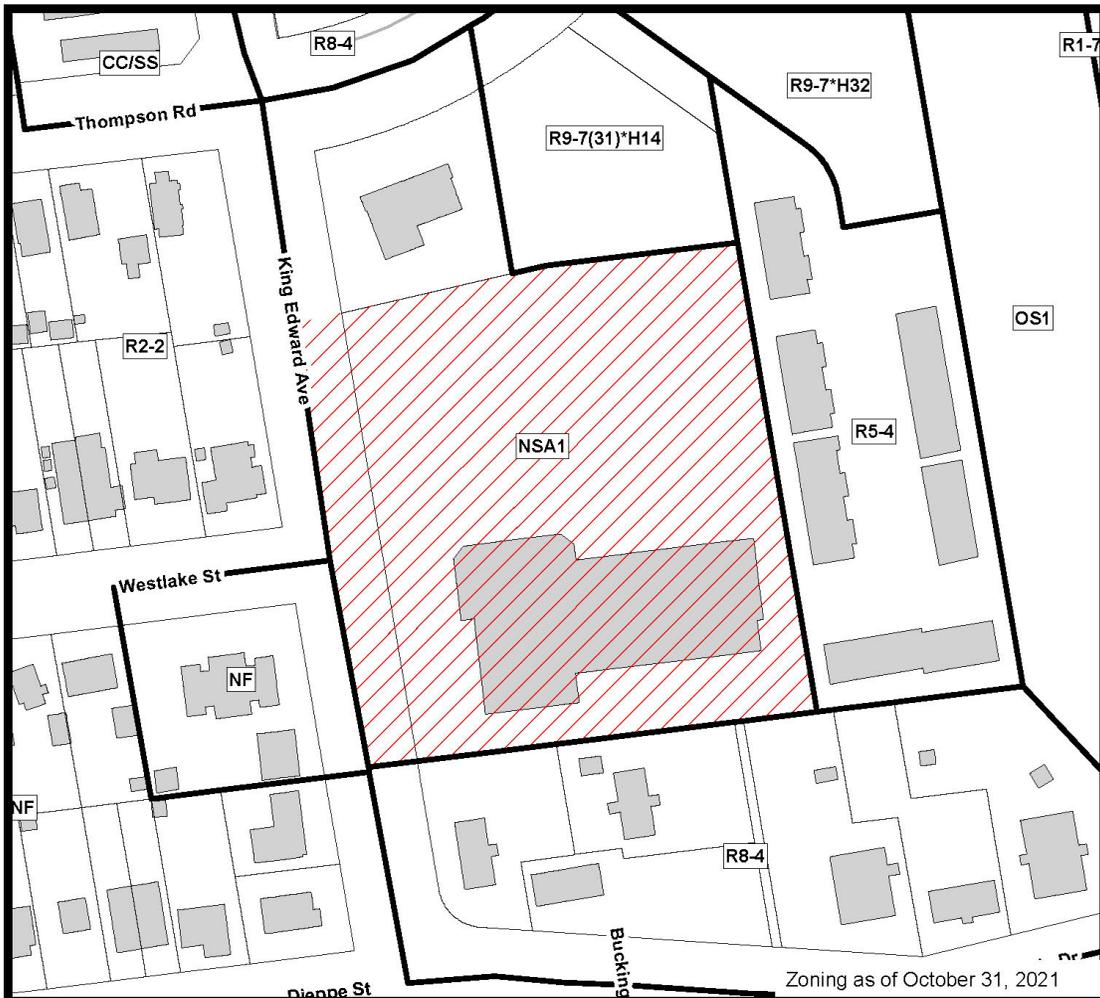


Legend					
	Downtown		Multi-Family, Medium Density Residential		Office Business Park
	Wonderland Road Community Enterprise Corridor		Low Density Residential		General Industrial
	Enclosed Regional Commercial Node		Office Area		Light Industrial
	New Format Regional Commercial Node		Office/Residential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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: Z-9398</p>
		<p>PLANNER: GB</p>
		<p>TECHNICIAN: RC</p>
		<p>DATE: 2021/11/10</p>

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| 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:

Z-9398

GB

MAP PREPARED:

2021/11/10

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: Deputy City Manager, Planning and Economic Development
Subject: E. & E. McLaughlin Ltd.
100 Kellogg Lane
Public Participation Meeting
Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of E. & E. McLaughlin Ltd. relating to the property located at 100 Kellogg Lane, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Business District Commercial Special Provision (BDC1/BDC2(12)) Zone **TO** a revised Business District Commercial Special Provision (BDC1/BDC2(12)) Zone.

Executive Summary

Summary of Request

The owner has requested to rezone the front (north) portion of the subject site to include Place of Entertainment and Amusement Game Establishments as additional permitted uses, and to add a special zoning provision to allow outdoor patios in any yard, at or above grade, whereas the Zoning By-law limits the locations and elevations of outdoor patios associated with a restaurant or tavern when the property is adjacent to a residential zone.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit Places of Entertainment and Amusement Game Establishments as additional permitted uses for the north part of the subject property, provided individual uses do not exceed a gross floor area of 2,200 square metres, and to allow outdoor patios in any yard, at or above grade, provided they are located a minimum of 65 metres from lands owned by the Canadian National Railway

The Zoning By-law amendment affects only the north part of the property that is currently in the Business District Commercial Special Provision (BDC1/BDC2(12)) Zone. It does not affect permitted uses or regulations on the south part of the property that is already zoned to permit, among other uses, Commercial Recreation Establishments, Place of Entertainment and Amusement Game Establishments.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Rapid Transit Corridor Place Type;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation;
4. The recommended amendment provides for further compatible adaptive reuse of a large industrial site located within a community in transition, comprised of legacy industrial uses and existing residential and commercial uses.

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

OZ-8794 – On October 17, 2017, City Council adopted a Zoning By-law amendment for the entire site to permit a variety of residential, commercial, office and light industrial uses while providing for accessory parking on abutting lands. The north part of the site that is the subject of this report was placed in the Holding Business District Commercial/ Business District Commercial Special Provision (h-112*BDC1/BDC2(_)) Zone, permitting a number of entertainment-related uses including commercial recreation establishments, private clubs, restaurants, cinemas, and craft breweries. Special provisions allowed self-storage establishments (restricted to the basement floor of the existing building), a maximum building height of 15 metres, a minimum of 400 parking spaces that can be provided on-site and on accessory parking lots, and limited offices to a maximum of gross floor area applicable to the entire site.

Z-8893 – On May 18, 2018, City Council adopted a Zoning By-law amendment to add “Place of Entertainment and Amusement Game Establishment as permitted uses to the south part of the site, both uses to be in association with a Commercial Recreation Establishment. The Civic Administration initiated this amendment as a technical change to clarify the range of permitted uses rather than rely on an interpretation of the Commercial Recreation Establishment use.

H-8957 – On November 20, 2021, City Council adopted a Zoning By-law amendment to remove the Holding (h-112) Zone, which required the submission of a D-6 Guideline Compatibility Study for sensitive land uses. This study was completed as part of the Site Plan Approval process (SPA18-129) which was completed in September, 2019.

1.2 Property Description

The subject site is the former site of the old Kellogg’s Factory which has been undergoing adaptive re-use toward the achievement of a mixed-use development including a multi-faceted entertainment complex since 2019. Notable uses on the site include the Powerhouse Brewery and Paradigm Spirits Co.. The Factory, an indoor adventure park, is located on the south part of the property, outside the area subject to this application.



Figure 1: 100 Kellogg Lane viewed from Dundas Street

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

- Official Plan Designation – Main Street Commercial Corridor
- The London Plan Place Type – Rapid Transit Corridor
- Existing Zoning – Business District Commercial/Business District Commercial Special Provision (BDC1/BDC2(12))

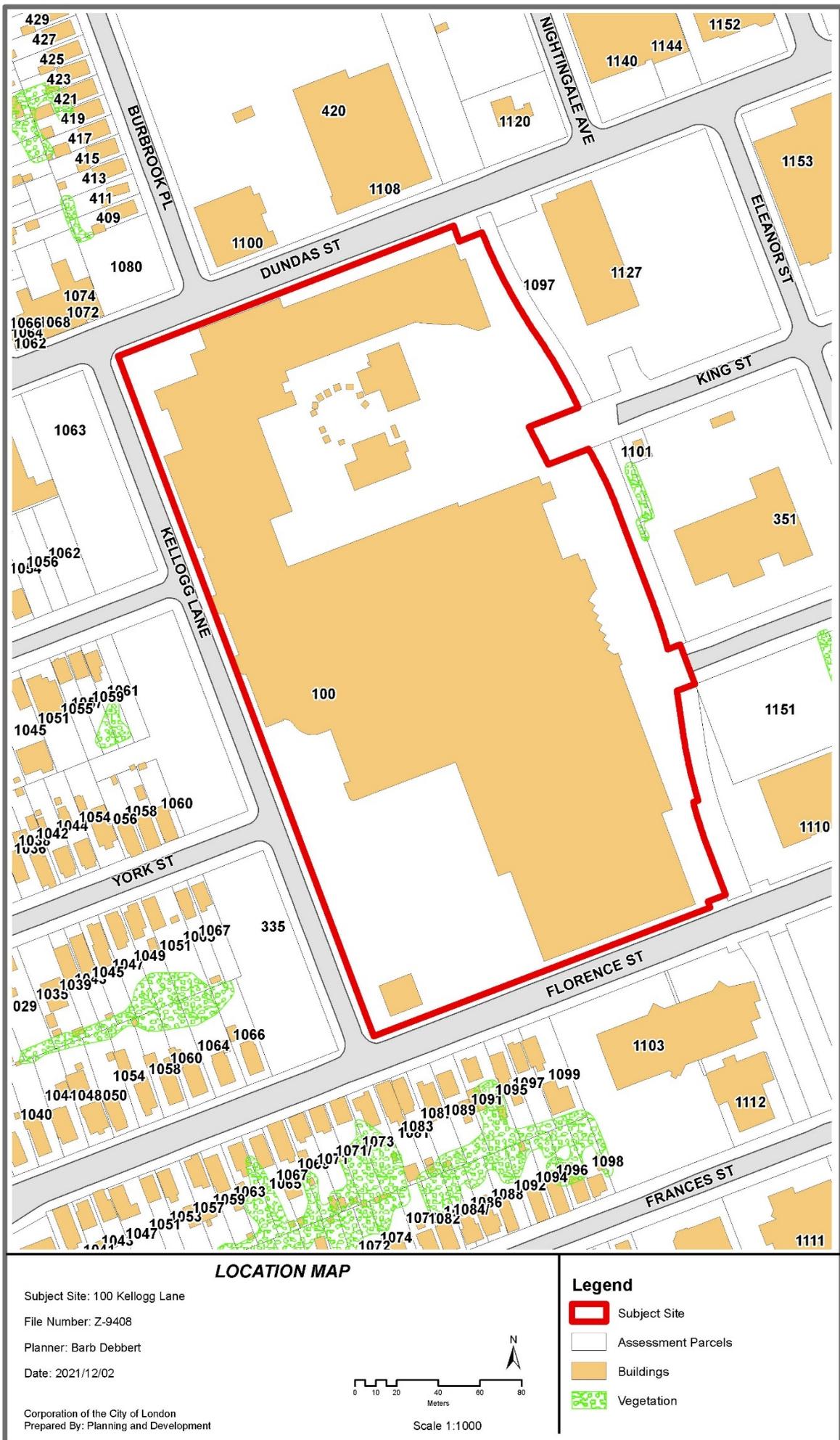
1.4 Site Characteristics (entire property)

- Current Land Use – Entertainment complex, craft brewery, offices
- Frontage – 185.0 metres
- Area – 6.6 ha
- Shape – irregular

1.5 Intensification

This proposal does not represent residential intensification

1.6 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing a 2,118.2 square metre event centre on the third floor of the existing building, south of the new Atrium as shown in Figure 2 below. Minimal additions are proposed within the courtyard area, to provide access from upper storeys of the building to the interior of the site.



Figure 2 – Building Layout

2.2 Requested Amendment

2.3 Community Engagement (see more detail in Appendix B)

No written responses were received.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, parks and open space and other uses to meet long-term needs. It also aims to avoid development and land use patterns which may cause public health and safety concerns. Settlement areas shall be the focus of growth and development, as the vitality and regeneration of these areas is critical to the long-term economic prosperity of our communities. It seeks to ensure the effective use of infrastructure and public service facilities. Land use patterns shall be based on a mix of land uses that support active transportation and are transit-supportive, where transit is planned, exists or may be developed.

Section 1.7.1 of the PPS encourages Long-Term Economic Prosperity, which should be supported by: a) promoting opportunities for economic development and community investment-readiness; d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; and h) providing opportunities for sustainable tourism development.

The London Plan

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

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

The London Plan provides direction to plan strategically for a prosperous City by:

- Creating a strong civic image by improving the downtown, creating and sustaining great neighbourhoods, and offering quality recreational opportunities;
- Revitalizing our urban neighbourhoods and business areas; (Key Direction #1, Directions 3 and 4);

The London Plan provides direction to build a mixed-use compact city by:

- Sustaining, enhancing and revitalizing our downtown, main streets and urban neighbourhoods (Key Direction #5, Direction 3);

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Implementing “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character;
- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features. (Key Direction #7, Directions 3 and 5).

The front portion of the site is in the Rapid Transit Corridor Place Type, as identified on Map 1 – Place Types. Our Rapid Transit Corridors will be vibrant, mixed-use, mid-rise communities that border the length of our rapid transit services (826_). The vision for Rapid Transit Corridors is intended to be realized by planning for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services (830_ 4.). Permitted uses within this Place Type include a range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings will be encouraged (*837_1., 2.)

The site is subject to Specific Policies that allow self-storage establishments in the basement of the existing buildings on the front portion of the property, office uses to a maximum gross floor area of 8,361 square metres within the existing buildings for the entire property, and accessory parking associated with these uses on adjacent and nearby sites (864E_).

1989 Official Plan

The front portion of the site is designated Main Street Commercial Corridor in the 1989 Official Plan. Planning Objectives of this designation include;

- Providing 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;
- Encouraging development which maintains the scale, setback and character of existing uses;

- Encouraging the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics. (4.4.1.1 and 4.4.1.2)

Permitted uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments; food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities; and residential uses (4.4.1.4).

The site is also subject to a Specific Area Policy similar to Policy 864E_ of The London Plan, noted above.

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1. Issue and Consideration #1: Use

Consistent with the Provincial Policy Statement, the in-force policies of The London Plan, and the 1989 Official Plan, the addition of the requested Amusement Game Establishment and Places of Entertainment as permitted uses for the front part of this site will;

- Build on the mix and range of uses already permitted on the site to maintain long term needs for entertainment uses;
- Support the regeneration of the neighbourhood by ensuring a broad range of uses that will bring vitality and economic prosperity to the surrounding community;
- Enhance Dundas Street by ensuring the existing building is used to its greatest capacity;
- Enhance the cultural identity, neighbourhood character and sense of place by ensuring the continued maintenance and adaptive re-use of a building with cultural significance to Londoners;
- Support active transportation and transit supportive development as it is anticipated some users will use the bus rapid transit system to access the site;
- Offering quality recreational opportunities and provide for sustainable tourism development, as it is anticipated certain events permitted by the recommended additional uses will draw from both local and the regional market.
- Create additional opportunities for adaptive re-use of the existing building without negatively impacting the surrounding community.

Commercial Recreation Establishments, along with a number of other entertainment-related uses including private clubs, restaurants and craft breweries, assembly halls and community centres are already permitted on the front part of the site. The zoning on the back part of the site already permits the above-noted uses, and as a result of the technical amendment to the Zoning By-law in 2018, amusement game establishments and places of entertainment in association with a commercial recreation establishment are also permitted.

The existing uses on the site appear to have integrated well with the surrounding uses and existing community. The addition of the two new recommended uses is not intended to allow for more intensive development than is already permitted, as the applicant proposes to operate these uses within the third floor of the west wing of the existing building behind the atrium.

The following definitions from Zoning By-law No. Z.-1 are informative:

“Commercial Recreation Establishment” means a building, or part thereof, used for the purposes of an arena, assembly hall, billiard or pool room, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, indoor racquet courts, indoor swimming pool, or sports simulation, but not including a place of entertainment, an amusement games establishment, cinema, theatre, drive-in theatre, amusement park or any other place of entertainment or amusement otherwise defined or classified herein.

“Amusement Game Establishment” means a building or part thereof within which more than three amusement game machines are available to the public.

“Place of Entertainment” means a building, or part thereof, used for the general purpose of entertainment and includes cinemas, theatres, art galleries, commercial recreation establishments, auditoriums and all other places of amusement, but excludes amusement game establishments.

The recommended new Amusement Game Establishment and Place of Entertainment uses share many of the same characteristics as many of the uses that are already permitted or exist elsewhere on the site, for example typical time of day, activity and noise levels and parking requirements. It is noted that a parking rate anticipating full re-use of the site as a whole was established at a minimum of 400 parking spaces total, located both on-site and on ancillary sites adjacent to and near the subject site.

City staff have reviewed the Evaluation Criteria for Planning and Development Applications in The London Plan, and the Planning Impact Analysis for commercial uses in the 1989 Official Plan with respect to use and are satisfied that the evaluation criteria are satisfied.

4.2. Issue and Consideration #2: Intensity of Entertainment Uses

As discussed above the addition of the recommended two new uses will provide significant value to the local community and the City as a whole, the scale of use should also respect the intent of City policies respecting the desired prominence of the Downtown and the Western Fairgrounds for larger entertainment facilities.

In The London Plan, the vision for the Downtown Place Type states that the Downtown will be the preeminent destination place for Londoners, residents from our region, and tourists to experience diverse culture, arts, recreation, entertainment, shopping and food (793_). To realize that vision, the Plan directs that major government buildings, hotels, convention centres, and large entertainment and cultural centres be located in the Downtown (799_ 15.). The 1989 Official Plan objectives for the Downtown Place Type promote the continued development of the Downtown as the primary business, administrative, institutional, entertainment and cultural centre for the City of London and as a regional centre for Southwestern Ontario, concentrating the development of major office buildings, hotels, convention facilities, entertainment and cultural uses, major indoor sports facilities and government buildings, having City-wide or regional significance, within the Downtown (4.1.1 i) and ii).

As such, the overall scale of individual places of entertainment and amusement game establishments within the entertainment complex at 100 Kellogg Lane should be small-scale in nature. Accordingly, City staff are recommending a maximum permitted gross floor area of 2,200 square metres per use; this is consistent with the applicant’s intent to use the third floor of the westerly building for a pre-function area and event centre on the third floor of the existing building behind the Atrium. This new regulation is intended to apply only to the two new recommended uses, and only to the portion of the property within the Business District Commercial (BDC) Zone variations.

City staff have reviewed the Evaluation Criteria for Planning and Development Applications in The London Plan, and the Planning Impact Analysis for commercial uses in the 1989 Official Plan with respect to intensity and are satisfied that the evaluation criteria are satisfied.

4.3. Issue and Consideration #3: Patio Locations and Heights Adjacent to Residential Zones

The request to allow patios in any yard, at or above-grade is viewed primarily as a technical amendment to ensure that outdoor patio activities associated with the range of permitted uses are allowed.

Section 4.18 of the Zoning By-law states that “Notwithstanding any other provisions of this By-law, the following shall apply to an outdoor patio associated with a permitted restaurant:

2) LOCATION

- a) No outdoor patio shall be permitted where any lot line adjoins lands which are in a residential zone class which is not in combination with another zone, or is separate therefrom by a lane;
- c) No outdoor patio shall be located above the elevation of the floor of the first storey of the principal building where the lot adjoins a residential zone class which is not in combination with another zone, or is separated therefrom by a lane.

The only lands adjacent to the front portion of Kellogg Lane that are in a residential zone class adjacent to the subject site, are the accessory parking lots also owned and operated by E & E McLaughlin in association with 100 Kellogg Lane. These lands are in the Residential Special Provision (R2-2(22)) Zone, permitting single, semi-detached, and duplex dwellings, as well as accessory parking in favour of 100 Kellogg Lane. It is anticipated that these lands will continue to be used for accessory commercial parking and would not be negatively impacted by patios associated with 100 Kellogg Lane.

Canadian National Railway originally expressed concerns about the proximity of the new uses to the existing branch line located adjacent to the east property line of 100 Kellogg Lane. Upon receiving further information from the applicant regarding the existence of many similar uses already operating on the site in accordance with the Zoning By-law and with the appropriate building permits, CNR withdrew its concerns. Through the interim discussions, City staff identified that there was a potential land use conflict for patio areas immediately adjacent to the rail line, particularly since the fence has openings to provide vehicular access for on-site parking. The patio areas for existing businesses at 100 Kellogg Lane are using the interior courtyard framed on all sides by the existing main and accessory buildings. In order to maintain a similar type of separation, City staff are recommending a minimum setback for patios of a minimum of 65 metres from CNR lands.

Conclusion

The recommended amendment would provide for the addition of Amusement Game Establishments and Places of Entertainment to a site which is already successfully transitioning from industrial use to a mixed-use development including entertainment-related uses. Special Zoning provisions will limit the size of individual uses to ensure they remain small-scale; and allow patios in any yard at and above-grade provided they are a minimum of 65 metres from the adjacent Canadian National Railway lands to minimize land use conflicts and safety risks. It is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of 1989 Official Plan and The London Plan.

Prepared by: Barb Debbert
Senior Planner, Development Services

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at part of
100 Kellogg Lane.

WHEREAS E & E McLaughlin Ltd. has applied to rezone an area of land located at 100 Kellogg Lane, 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) Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by repealing the existing Business District Commercial Special Provision (BDC2(12)) Zone and replacing it with the following:
 -) BDC2(12) 100 Kellogg Lane
 - a) Additional Permitted Uses
 - i) Self-Storage Establishments (restricted to basement floor of the existing building)
 - ii) Place of Entertainment
 - iii) Amusement Game Establishments
 - b) Regulations
 - i) Height 15 metres (49.21 feet)
(Maximum)
 - ii) Notwithstanding the provisions of Section 4.19(10) of Zoning By-law No. Z.-1, a minimum of 400 parking spaces is required for the entirety of 100 Kellogg Lane and can be provided in combination with parking spaces on site and lands zoned to permit accessory parking lots in favour of 100 Kellogg Lane.
 - iii) A maximum Gross Floor Area of 8,361m² (89,997ft²) shall be permitted for Office Uses (within existing building), in combination with the Office uses permitted in the LI1(18) zone on 100 Kellogg Lane.
 - iv) A maximum Gross Floor Area of 2,200m² (23,680ft²) shall be permitted for individual Places of Entertainment and Amusement Game Establishments.
 - v) Notwithstanding the provisions of Section 4.18 2) of Zoning By-law No. Z.-1, outdoor patios may be permitted in any yard, at or above grade, but shall be located a minimum of 65 metres from lands owned by the Canadian National Railway.

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

This By-law shall come into force and be deemed to come into force in accordance with

Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on January 25, 2022.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

Appendix B – Public Engagement

Community Engagement

Notice of Application:

On October 8, 2021, Notice of Application was sent to 179 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 7, 2021. 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 Places of Entertainment and Amusement Game Establishments within a proposed event centre on the property. Possible change to Zoning By-law Z.-1 **FROM** a Business District Commercial Special Provision (BDC1/BDC2(12)) Zone **TO** a revised Business District Commercial Special Provision (BDC1/BDC2(12)) Zone to include the existing special provisions, and **ADD** Place of Entertainment and Amusement Game Establishment as permitted uses. A new special provision is also requested to allow outdoor patios in any yard, at or above-grade, whereas Section 4.18(2) of the Zoning By-law limits the locations and elevations of outdoor patios associated with a restaurant or tavern when the property is adjacent to a residential zone. The City may also consider additional special provisions including but not limited to the maximum allowable gross floor area or location within the complex to be occupied by the proposed new uses.

Departmental and Agency Comments

Urban Design (November 3, 2021)

- If any patios are proposed adjacent to residential land uses, ensure the patios are well screened to reduce negative impacts on neighbouring properties.
 - Further urban design related comments may be provided through the site plan approval process if this process is required.

Site Plan

- No site plan comments were provided. It is noted that prior to submission of the application, site plan staff indicated that no site plan approval will be required if any exterior renovations do not exceed 10% of the existing building area.

Archaeological (November 7, 2021)

- This memo is to confirm that I have reviewed the following and find the report’s analysis, conclusions and recommendations to be sufficient to fulfill the archaeological assessment requirements for Z-9408.
 - TMHC Inc. Stage 1 Archaeological Assessment 100 Kellogg Lane, City of London [...] Middlesex County, Ontario (PIF P324-0595-2021), May 5, 2021.
- Please be advised that heritage planning staff recognizes the conclusion of the report that states that: “[b]ased on the Stage 1 background research and site inspection, the entire subject property is considered to be extensively disturbed and there are no indicators that any deeply buried deposits of archaeological interest would be present on the property. As such, the subject property should be considered free of archaeological concern and not further archaeological assessment is recommended.” (p i)
- An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated May 19, 2021 (MHSTCI Project Information Form Number P324-0595-2021, MHSTCI File Number 0013817).
- Archaeological conditions can be considered satisfied for this application.

Engineering (October 28, 2021)

- Engineering has no concerns with the re-zoning application.
- A 24.0 metre road widening measured from centreline along Dundas Street will be required as part of any future site plan application.

Canadian National Railway (October 15, 2021)

- Thank you for consulting CN on the application mentioned in subject. It is noted that the subject site is adjacent to CN's Branch Line and within 1000m of CN's rail yard. CN has concerns of developing/densifying sensitive uses in proximity to railway activities. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. Please refer to CN's guidelines for the development of sensitive uses in proximity to railways. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.
- CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:
 1. Safety setback of buildings from the railway rights-of-way to be a minimum of 15 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2 meters above grade at the property line, with side slopes not steeper than 2.5 to 1.
 2. The Owner shall install and maintain a chain link fence of minimum 1.83 meter height along the mutual property line.
 3. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
 4. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:
 - "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development. CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
 5. The storm water management facility must be designed to control the storm water runoff to pre-development conditions and accordingly have no impacts on CN right of way, including ditches, culverts and tracks. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.

6. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
 7. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
 8. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
- CN anticipates the opportunity to review a detailed site plan, a N&V study and a storm water management report taking into consideration the CN development guidelines.
 - Thank you and do not hesitate to contact me with any questions.

Canadian National Railway (December 4, 2021)

Hello Barb,

Thank you for your email summarizing our phone discussion regarding the matter mentioned in subject. However, I would like to bring some minor corrections to your comments. Please, consider these following CN comments instead:

1. Submit a more detailed and dimensioned site plan showing the location of the railway lands and property line, the location of existing fencing and fencing details (material and height), and the area of the site where the proposed uses subject to this application are to be located (both indoor and outdoor).
2. Submit a letter prepared by a certified professional (AECOM) confirming that a crash barrier will not be needed given the location of the new proposed sensitive use on the site and in the existing building.
3. Submit a letter prepared by a certified professional confirming that the existing fencing is in good condition.
4. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN and imposition of a warning clause registered on title.

Thank you and do not hesitate to contact me with any questions.

Canadian National Railway (December 10, 2021)

Hello John,

Thank you for your clarifications. Since the existing building has already been converted to be occupied by the commercial sensitive uses listed below in the past and has been occupied by these uses for many years following authorisations granted by the municipality, CN Rail does not have any comments concerning this application to add a complementary commercial use to the uses already authorised and in operation for this building.

London Hydro (October 14, 2021)

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

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

1.1.1 a), b), c), e),

1.1.3 – Settlement Areas

1.1.3.1

1.1.3.2

1.1.3.4

1.2.6 – Land Use Compatibility

1.2.6.1

1.3 – Employment

1.3.1 a), b), d)

Section 1.7 – Long Term Economic Prosperity

1.7.1 a), d), e) h)

The London Plan

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

Policy 54_ Our Strategy, Key Directions

Policy 55_ 3. and 4. Our Strategy, Key Directions, Direction #1 – Plan Strategically for a Prosperous City

Policy 59_ 3. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London

Policy 61_ 3. And 5. Our Strategy, Key Directions, Direction # 7 – Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 793_ - Downtown, Our Vision for the Downtown Place Type

Policy 799_ 15. - Downtown, How Will We Realize Our Vision?

Policy 826_ - Place Type Policies, Urban Place Types, Rapid Transit and Urban Corridor, Our Vision for the Rapid Transit and Urban Corridor Place Types

Policy 830_ 4. – Place Type Policies, Urban Place Types, Rapid Transit and Urban Corridor, How Will We Realize Our Vision?

*Policy 837_ 1., 2. - Place Type Policies, Urban Place Types, Rapid Transit and Urban Corridor, Permitted Uses

*Policies 839_ and 840_ 1. Place Type Policies, Urban Place Types, Rapid Transit and Urban Corridor, Intensity

Policy 860A_ through 860F_ - Place Type Policies, Urban Place Types, Rapid Transit and Urban Corridor, Rapid Transit Corridor Protected Major Transit Station Areas

Policy 864E_ - Place Type Policies, Urban Place Types, Rapid Transit and Urban Corridor, Specific Policies for the Rapid Transit and Urban Corridor Place Types, 100 Kellogg Lane and 1063, 1080, 1097 and 1127 Dundas Street

Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications

Policies 1766_ and 1772_ 1. Our Tools, Noise, Vibration and Safety

Map 1 – Place Types

Map 7 – Specific Policy Areas

Official Plan (1989)

4.1. Downtown Designation

4.1.1 Planning Objectives

4.4.1 Main Street Commercial Corridor

4.4.1.1 Planning Objectives

4.4.1.2 Urban Design Objectives

4.4.1.4 Permitted Uses

4.5 Planning Impact Analysis

10. Policies for Specific Areas

10. cxii) 100, 335 and 353 Kellogg Lane, 1063, 1080, 1097, 1127 Dundas Street and 1151 York Street

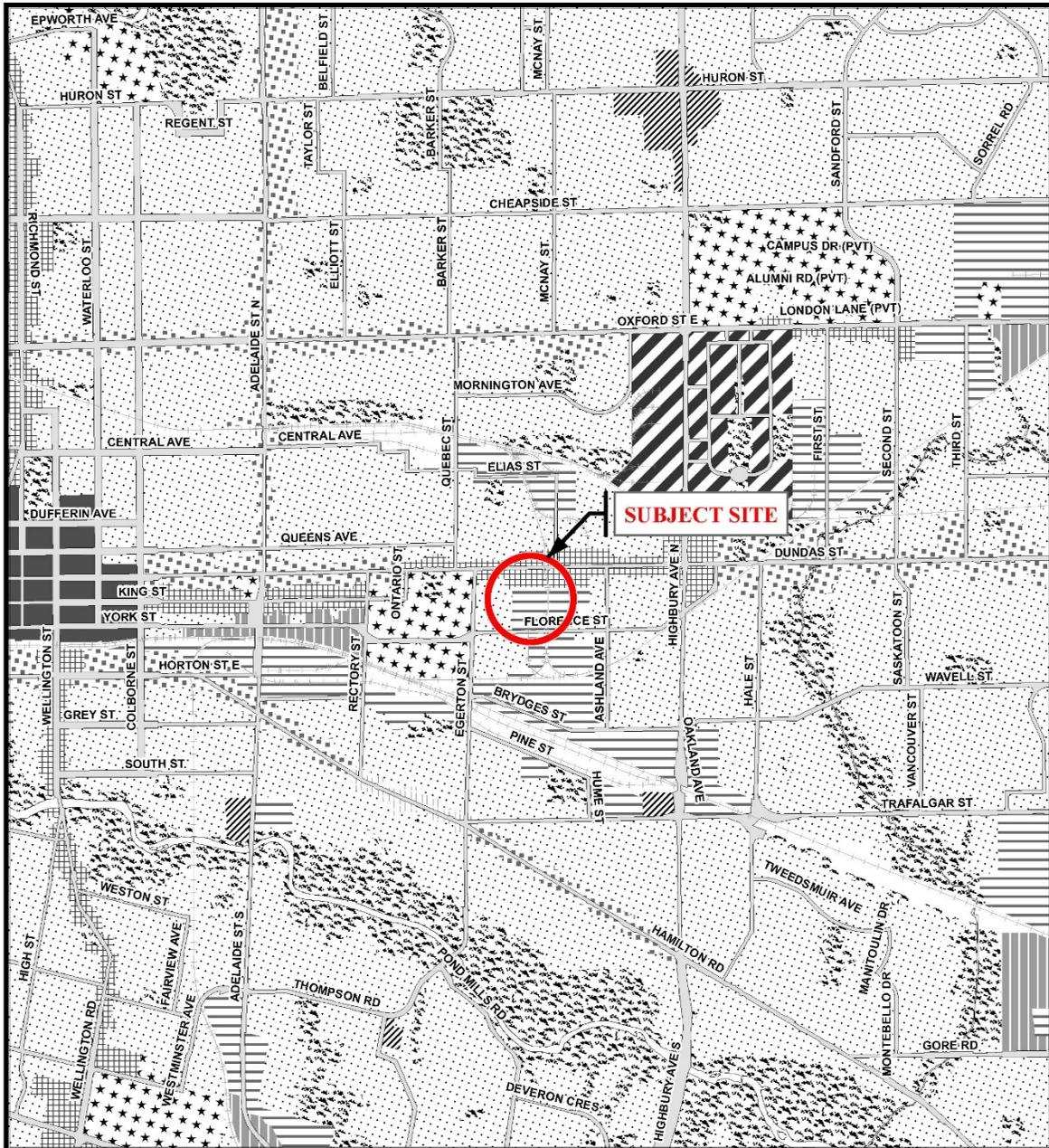
19. Implementation

19.9.5. Noise, Vibration and Safety

19.9.5. iii) Rail Safety

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	

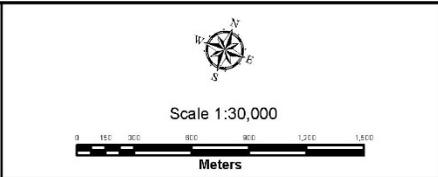
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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.

CITY OF LONDON
 Planning Services /
 Development Services

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

PREPARED BY: Planning Services



File Number: Z-9408

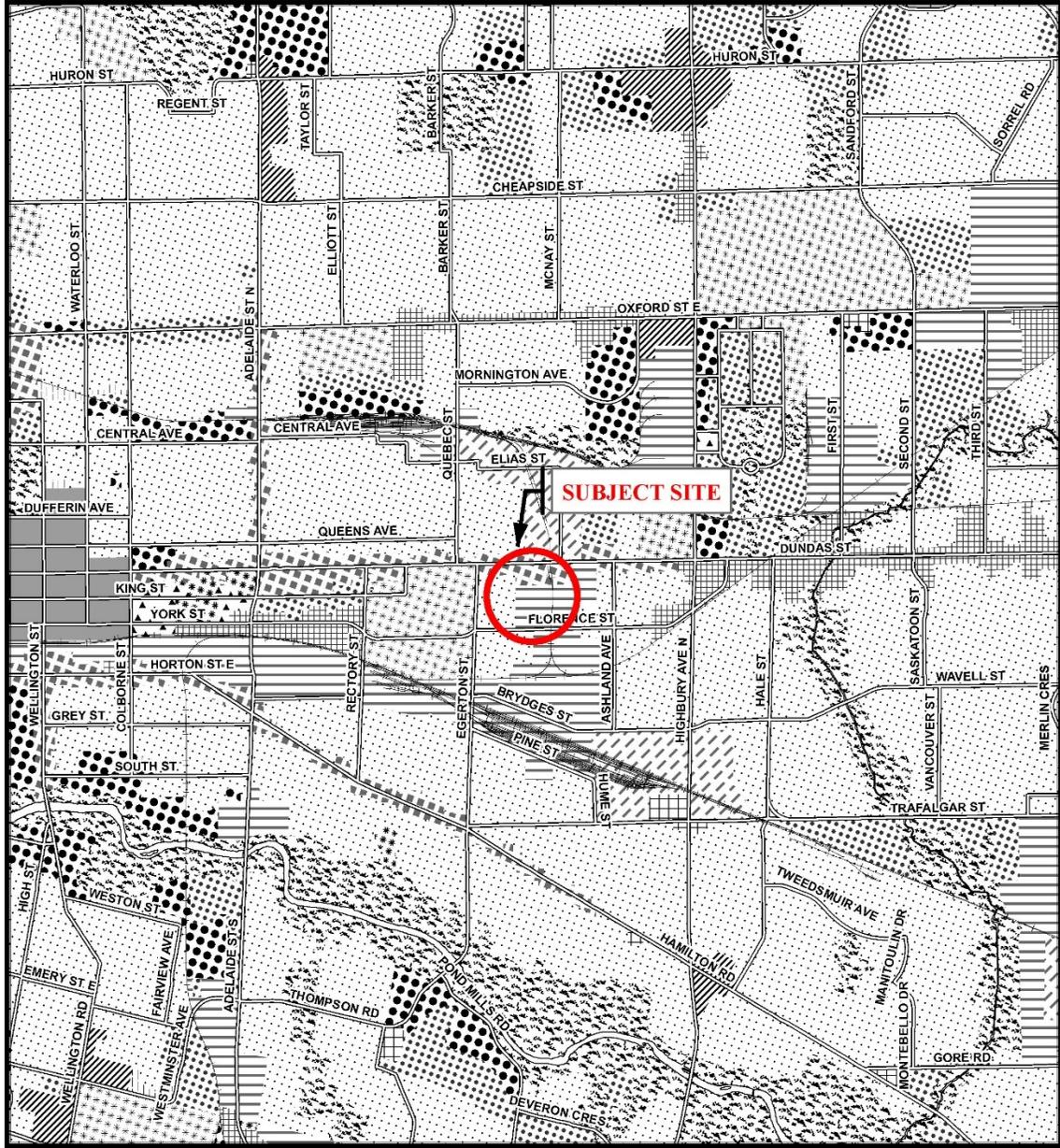
Planner: BD

Technician: RC

Date: December 2, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9408-Map1-PlaceTypes.mxd

1989 Official Plan – Schedule A – Land Use

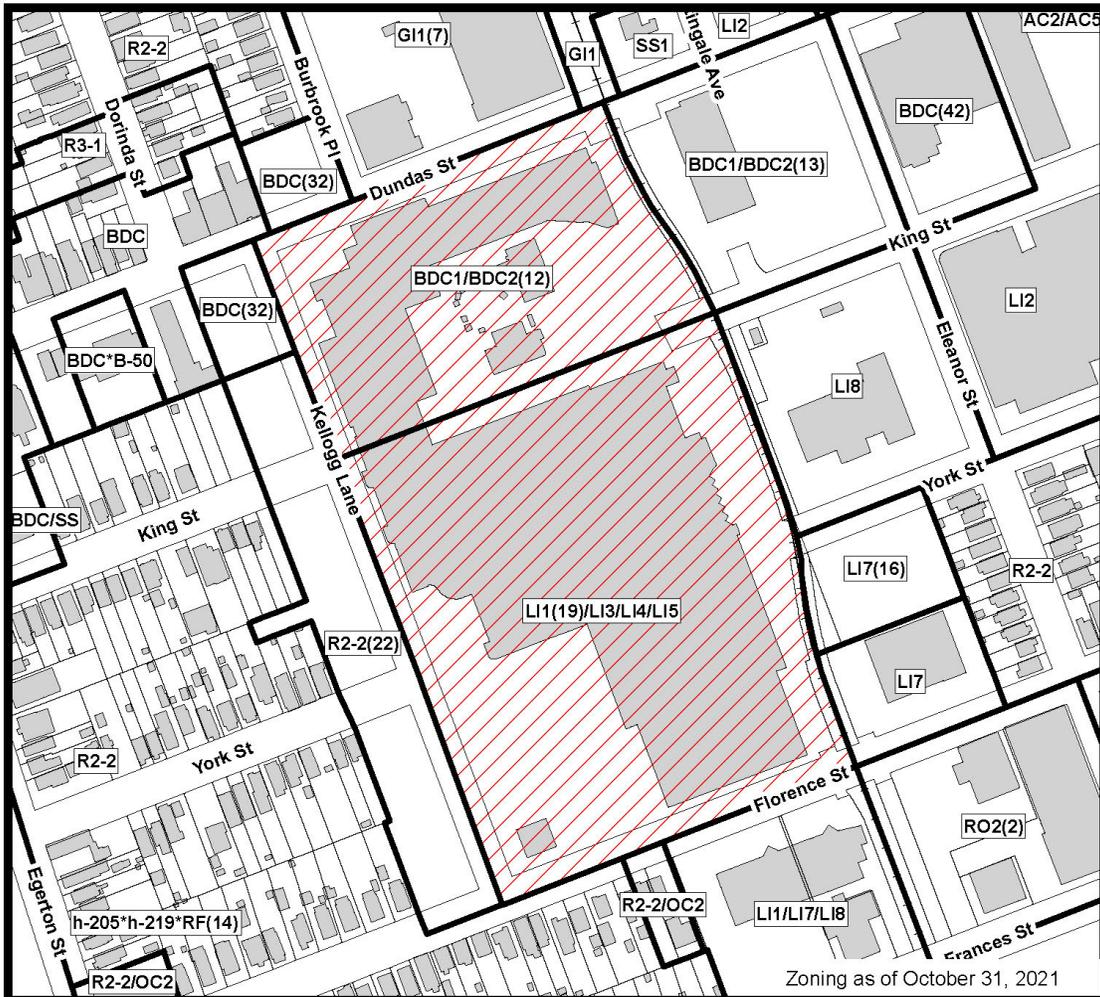


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500 Meters</p>	<p>FILE NUMBER: Z-9408</p> <p>PLANNER: BD</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/12/02</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9408

BD

MAP PREPARED:

2021/12/02

RC

1:3,000

0 15 30 60 90 120
Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: 1140 Sunningdale Road East
Public Participation Meeting

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2839069 Ontario Inc. c/o Royal Premier Homes relating to the property located at 1140 Sunningdale Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), to change the zoning of the subject property **FROM** a Convenience Commercial Special Provision (CC(14)) Zone, **TO** a compound Convenience Commercial Special Provision/Residential R8 Special Provision Bonus (CC4(_)/R8-4(_))•H16•B(_)) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed-use apartment building, with a maximum density of 100 units per hectare, in general conformity with the Site Plan, Elevations and Renderings attached as Schedule "1" to the amending by-law, and provides for the following:

- 1) Exceptional Site and Building Design
 - i. A building placement that is street-oriented and which reinforces the existing window-street context along Sunningdale Road East to provide for continuity of the built street-wall.
 - ii. The provision of a pedestrian walkway across the front of the subject lands that functions as a continuation of the city sidewalk located west of the subject lands on the north side of Pleasantview Drive, and connecting to the city sidewalk located east of the subject lands on the north side of Sunningdale Road East.
 - iii. The provision of yard depths along all edges of the proposed development to accommodate a landscaped buffer able to support tree growth and screen the proposed development from adjacent residential uses.
 - iv. The provision of enhanced landscaping along Sunningdale Road East to screen any surface parking areas located in the front yard from the city-owned boulevard.
 - v. A well pronounced, street-oriented principal building entrance for residential uses
 - vi. A well pronounced, street-oriented unit entrance for commercial uses with large expanses of clear glazing, a wrap around canopy and signage.
 - vii. Individual ground-floor residential unit access and private individual courtyards on the street-facing (south) elevation.
 - viii. Inset balconies to screen views from the proposed development to the existing single detached dwellings to the west.

- ix. A high-level of articulation and architectural detailing on the street-facing front facade for visual interest.
 - 2) A minimum of 80% of the required parking spaces provided underground.
 - 3) A minimum of 5% of the required parking spaces fitted with electric vehicle charging stations
 - 4) Provision of Affordable Housing
 - i. A total of two (2) 1-bedroom units will be provided for affordable housing.
 - ii. Rents not exceeding 80% of the Average Market Rent for the London Census Metropolitan Area as determined by the Canadian Mortgage and Housing Corporation at the time of building occupancy.
 - iii. The duration of affordability set at 50 years from the point of initial occupancy.
 - iv. The proponent is to enter into a Tenant Placement Agreement with the Corporation of the City of London to align the affordable units with priority populations.
- (b) IT **BEING NOTED** that the following site plan matter(s) was (were) raised during the application review process to be addressed through the Site Plan Approval process:
- 1) The noise recommendations and warning clauses contained in the Environmental Noise Assessment Report – 1140 Sunningdale Road East prepared by Strik Baldinelli Moniz Ltd. dated May 2021 assessing predicted noise levels resulting from road traffic volumes (Sunningdale Road East) on the proposed development be considered by the Site Plan Approval Authority for inclusion in any Site Plan and Development Agreement.
- (c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the recommended zoning implements the site concept submitted with the application.

Executive Summary

Summary of Request

The Applicant, 2839069 Ontario Inc. c/o Royal Premier Homes, has requested a change to the zoning of the subject lands from a Convenience Commercial Special Provision (CC(14)) Zone, to a compound Convenience Commercial Special Provision/Residential R8 Special Provision Bonus (CC4(_)/R8-4(_)-H16-B(_)) Zone to permit and facilitate the development of a 4-storey mixed-use apartment building with convenience commercial uses on the ground floor.

The existing permitted convenience commercial uses would continue to be permitted restricted to locations within apartment buildings and all without a drive-through facility. The existing permitted convenience commercial uses include: Florist Shops; Convenience Service Establishments; Convenience Stores; Financial Institutions; and Personal Service Establishments.

Requested special provisions would provide a maximum commercial gross floor area and reduced commercial parking rate. Requested special provisions would provide an increased minimum front, rear and west interior side yard depth and reduced minimum east interior side yard depth in response to the site-specific context. Requested special provisions would provide a minimum yard depth along all lot lines for any underground parking ramps to ensure ramps are located away from adjacent properties. A height symbol would be site-specifically applied to permit a maximum building height above the standard maximum permitted by the requested zone. A bonus zone would be site-specifically applied to permit a maximum density above the standard maximum

permitted by the requested zone, in return for facilities, services and matters in the public interest, including affordable housing.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit and facilitate the development of the subject lands for a 4-storey mixed-use apartment building consisting of 42-residential dwelling units (including 2-affordable housing units) and a commercial gross floor area of 250m² (2,691.0 ft²).

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, as it will contribute to the mix of residential types and housing options (including affordable housing) available to address diverse housing needs; is a compact form of development that will use land, infrastructure, and public service facilities efficiently; and provides for infill and residential intensification at an appropriate location identified and supported by municipal policy directions.
2. The recommended amendment conforms to the in-force policies of The London Plan that contemplate low-rise apartment buildings as a primary permitted use on lands identified as Neighbourhoods and located on major streets. The proposed convenience commercial use will be scaled appropriately for the in-force policies that aim to achieve an appropriate range of commercial uses, including retail, service, and office uses, within the Neighbourhoods Place Type. The proposed development will provide for residential intensification in a form that can minimize and mitigate the impacts of the development on adjacent properties thereby being sensitive, compatible and a good fit with its context.
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan that contemplates low-rise apartment buildings as primary permitted uses and convenience commercial uses as secondary permitted uses on lands identified as Multi-Family, Medium Density Residential on major streets. Convenience commercial uses are contemplated as stand-alone uses or on the ground floor of apartment buildings. The proposed development will provide for convenience commercial uses that are appropriately sized and neighbourhood-oriented serving the needs of the surrounding residents.
4. The proposed development is eligible for bonus zoning under the bonus zoning criteria in the 1989 Official Plan and will secure public benefit and site and building design elements that are commensurate to the additional building density.
5. The use of bonus zoning will secure two (2) affordable housing units within the proposed development in support of Municipal Council's commitment to the Housing Stability Action Plan, Strategic Area of Focus 2: Create More Housing Stock to meet current and future needs for affordable housing.
6. The use of bonus zoning will secure electric vehicle charging stations for residents in support Municipal Council's commitment to minimizing and mitigating climate change.

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the Corporation of the City of London (the "City") is committed to reducing and mitigating climate change by encouraging sustainable and resilient development and directing intensification and growth to appropriate locations. This includes the efficient use of urban land and infrastructure, support for active modes of transportation and transit, and directing development away from natural hazards to minimize and mitigate risk.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject lands are known municipally as 1140 Sunningdale Road East and are located on the north side of Sunningdale Road East, about 900 metres east of Adelaide Street North, in the northeast quadrant of the city. Together with the lands to north, the subject lands contain a grouping of non-residential buildings that have been used as a Florist Shop (Springhill Flowers) since approximately 1985 (see Figure 1).

The subject lands are regular and rectangular in shape and are relatively flat. The lot area is approximately 0.45 hectares (1.11 acres) in size, the lot frontage is approximately 75.3 metres (247.0 feet), and the lot depth is approximately 60.2 metres (197.5 feet). It appears that trees were removed from the subject lands between 2015 and 2018 and the subject lands are now relatively clear of vegetation.

The immediate surrounding land uses include planned and existing single detached dwellings to the north and to the west; a converted (3-unit) dwelling to the east; and on the south side of Sunningdale Road East a mix of land uses consisting of a secondary school and single detached and cluster townhouse dwellings.

Figure 1 – Subject Lands Google 3D



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

- The London Plan Place Type – Neighbourhoods (frontage Civic Boulevard)
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Convenience Commercial Special Provision (CC(14)) Zone

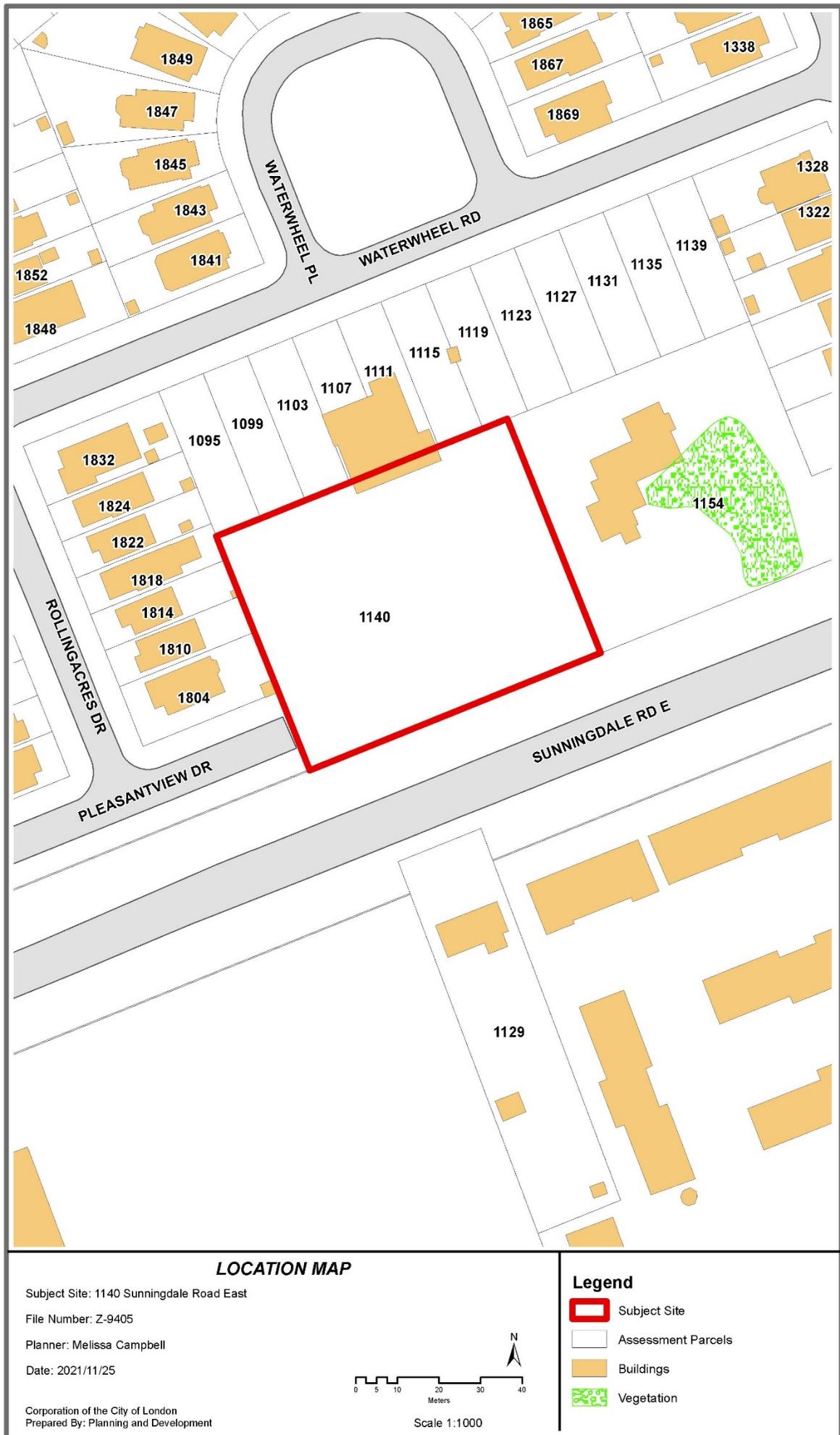
1.4 Site Characteristics

- Current Land Use – Florist Shop
- Frontage – 75.3 metres (247.0 feet)
- Depth – 60.2 metres (197.5 feet)
- Area – 0.45 hectares (1.11 acres)
- Shape – Regular

1.5 Surrounding Land Uses

- North – Vacant Lots and Single Detached Dwellings
- East – Converted Dwelling (3-units) and Single Detached Dwellings
- South – Secondary School, Single Detached Dwellings, and Cluster Townhouse Dwellings
- West – Single Detached Dwellings

1.6 Location Map



1.7 Planning History

The subject lands have been involved in several planning and development applications.

The surrounding lands located north, east and west of the subject lands (excluding 1154 Sunningdale Road East) have developed through various phases of a Plan of Subdivision (City of London File No. 39T-99515):

- The lands to the northwest developed as Phase 1, that was registered in 2002 (Plan 33M451);
- The lands to the northeast developed as Phase 2, that was registered in 2004 (Plan 33M484); and
- The lands to the north developed as Phase 3, that was registered in 2006 (Plan 33M540).

In 2002, a request was made to modify the Plan of Subdivision (Phase 2) to include the rear (north) portion of 1140 Sunningdale Road East to provide for a normalized street network, eliminating temporary dead ends and providing for the completion of Street 'H' that became known as Waterwheel Road.

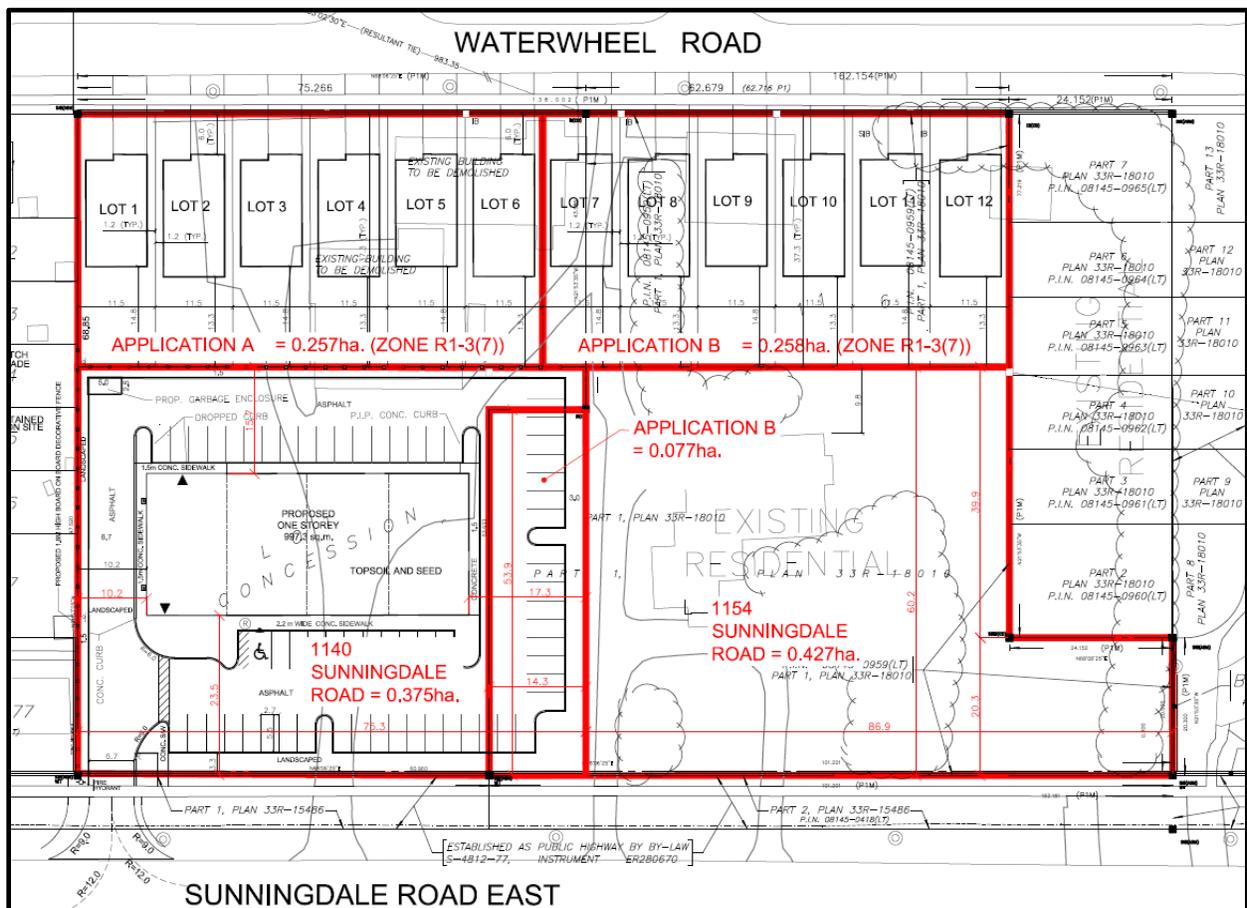
In 2015, a Site Plan Application (City of London File No. SP 15-023249) requested approval for a 1-storey building for a Florist Shop (Springhill Flowers) on the subject lands that complied with the existing Convenience Commercial Special Provision (CC(1)) Zone. The conceptual site plan submitted with the application showed the removal of the existing grouping of non-residential buildings on the rear (north) portion of the subject lands and a proposed 1-storey building on the front (south) portion of the subject lands. The proposed 1-storey building consisted of one (1) unit and a gross floor area of approximately 248m² (2,669 ft²), with the potential for a total of four (4) units through future development phases. The Site Plan Application was approved by the Site Plan Approval Authority but was not implemented by the landowner.

In 2017, two (2) Consent Applications (City of London File No. B.034/17 and B.035/17) requested to sever and create a total of twelve (12) lots on the rear (north) portion of 1140 and 1154 Sunningdale Road East and adjust the easterly lot line between 1140 and 1154 Sunningdale Road East. The London Consent Authority issued provisional consent approvals subject to conditions.

In the same year, a Zoning By-law Amendment Application (City of London File No. Z-8805) requested to change the zoning of 1140 Sunningdale Road East from a Convenience Commercial Special Provision (CC(1)) Zone to a Residential R1 Special Provision (R1-3(7)) Zone and a Convenience Commercial Special Provision (CC(14)) Zone; and to change the zoning of 1154 Sunningdale Road East from an Urban Reserve Special Provision (UR1(1)) Zone to a Residential R1 Special Provision (R1-3(7)) Zone and a Urban Reserve Special Provision (UR1(1)) Zone. The purpose and effect of the Zoning By-law Amendment was to permit and to facilitate the proposed lot creation, lot adjustment and redevelopment of the subject lands for convenience commercial uses.

The conceptual site plan submitted with the Zoning By-law Amendment Application showed the removal of the existing grouping of non-residential buildings on the north (rear) portion of the subject lands and twelve (12) lots for future single detached dwellings fronting onto the south side of Waterwheel Road. The conceptual site plan showed a proposed 1-storey building with 4-commercial units and a gross floor area of approximately 997m² (10,731.6 ft²) on the front (south) portion of the subject lands (see Figure 2). Municipal Council approved the Zoning By-law Amendment and directed that the London Consent Authority be advised that Municipal Council does not support conditions of consent that would require a road allowance be provided to connect the east and west-legs of Pleasantview Drive based on the public comments received through the Zoning By-law Amendment Application. Development of the 1-storey commercial building could be implemented through the prior 2015 Site Plan Approval.

Figure 2 – Conceptual Site Plan submitted with 2017 Zoning By-law Amendment Application (City of London File No. Z-8805)



The provisional consent approvals lapsed in 2019 due to the failure of the applicant to satisfy all conditions before the lapse date identified in the decision of the London Consent Authority. As is common in these situations the applicant submitted two (2) new Consent Applications (City of London File No. B.022/19 and B.023/19) for the same purpose as the prior Consent Applications. The London Consent Authority issued provisional consent approvals subject to conditions, and all conditions were fulfilled within the lapse period and final consent approvals provided.

In 2021, a subsequent Consent Application (City of London File No. B.009/21) requested to sever and convey a remnant portion of 1140 Sunningdale Road East to one of the lots that was severed and created from 1154 Sunningdale Road East. The subsequent Consent Application was required due to inconsistencies between the consent sketch submitted with the 2019 Consent Application (B.022/19) and the final reference plan that was prepared by an Ontario Land Surveyor. The London Consent Authority issued provisional consent approval subject to conditions, and all conditions were fulfilled within the lapse date and final consent approval provided.

Shortly after the 2021 Consent Application, the ownership of the subject lands transferred to 2839069 Ontario Inc. c/o Royal Premier Homes (the "Applicant"). In July 2021, Siv-ik Planning and Design Inc. (the "Applicant's Agent") submitted the current Zoning By-law Amendment Application (City of London File No. Z-9405) to permit and facilitate the development of the subject lands for a 4-storey mixed-use apartment building.

2.0 Discussion and Considerations

2.1 Development Proposal

The Applicant has proposed to demolish the existing grouping of non-residential buildings and develop the subject lands for a 4-storey mixed-use apartment building (see Figures 3 and 4). The proposed mixed-use apartment building will contain 42-residential dwelling units and a commercial gross floor area of 250 m² (2,691 ft²). The proposed convenience commercial space may include Springhill Flowers which is the current use on the site. 64 underground parking spaces are proposed for the residential

use and would be accessed via an underground parking ramp located on the west side of the subject lands. 10 surface parking spaces are proposed for the convenience commercial uses and are located between the front of the proposed building and Sunningdale Road East. The vehicular driveway access to Sunningdale Road East is proposed on the west side of the subject lands and is generally aligned with an existing driveway access for Mother Teresa Catholic Secondary School on the south side of Sunningdale Road East. The proposal does not contemplate the completion of the window-street network across the front of the subject lands to connect the west-leg of Pleasantview Drive to the east-leg of Pleasantview Drive. Only pedestrian access is proposed to connect from the west-leg of Pleasantview Drive across the front of the subject lands.

Figure 3 – Conceptual Site Plan submitted with current Zoning By-law Amendment Application (City of London File No. Z-9405)

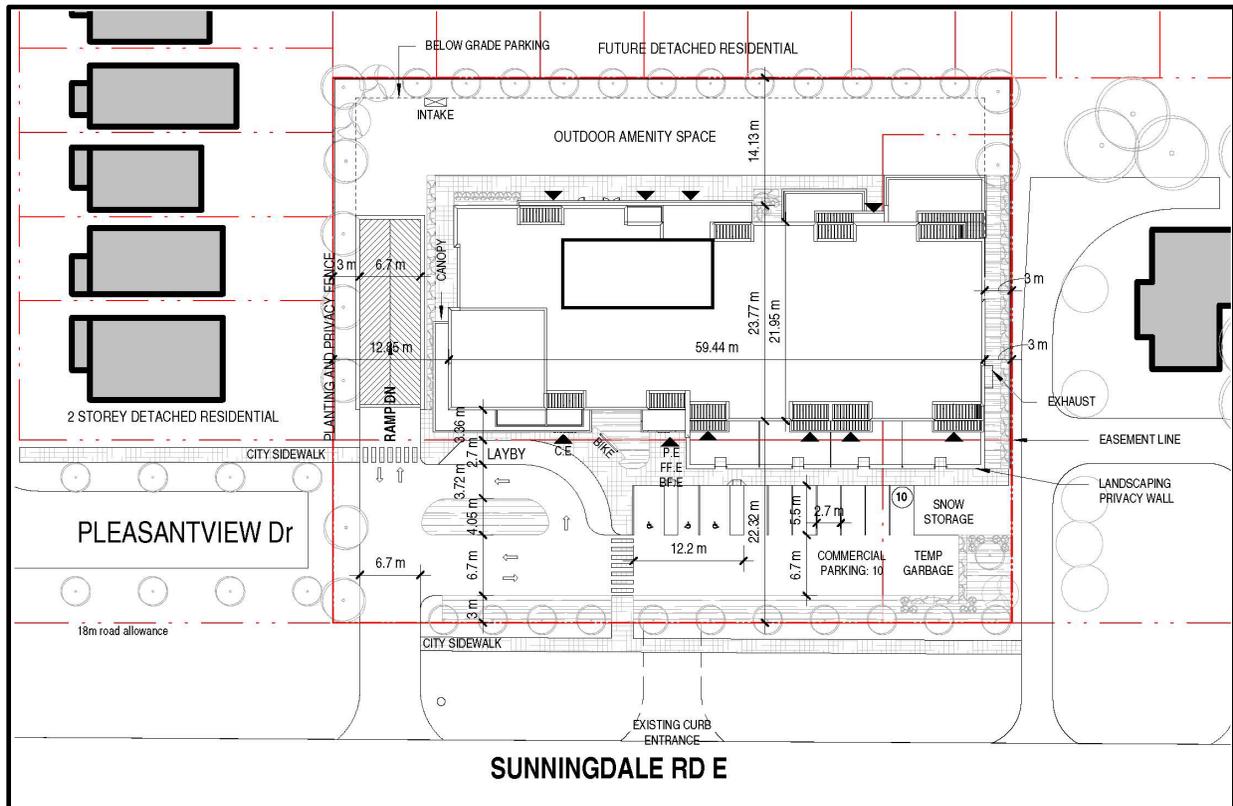


Figure 4– Elevations submitted with current Zoning By-law Amendment Application (City of London File No. Z-9405)





2.2 Requested Amendment

The Applicant's initial request was to change the zoning of the subject lands from a Convenience Commercial Special Provision (CC(14)) Zone to a Residential R8 Special Provision Bonus (R8-4()•B()) Zone to permit and facilitate the development of a 4-storey mixed-use apartment building with convenience commercial uses on the ground floor. Special provisions would add existing permitted convenience commercial uses (i.e. Florist Shops, Convenience Service Establishments, Convenience Stores, Financial Institutions and Personal Service Establishments all without a drive-through facility) as additional permitted uses to the R8-4 Zone.

The R8-4 Zone provides for and regulates development in the form of low-rise apartment buildings but does not make mention of convenience commercial uses in the description of the general purpose and intent of the zone (Zoning By-law No. Z.-1, Section 29.1). Planning and Development staff suggested that based on the structure of the Z.-1 Zoning By-law, a compound zone be considered and a CC4 Zone that provides for convenience commercial uses restricted to locations within apartment buildings be added to the requested amendment (Zoning By-law No. Z.-1, Section 12.1).

The Applicant subsequently modified their request to reflect a compound Convenience Commercial Special Provision/Residential R8 Special Provision Bonus Zone (CC4()/R8-4()•H16•B()) Zone. Other modifications in consultation with Planning and Development staff included increasing the requested east interior side yard depth to provide sufficient space for tree plantings, adding a minimum yard depth to all lot lines for any underground parking ramps to ensure ramps are located away from adjacent properties, and adding a height symbol in addition to the special provision for an increase maximum building height. Noting that for heights over 13.0 metres (42.7 feet) the R8 Zone variations require that height be applied site-specifically to the zoning maps.

The requested special provisions to the CC4 Zone would permit and regulate the following:

- Additional Permitted Uses to include Florist Shops restricted to a location within an apartment building and without a drive-through facility. (It being noted that all other existing permitted convenience commercial uses are standard permitted uses of the CC4 Zone and don't need to be recognized through special provisions, they are Convenience Service Establishments, Convenience Stores, Financial Institutions and Personal Service Establishments all restricted to a location within an apartment building and without a drive-through facility.)
- A maximum gross floor area of 250m² (2,691ft²) for all permitted commercial uses
- A reduced minimum parking rate of 1 space/25 m² for all permitted commercial uses; whereas the most onerous minimum parking rate amongst the existing permitted convenience commercial uses is 1 space/10m² for Personal Service Establishments. (It being noted that the requested minimum parking rate would require 10 spaces for the maximum allowable gross floor area for all permitted commercial uses.)

The requested special provisions to the R8-4 Zone would permit and regulate the following:

- An increased minimum front yard depth of 22.0 metres (72.2 feet) as measure from the front lot line existing on the date of passing this by-law; whereas, a minimum front yard depth of 8.0 metres (26.3 feet) is required based on the minimum front yard depth standard rate and the proposed maximum height of 16.0 metres (52.5 feet). (It being noted that the requested wording for the minimum front yard depth would ensure that the depth as specified would continue to comply with the Zoning By-law should the limit of the Sunningdale Road East ultimate road allowance be increased in the future).

- A reduced east interior side yard depth of 3.0 metres (9.8 feet); whereas a minimum interior side yard depth of 6.0 metres (19.7 feet) is required based on the minimum interior side yard depth standard rate and the proposed maximum height of 16.0 metres (52.5 feet). (It being noted that the initial request was 2.3 metres (7.5 feet).)
- An increased minimum rear and west interior side yard depth expressed as a rate of 1.0 metre (3.2 feet) per 1.0 metre (3.2 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 7.5 metres (24.6 feet); whereas the minimum rear and interior side yard depth standard rate is 1.2 metres (3.9 feet) per 3.0 metres (9.8 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet). (It being noted that the increased minimum rear and west interior side yard depth and standard minimum rear and west interior side yard depth expressed as absolute numbers would be 13.0 metres (42.7 feet) and 6.0 metres (19.7 metres) respectively based on the proposed maximum height of 16.0 metres (52.5 feet).)
- For underground parking ramps, a minimum 3.0 metre (9.8 feet) yard depth to all lot lines.
- An increased maximum height of 16.0 metres (52.5 feet) or 4-storeys, whichever is less; whereas a maximum height of 13.0 metres (42.7 feet) is permitted by the R8 Zone variations.

The requested bonus zone would permit an increased maximum density of 100 units per hectare (uph) in return for facilities, services and matters in the public interest; whereas a maximum density of 75 uph is permitted.

2.3 Policy Context

2.3.1 Provincial Policy Statement, 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 promoting efficient land use patterns and development which supports the financial well-being of the Province and municipalities (PPS, Policy 1.1.1 a)). Healthy, livable and safe communities are sustained by an appropriate range and mix of residential types (including affordable and market-based housing), employment, institutional, recreation and open space and other uses to meet long-term needs (PPS, Policy 1.1.1 b)). The PPS promotes intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (PPS, Policy 1.1.1 e)).

The PPS encourages settlement areas to be the focus of growth and development (PPS, Policy 1.1.3.1). Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources, are appropriate for infrastructure and public service facilities and support active transportation and are transit-supportive (PPS, Policy 1.1.3.2). Within settlement areas, planning authorities are to identify appropriate locations to accommodate intensification and redevelopment and transit-supportive development (PPS, Policy 1.1.3.3). Appropriate development standards will facilitate intensification, redevelopment and compact form while maintaining appropriate levels of public health and safety (PPS, Policy 1.1.3.4).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents (PPS, Policy 1.4.3). The PPS directs that development standards be established for residential intensification and redevelopment and for new residential development which minimizes the cost of housing and facilitates a compact form while maintaining appropriate levels of public health and safety (Policy 1.4.3 f)). The PPS also identifies that long term economic prosperity should be supported by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options; and by optimizing the long-term

availability and use of land, resources, infrastructure and public service facilities (PPS, Policy 1.7.1 b) and c)).

In accordance with Section 3 of the Planning Act, R.S.O. 1990 c. P.13 (Planning Act), all planning decisions “*shall be consistent with*” the PPS.

2.3.2 *The London Plan*

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Ontario Land 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 Municipal Council but are not determinative for the purposes of this Zoning By-law Amendment application.

The London Plan (and the earlier 1989 Official Plan) contain policies that guide the use and development of land within the city and are consistent with the policy direction set out in the PPS. All lands in the city are assigned a place type (or land use designation in the 1989 Official Plan) and the policies associated with a place type (or designation) provide for a general range of uses, form and intensity of development that may be contemplated.

The subject lands are located within the Neighbourhoods Place Type on *Map 1 – Place Types with frontage on a Civic Boulevard (Sunningdale Road East) on Map 3 – Street Classifications in The London Plan. The range of permitted uses and the intensity of development contemplated in the Neighbourhoods Place Types varies depending upon the street classification onto which the property has frontage (The London Plan, Policies 789_6. and 919_2.).

Within the Neighbourhoods Place Type with frontage on a Civic Boulevard, a broad range of residential uses are contemplated including, but not limited to, single detached, semi-detached, duplex and converted dwellings, triplexes, fourplexes, townhouses, stacked townhouses and low-rise apartments (The London Plan, Table 10 - Range of Permitted Uses in Neighbourhoods Place Type). Mixed-use buildings are contemplated at the intersection of two or more major streets and must include residential uses and may also include appropriately-sized retail, service and office uses on the ground floor to service the surrounding neighbourhoods (The London Plan, Policy 925_, Table 10 - Range of Permitted Uses in Neighbourhoods Place Type and *Table 12 – Retail, Service and Office Floor Area Permitted in Neighbourhood Place Type).

With respect to intensity of development, The London Plan provides direction on minimum and maximum building height but does not provide general direction on density within the Neighbourhoods Place Type. Within the Neighbourhoods Place Type with frontage on a Civic Boulevard, the range of building heights contemplated include a minimum height of 2-storeys and a maximum height of 4-storeys, and up to 6-storeys through Bonus Zoning (The London Plan, *Table 11 - Range of Permitted Heights in Neighbourhoods Place Type). The London Plan also contemplates gross floor area maximums for retail, service, and office use in the Neighbourhoods Place Type in mixed-use buildings or stand-alone, conditional on the classification of the intersecting streets (The London Plan, Policy *935_2. and *Table 12 – Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type).

To achieve the vision and key directions of The London Plan, residential intensification within existing neighbourhoods is encouraged to provide opportunities for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods (The London Plan Policy, 937_). The London Plan supports all forms of intensification, including infill development, with the understanding that intensification should be appropriately located, compatible, and fit well within receiving neighbourhood (The London Plan Policies 80_4., 83_, 939_ 5., 940_).

2.3.3 *1989 Official Plan*

The 1989 Official Plan is still in force and effect. The subject lands are located within the Multi-Family, Medium Density Residential (“MFMDR”) designation on Schedule A – Land Use in the 1989 Official Plan. The MFMDR designation contemplates multi-unit

residential development having a low-rise profile and densities that exceed those found in Low Density Residential areas (1989 Official Plan, Section 3.3). The MFMDR designation will provide for greater variety and choice in housing at locations that have desirable attributes, but may not be appropriate as Multi-Family, High Density Residential areas (1989 Official Plan, Section 3.3). Low-rise apartment buildings are contemplated as a primary permitted use within the MFMDR designation (1989 Official Plan, Section 3.3.1). Existing convenience commercial uses are contemplated as secondary permitted uses within the MFMDR designation and new convenience commercial uses are also permitted by Official Plan and Zoning By-law Amendments (1989 Official Plan, Section 3.3.1 ii)).

The scale of development within the MFMDR designation usually will not exceed 4-storeys in height and 75 uph in density (1989 Official Plan, Section 3.3.3 i) and ii)). Exceptions to the usual density limit, up to 100 uph, can be contemplated where developments qualify under the bonusing criteria in the 1989 Official Plan, however the height limit of 4-storeys will remain in effect (1989 Official Plan, Section 3.3.3 ii)). The Planning Impact Analysis (“PIA”) criteria in the 1989 Official Plan, are to be used to evaluate the appropriateness of density bonusing and identify ways to reduce any adverse impacts on surrounding land uses (1989 Official Plan, Sections 3.3.3 ii) and 3.7).

Convenience commercial uses within residential designations are intended to be neighbourhood-oriented and function at a neighbourhood-scale (The 1989 Official Plan, Section 3.6.5 i)). The intensity of convenience commercial uses will be specified in the Zoning By-law and will be at a scale compatible with surrounding land uses (The 1989 Official Plan, Section 3.6.5 iv)).

2.4 Community Engagement (see more detail in Appendix B)

Notice of Application was published in the Public Notices and Bidding Opportunities section of The Londoner on September 16, 2021 and sent to property owners in the surrounding area on September 15, 2021.

The notice advised of a possible amendment to the Z.-1 Zoning By-law to change the zoning from a Convenience Commercial Special Provision (CC(14)) Zone to a Residential R8 Special Provision Bonus (R8-4()•B()) Zone. Special provisions would add existing permitted convenience commercial uses (i.e. Florist Shops, Convenience Service Establishments, Convenience Stores, Financial Institutions and Personal Service Establishments all without a drive-through facility) as additional permitted to the R8-4 Zone. Special provisions would permit an increased maximum building height; an increased minimum front, rear and west interior side yard depth; a reduced east interior side yard depth, a maximum gross floor area for all permitted commercial uses, and a reduced minimum parking rate for all permitted commercial uses. A bonus zone would permit an increased maximum density in return for facilities, services and matters in the public interest.

The Applicant would later modify their request to reflect a compound Convenience Commercial Special Provision/Residential R8 Special Provision Bonus Zone (CC4()/R8-4()•H16•B()) Zone in consultation with Planning and Development staff. Special provisions were also modified resulting in an increase in the east interior side yard depth to allow sufficient space for tree plantings and adding a minimum yard depth to all lot lines for any underground parking ramps to ensure ramps are located away from adjacent properties. A height symbol was added in addition to the special provision for an increased maximum building height. Noting that for heights over 13.0 metres (42.7 feet) the R8 Zone variations require that height be applied site-specifically to zoning maps.

Notice of Revised Application is not required as possible consideration of a compound zone and additional special provisions were advertised in the Notice of Application and in some instances as modified, special provisions are brought closer to compliance with the standard zone regulations and the magnitude of change from what was initially advertised is minor.

The Applicant’s agent, Siv-ik Planning and Design Inc., hosted two Community Information Meeting about the proposed development. The first meeting was held on May 27, 2021, prior to the submission of the Zoning By-law Amendment (“ZBA”)

Application to the City. The second meeting was held on September 30, 2021 and followed the City's advertisement of the ZBA Application. City staff attended the second meeting, and both meetings were conducted virtually due to COVID.

Two (2) written replies were received from the public as part of the community engagement process. No telephone calls were received.

The concerns expressed included the change from the prior proposal for a "commercial plaza" or "strip mall" to the current proposal for an apartment building; the proposed apartment building being too intense; security, noise, and traffic constraints and congestion associated with an increasingly populated area; and traffic from the proposed development being directed through the local streets internal to the neighbourhood. The concerns expressed in the written replies were echoed in the verbal comments heard at the second Community Information Meeting. Responses to the public concerns are provided throughout this report and a summary is provided in the Planning Impact Assessment in Appendix C.

3.0 Financial Impact/Considerations

There are no financial impacts for the City that are expected to result from the proposed development.

4.0 Key Issues and Considerations

4.1. Land Use Compatibility

Through an analysis of use, intensity and form, Planning and Development staff have considered the compatibility and appropriateness of the requested ZBA and development proposal taking into account the policies that guide the use and development of land in the city and having regard for character of the receiving neighbourhood.

Use

Consistent with the PPS, the proposed mixed-use apartment building will add to the range and mix of residential types and housing options (including affordable and market-based housing) available within the receiving neighbourhood to address diverse housing needs over the long-term (PPS, Policy 1.1.1 b)). On the north side of Sunningdale Road East the housing options consist of single detached dwellings on individual lots and cluster, single detached dwellings. The development of the subject lands is an opportunity to provide for infill development and residential intensification along a major street (Sunningdale Road East) at the periphery of the receiving neighbourhood. The PPS directs that planning authorities identify appropriate location to accommodate housing options through intensification and redevelopment (PPS Policy 1.1.3.3).

The London Plan directs that mixed-use buildings and commercial uses will be permitted at appropriate locations with the Neighbourhoods Place Type to meet the daily needs of neighbourhood residents (The London Plan, Policy 918_5.). Within the Neighbourhoods Place Type the range of uses that may be permitted on a property (as well as the intensity of development) is related to the classification of the street onto which the property has frontage (The London Plan, Policies 789_6. and 919_2.). The major street classifications contemplate a broader range of permitted uses and if a property is located at the intersection of two major street classifications the range of permitted uses may broaden further (The London Plan, Policy 919_3. and 4.). The London Plan aims to achieve an appropriate range of commercial uses, including retail, service, and office uses, within the Neighbourhoods Place Type (The London Plan, Policy 924_). In particular, retail, service, and office uses are to be appropriately sized, and service uses are to be neighbourhood-oriented (The London Plan, Policies 925_ and 926_).

The subject lands are located within the Neighbourhoods Place Type on *Map 1 – Place Types and have frontage on a Civic Boulevard (Sunningdale Road East) on Map 2 – Street Classifications in The London Plan. Low-rise apartments are contemplated as a primary permitted use within the Neighbourhoods Place Type fronting onto a Civic Boulevard and on the subject lands (The London Plan, Table 10 – Range of Permitted

Uses in Neighbourhoods Place Type). The London Plan directs mixed-use buildings and commercial uses to the intersection of two major streets as a secondary permitted use that is conditional on the classification of intersecting streets in the Neighbourhoods Place Type (The London Plan, Table 10 – Range of Permitted Uses in Neighbourhoods Place Type and *Table 12 – Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type). The subject lands are not located at the intersection of two major street and the proposed mixed-use apartment building, and in particular the proposed convenience commercial uses, may in the future be a non-conforming use to The London Plan. At this time, lands identified as Neighbourhoods Place Type on *Map 1 – Place Types are subject to appeal, and the Neighbourhoods policies are informative, but not determinative for the purpose of this application.

Intensification within the Neighbourhoods Place Type is encouraged and is key to realizing The London Plan's vision for aging in place, diversity of built form and vibrancy, affordability, and effective use of land (The London Plan, Policy 937_). Intensification should add value to the planned and existing character, quality, and sustainability of neighbourhoods (The London Plan, Policy 937_). Residential intensification means the development of a property at a higher residential density than currently exists and The London Plan identifies variety of opportunities for intensification ranging from light, discreet forms of intensification to more visible and obvious forms of intensification (The London Plan, Policy 939_). Infill development is a form of residential intensification. It is an important strategy of The London Plan to provide for all forms of intensification while ensuring they are appropriately located, compatible and fit well within the receiving neighbourhood (The London Plan, Policy 940_).

The subject lands are located in the MFMDR designation on Schedule A – Land Use in the 1989 Official Plan. The use of residential designations in the 1989 Official Plan is guided by general objectives that support the provision and distribution of choice of dwelling types, promote residential development that makes efficient use of land, encourage infill development in residential areas where existing land uses are not adversely affected and where development can make efficient use of services and facilities, and support the provision of services and amenities that enhance the quality of residential areas (The 1989 Official Plan, Section 3.1.1 i)-iv), vi), viii) and x)).

The MFMDR designation is intended to support the development of low-rise, multi-unit residential developments at locations where there is access to services and amenities and where the quality of residential areas will be enhanced (1989 Official Plan, Section 3.1.3 i)). Low-rise apartments are contemplated as a primary permitted use within the MFMDR designation and on the subject lands (1989 Official Plan, Section 3.3.1).

Existing convenience commercial uses are contemplated as secondary permitted uses within the MFMDR designation and new convenience commercial uses are also permitted by Official Plan and Zoning By-law Amendments (1989 Official Plan, Section 3.3.1 ii)). Convenience commercial uses within residential designations are intended to be neighbourhood-oriented in function, providing services to the surrounding residential area and the incidental traveling public (The 1989 Official Plan, Section 3.6.5 i)). Convenience commercial uses permitted in residential designations may include such uses as Variety Stores, Financial Institutions, Personal Service Establishments, Medical/Dental Offices, Small-scale Offices, Restaurants, Studios, and Florist Shops etc.; and these convenience commercial uses are permitted on the ground floor of an apartment building (Section 3.6.5 ii) (a)). The 1989 Official Plan contemplates convenience commercial uses in residential designations on major streets where there will not be adverse impacts on the traffic-carrying capacity of the streets (The 1989 Official Plan, Section 3.6.5 iii)).

Existing convenience commercial uses recognized by the 1989 Official Plan are shown on "Appendix 1 – Convenience Commercial and Service Stations" for locational reference but Appendix 1 does not form part of the Official Plan; or existing convenience commercial uses are described in the list of "Locations of Convenience Commercial and Service Station Uses" in the 1989 Official Plan (1989 Official Plan, Sections 3.6.5 ii) c) and 3.6.5 vi)). The subject lands are neither shown on Appendix 1 nor listed in the 1989 Official Plan as the site of existing convenience commercial uses. However, the subject lands were zoned CC(1) for convenience commercial uses, which existed prior to the

adoption of the 1989 Official Plan. The current existing convenience commercial zoning is regarded as legal non-conforming to the 1989 Official Plan.

In the opinion of Planning and Development staff the proposed mixed-use development of the subject lands conforms to London Plan's vision for aging in place, diversity of built form and vibrancy, affordability, and effective use of land. The proposed mixed-use development of the subject lands also conforms to the general objectives for residential designations in the 1989 Official Plan for the efficient use of land and the provision of services and amenities that enhance the quality of residential areas. The proposed development will effectively and efficiently use land, mixing residential and commercial uses to share in, and optimize, the use of the land. The proposed multi-unit residential development will expand the residential types and housing options available within the neighbourhood to meet diverse needs and contribute to a more dynamic and vibrant neighbourhood. Single detached dwellings are the prevailing residential type in the neighbourhood and dwelling units within apartment buildings are typically more affordable than a single detached dwelling. It is important to note that two dwelling units that meet the City's definition of affordable housing will be provided. The proposed commercial gross floor area with a mixed-use apartment building will deliver services in support of neighbourhood residents helping meet their daily needs and enhancing the quality of life within the neighbourhood.

The proposed residential and convenience commercial uses are contemplated as permitted uses the MFMDR designation separately and where convenience commercial uses are located on the ground floor of an apartment building. With respect to land use compatibility and appropriate locations for multi-unit residential development and convenience commercial within residential areas in the 1989 Official Plan, the subject lands meet the location criteria and are located on a major street (Sunningdale Road East) where safe and efficient pedestrian, cycling, vehicular and public transit access can be provided (See Section 4.3 for more discussion on Transportation Considerations).

The proposed development conforms to the policies in The London Plan and the 1989 Official Plan that provide direction on appropriate locations for infill development and residential intensification by locating the infill development at the periphery of the receiving neighbourhood, on a major street and away from the adjacent sensitive single detached dwellings. Enhanced rear and west interior side yard depths that exceed the standard minimum rear and interior side yard depth required by the R8-4 Zone are planned between the proposed mixed-use apartment building and adjacent single detached dwellings. These enhanced yard depths are shown on the conceptual site plan and will minimize shadowing and overlook impacts. All yard depths requested and shown are sufficient to support landscaping/screening and specifically, tree growth, to mitigate noise, odour, visual or other nuisances. Subsequently, the proposed infill development and residential intensification will not adversely affect the function nor the amenity of the adjacent single detached dwellings.

Intensity

Consistent with the PPS, the subject lands will be developed at a higher intensity of development (100 uph) than the average level of intensity in the receiving neighbourhood (~20 uph) to efficiently use land, infrastructure and public service facilities afforded to the area, and support transit and affordability.

The proposed multi-unit, mixed-use apartment building is inherently more efficient in its use of land, infrastructure and public service facilities than the neighbourhood's prevailing single detached dwellings. The subject lands are within walking distance of the Stoney Creek Community Centre, Mother Teresa Catholic Secondary School, Stoney Creek Public School and the commercial node at the intersection of Adelaide Street North and Sunningdale Road East.

Major streets such as Sunningdale Road East can serve as significant routes for transit and the proposed multi-unit, mixed-use apartment building will provide a more suitable density for transit along Sunningdale Road East than single-detached dwellings.

The London Plan does not manage intensity of development by providing general direction on density for Neighbourhoods, instead The London Plan provides direction on minimum and maximum building height. Like permitted uses, the intensity of

development contemplated is related to the classification of the street onto which the property has frontage (The London Plan, Policies 789_6. and 919_2.). For the subject lands, identified as Neighbourhood Place Type in The London Plan with frontage on a Civic Boulevard, the standard minimum and maximum building heights contemplated are 2-storeys and 4-storeys respectively (The London Plan, Policy *935_1. and *Table 11- Range of Permitted Heights in Neighbourhoods Place Type).

The London Plan also contemplates gross floor area maximums for retail, service, and office uses where permitted in the Neighbourhoods Place Type (The London Plan, Policy *935_2. and *Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type). The gross floor area maximums range between 200m² (2,152.8ft²) and 2,000m² (21,527.8ft²) conditional on the classification of the intersecting streets (The London Plan, *Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type). Urban design considerations for residential intensification in Neighbourhoods in The London Plan, directs that the intensity of development will be appropriate for the size of the lot and able to accommodate various necessary site functions (The London Plan, Policy 953_3).

The intensity of development within the MFMDR will usually not exceed 4-storeys in height and 75 uph in density (1989 Official Plan, Section 3.3.3 i) and ii)). Exceptions to the usual density limit can be contemplated, up to 100 uph through the bonusing criteria in the Official Plan, but the height limit of 4-storeys remains (1989 Official Plan, Section 3.3.3 i) ii)). The 1989 Official Plan directs that the intensity of convenience commercial uses will be specified in the Zoning By-law and will be at a scale compatible with surrounding land uses (The 1989 Official Plan, Section 3.6.5 iv)).

The proposed 4-storey (~16.0 metre) building conforms to the maximum building height contemplated for the subject lands identified as Neighbourhoods Place Type in The London Plan and identified as MFMDR designation in the 1989 Official Plan. The density attributed to the proposed residential dwelling units and commercial gross floor area is equivalent to 100 uph which exceeds the usual density limit for MFMDR in the 1989 Official Plan. As noted in the policies above, the proposed density can be achieved through the bonus zoning provisions in the 1989 Official Plan (See Section 4.2 for more discussion on Bonus Zoning).

To ensure that the proposed convenience commercial uses are appropriately sized and neighbourhood-oriented, the requested amendment includes a special provision to regulate the amount of commercial gross floor area. The proposed maximum gross floor area of 250m² (2,691.0 ft²) for all permitted commercial uses is within the lower-end of the intensity range for retail, service and office floor area contemplated in Neighbourhood Place Types (albeit at intersecting major streets) and is less than the maximum gross floor area of 300m² (3,229.2 ft²) that applies to individual uses permitted by the existing convenience commercial zoning of the subject lands (Zoning By-law No. Z.-1, Section 29.3 1)). In the opinion of Planning and Development staff, the proposed maximum gross floor area of 250m² (2,691.ft²) for all permitted commercial uses will ensure that the convenience commercial uses are neighbourhood-oriented and at a neighbourhood scale, and will not allow for large, intensive uses that should be located in commercial areas.

The intensity of the proposed development conforms to the urban design considerations for residential intensification in Neighbourhoods in The London Plan and is generally compatible with surrounding land uses through the continuation of a low-rise form and moderate-site coverage. Enhanced rear and west interior side yard depths between the proposed development and adjacent single detached dwellings ensure the quality of the neighbourhood is maintained. The proposed development is appropriately sized for the site and can provide for the necessary site functions such as parking, loading, garbage and snow storage, and outdoor amenity space. Although refinement to the location of garbage and snow storage may be required through any Site Plan Approval process as noted by comments received from Site Plan staff and the Urban Design Peer Review Panel (UDPRP).

Form

Consistent with the PPS the requested amendment will facilitate infill development and residential intensification in a compact urban form (PPS Policy 1.1.3.4). Notable

characteristics of the compact urban form include a contiguous development pattern with adjacent developed lands, concentrated residential and non-residential density on a single site, and a high degree of connectivity to pedestrian sidewalk and vehicular street networks in the area.

Non-residential uses may be permitted within the Neighbourhoods Place Types when the proposed form of development can fit well within the existing and planned context (The London Plan, Policy 936_3.). All planning and development applications, and residential intensification proposals, will conform to the City Design policies in The London Plan (The London Plan, Policies 936_1., and 953_). Intensification shall be sensitive to, compatible with, and fit within the neighbourhood context; and from a form-based perspective compatibility and fit is evaluated based on site layout, building and main entrance orientation, building line and setback from the street, and height and massing transitions with adjacent development (The London Plan, Policies 953_, 1953_2.).

The objectives for MFMDR development in the 1989 Official Plan include well-designed and visually attractive forms (1989 Official Plan, Section 3.1.3 ii)). Development within the MFMDR designation is directed to have a low-rise form and site-coverage that can serve as a transition from low intensity development to more intensive forms of development (1989 Official Plan, Section 3.3.3).

The proposed development has been evaluated from a form-based perspective and found to be compatible and a good fit with the neighbourhood context based on the following considerations.

With respect to site layout, the vehicular driveway access to Sunningdale Road East is proposed on the west side of the subject lands and is generally aligned with an existing driveway access on the south side of Sunningdale Road East. The location of the ramp to the underground parking is also located on the west side of the subject lands to provide more separation between the proposed building and the existing adjacent single detached dwellings to the west. The requested amendment includes a minimum yard depth to all lot lines of 3.0 metres (9.8 feet) for the underground parking ramp to ensure sufficient space is provided for landscaping/screening to minimize and mitigate any adverse impacts from the underground parking ramp on the adjacent dwellings. Boundary fencing is a matter for any subsequent Site Plan Approval process and is regulated by the City's Site Plan Control By-law C.P. -1455-541 and Fence By-law PS-6-21003. Most of the required on-site parking is proposed to be located underground and where a modest amount of surface parking is proposed for convenience commercial use, it is proposed in the front yard and away from the planned and existing single detached dwellings to the north and to the west. Pedestrian walkways are proposed across the front of the subject lands and will connect the subject lands to the city sidewalks internal to local streets completing the pedestrian walkway network in the area.

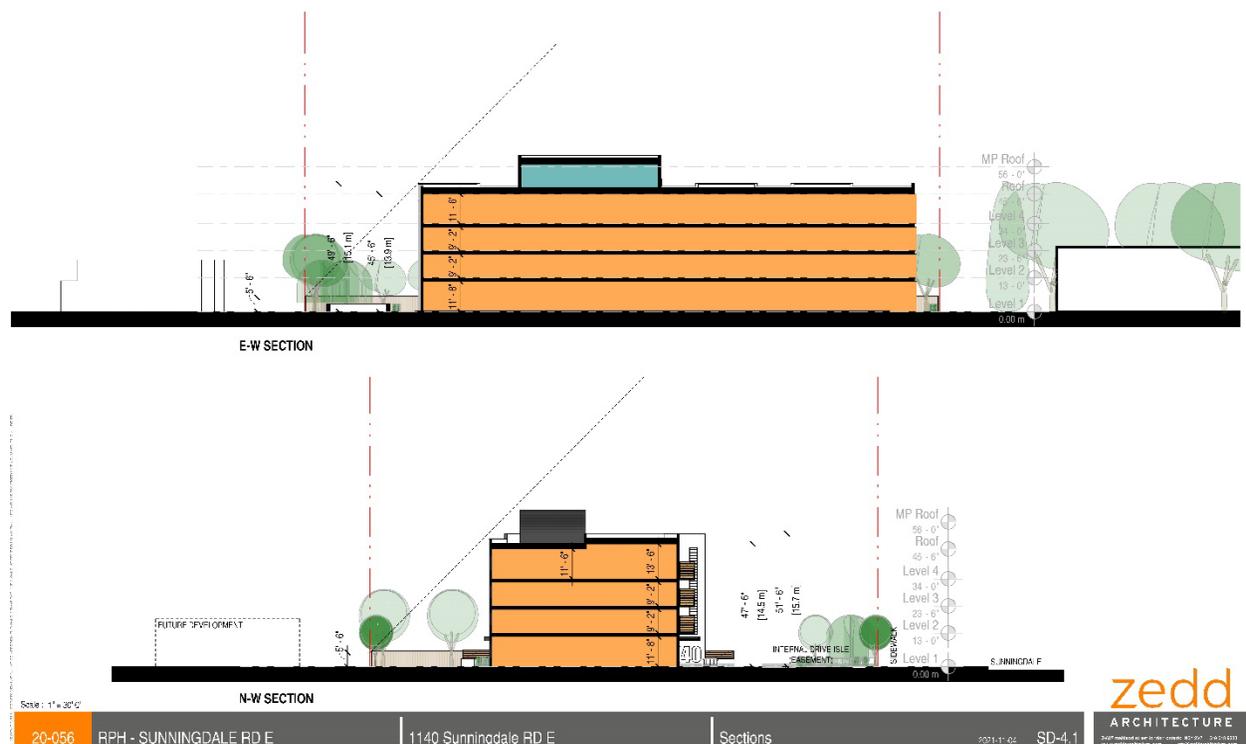
With respect to building and main entrance orientation, the proposed building has been oriented towards Sunningdale Road East and away from abutting properties and the internal portion of the neighbourhood. The street-facing elevation includes the principal building entrance for residential uses and for the convenience commercial uses to animate the Sunningdale Road East streetscape and focus public interactions away from abutting properties. To minimize and mitigate overlook from the proposed development on the existing single detached dwellings, balconies are proposed only on the north (rear) and south (front/street-facing) elevations and are inset to screen views to the existing single detached dwellings to the west.

With respect to building line and setback from the street, the Plan of Subdivision that surrounds the subject lands established a series of window-streets adjacent to Sunningdale Road East. Although, the proposed development will not complete the window-street network based on past public input and Municipal Council direction, the placement and setback of the proposed building will mimic the window-street network visually and continue the built-edge condition or "built street-wall" along Sunningdale Road East.

Lastly, with respect to height and massing transitions with adjacent development, the proposed development has been designed to be sensitive to the abutting properties to

the north and to the west. These properties are planned, or have relatively recently been developed, for single detached dwellings and are unlikely to redevelop in the near future while the property to the east (1154 Sunningdale Road East) has infill potential. All components of the proposed building have been designed to be contained within a 45-degree angular plane measured from 3.0 metres above grade at the rear (north) and west lot lines to provide a gradual transition in height over the distance or depth of the subject lands' rear (north) and west interior side yards (See Figure 5). This gradual transition in height over the yard depth will minimize and mitigate shadow impacts on the adjacent properties. As noted above, the rear (north) and west interior side yard depths exceed the standard minimum yard depth required by the requested R8-4 Zone.

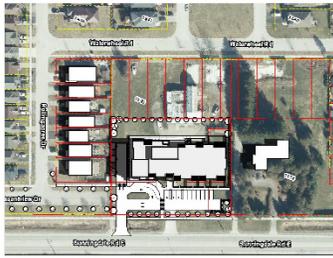
Figures 5 –Sections showing angular plane submitted with current Zoning By-law Amendment Application (City of London File No. Z-9405)



A sun/shadow study was submitted in support of the application using industry-standard modeling practices to illustrate how the sun moves across the proposed development and the resulting shadow impacts for adjacent properties. Apart from the winter solstice when shadows are at their largest and longest, the shadows associated with the proposed development are contained on-site most of the day (see Figure 6). The shadows during the winter solstice are a function of the north-south orientation of the impacted properties and the subject lands to one another and the depth provided by the properties along major streets oriented east-west.

Figure 6 – Shadow Study submitted with current Zoning By-law Amendment Application (City of London File No. Z-9405)

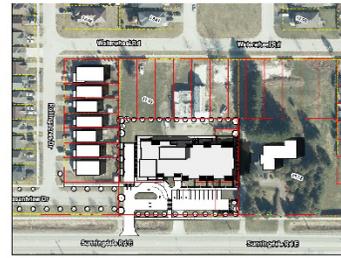




JUNE 21 - 9AM



JUNE 21 - 12PM



JUNE 21 - 3PM

Scale: 1" = 100' zedd ARCHITECTURE

20-056 RPH - SUNNINGDALE RD E | 1140 Sunningdale RD E | Shadow - June | 2021-06-03 SD-7.2



DECEMBER 21 - 9AM



DECEMBER 21 - 12PM



DECEMBER 21 - 3PM

Scale: 1" = 100' zedd ARCHITECTURE

20-056 RPH - SUNNINGDALE RD E | 1140 Sunningdale RD E | Shadow - December | 2021-06-03 SD-7.3

The applicant is proposing a density bonus in return for high-quality building and site design. Urban Design staff and the UDPRP commended the site and building design for the following features: a successful site layout that appears to make the most of the planning context; an articulated building that architecturally defines public and private function/space as distinct from one another, and effective use of signage and canopies.

4.2. Bonus Zoning

In accordance with the Planning Act and the Bonus Zoning provisions in the Our Tools section of The London Plan and Section 19.4.4 in the 1989 Official Plan, Municipal Council may authorize increases in building heights and densities **above the limits otherwise permitted in the Zoning By-law** in return for the provision of certain public facilities, services or matters (The London Plan, Policy *1638_; 1989 Official Plan, Section 19.4.4). Bonus Zoning is implemented through one or more agreements with the City that are registered on title to the subject lands and secure public benefit and elements of the development that are commensurate to the additional building height and/or density.

Type 1 Bonus Zoning in The London Plan can be utilized to ensure that design features required to mitigate the impacts of additional height and density are provided where the proposed bonus zone will allow for a height and density that is **within the standard maximum heights or densities allowed within the applicable place type** (The London Plan, Policies *1643_1., *1645_, *1646_1., *1647_). The proposed development conforms to the standard maximum height of 4-storeys permitted within the Neighbourhoods Place Type with frontage on a Civic Boulevard. As such, the application of Type 1 Bonus Zoning in The London Plan is appropriate to secure design features to minimize and mitigate the impact of development.

In addition to the consideration of Type 1 Bonus Zoning in The London Plan, the Bonus Zoning provisions of the 1989 Official Plan, can be used to obtain design features that support the City's urban design principles as well as support the provision of affordable housing, support the provision of underground parking, and support innovative and

environmentally sensitive development (The 1989 Official Plan, Section 19.4.4 ii) (a), (c), and (h)).

Design Features

The requested increase in density above the standard maximum density of 75 uph permitted in the R8-4 Zone is proposed to be tied to the conceptual site plan, elevations and renderings submitted in support of the application which illustrate the following notable design features intended to minimize and mitigate the impact of the proposed development:

- A building placement that is street-oriented and which also reinforces the existing window-street context along Sunningdale Road East and provides for continuity of the existing built street-wall.
- The provision of a pedestrian walkway across the front of the subject lands that functions as a continuation of the city sidewalk that is located west of the subject lands on the north side of Pleasantview Drive and connecting to the city sidewalk located on the north side of Sunningdale Road East.
- The provision of sufficient yard depths along all edges of the proposed development to accommodate a landscaped buffer able to support tree growth and screen the proposed development from adjacent residential uses.
- The provision of sufficient space adjacent to Sunningdale Road East to accommodate enhanced landscaping to screen surface parking area(s) located in the front yard from the city-owned boulevard.
- A well pronounced, street-oriented principal building entrance for residential uses
- A well pronounced, street-oriented unit entrance for convenience commercial uses with large expanses of clear glazing, a wrap around canopy and signage.
- Individual ground-floor residential unit access and private individual courtyards on the street-facing (south) elevation.
- Inset balconies to minimize and mitigate overlook for existing single detached dwellings to the west and their associated rear yard amenity space.
- A high-level of articulation and architectural detailing on the street-facing front facade for visual interest.

As is common practice for the City, the conceptual site plan, elevations, and renderings would be appended to an amending by-law for Bonus Zoning and would effectively “locking in” the design features described and illustrated in return for increased density.

Affordable Housing

Dwelling units in apartment buildings are typically more affordable than the neighbourhood’s prevailing single detached dwelling units. The proposed multi-unit, mixed-use apartment building will diversify unit size, (offering 1 and 2-bedroom units), and possibly diversify tenure (ownership or rental) in the neighbourhood to support affordability in the neighbourhood and housing options for all types of households including aging in place. Moreover, the addition of the proposed units to the housing supply may also free-up other more affordable units elsewhere in support of Municipal Council’s commitment to the Housing Stability Action Plan, Strategic Area of Focus 2: Create More Housing Stock.

Through discussions with the Housing Development Corporation (“HDC”), London, the Applicant has agreed to dedicate two (2) one-bedroom residential dwelling units to affordable housing in return for Municipal Council authorizing an increase in maximum density from 75 uph to 100 uph. Based on the lot area of subject lands the increase in density would yield eleven (11) additional residential dwelling unit. The two (2) residential dwelling units agreed to be dedicated to affordable housing, are equal to 18% of the eleven (11) additional residential dwelling units

Through an agreement registered on title, affordability will be defined as not exceeding 80% of the Canada Mortgage and Housing Corporation (“CMHC”) Average Market Rent

("AMR") for one-bedroom units for the London Census Metropolitan Area at the time of building occupancy, and the duration of the affordable period will be set at 50-years calculated from initial occupancy of each unit. The Applicant will also be required to enter into a Tenant Placement Agreement with the City to align bonused affordable housing units with priority populations. (See HDC letter of understanding dated November 4, 2021 in Appendix B.)

The provision of affordable housing in return for increased density will contribute to the more than 300 affordable housing units identified by the City's Housing Stability Action Plan to be developed each year across the city to meet current and future needs for affordable housing.

Underground Parking

Most of the required parking is proposed to be located underground with no surface parking areas proposed adjacent to the planned and existing single detached dwellings to the north and to the west, to minimize and mitigate potential conflict and safeguard compatibility. The requested bonus provisions would recognize a minimum of 80% of the required parking be located underground. As shown on the site concept plan, 64-underground parking spaces, or approximately 86% of the required parking spaces, are proposed to serve the residential use and 10-surface parking spaces are proposed to serve the convenience commercial use.

The provision of underground parking is a more efficient use of the subject allowing for a consolidated outdoor amenity space to be located north of the proposed building. With respect to the Climate Emergency and ways to reduce and mitigate climate change through environmental design, this amenity space is an opportunity for soft landscaping that has a cooling effect, whilst surface parking areas contribute to the heat island effect.

Environmentally Sensitive Development

Further to the City's commitments to reducing and mitigating climate change, a minimum of 5% of the required parking spaces are proposed to be fitted with electric vehicle (EV) charging station, which is the equivalent of four stations. These EV charging stations will make charging points readily accessible to residents to encourage and support a shift to zero-emission vehicles to reduce air emissions that contribute to climate change.

Planning and Development staff are satisfied that the public benefit and elements of the development to be secured through Bonus Zoning are commensurate to the requested increase in density. Should the Bonus Zoning not be implemented, it is important to note that the Applicant has requested special provisions to the underlying R8-4 Zone to provide for increased minimum rear and west interior side yard depths that exceed the minimum standard requirements. These enhanced requirements will ensure that any future development for apartment buildings will provide increased yard depths to minimize and mitigate the impact of development on planned and existing single detached dwellings to the north and to the west.

4.3. Transportation Considerations

Through public engagement concerns were expressed about the proposed development contributing traffic constraints and congestion in an increasingly populated area and traffic being directed through the existing neighbourhood to the subject lands.

Complete Street Design, Function and Capacity

Sunningdale Road East is classified as a Civic Boulevard on Map 2 – Street Classifications in The London Plan and is classified as an Arterial on Schedule C – Transportation Corridors in the 1989 Official Plan. Civic Boulevards and Arterials are higher-order street classifications intended to move medium to high volumes of traffic, with priority given to pedestrian, cycling and transit movements as the streets are upgraded over-time to a complete urban cross-section.

At present, the cross-section along Sunningdale Road East, between Adelaide Street North and North Wenige Drive, consists of two-through lanes and intermittent turning lanes. The cross section is not fully urbanized and contains open ditches separating the

roadway from the city sidewalks. Intersections are controlled by stop signs, except for the major intersections of Adelaide Street North and Sunningdale Road East and South Wenige Drive and Sunningdale Road East that are fully signalized.

With respect to anticipated timing for street upgrades proximate to the subject lands, the 2021 Development Charges Background Study identifies the following planned construction. However, construction is subject to potential changes as strategic priorities and municipal budgets change.

- Sunningdale Road (from Adelaide Street North, west to Bluebell Road): upgrade from two to four-through lanes anticipated 2025
- Sunningdale Road (from South Wengie Drive, east to Highbury Road North): upgrade to existing two-through lanes anticipated 2028
- +Adelaide Street North (from Fanshawe Road East, north to Sunningdale Road East): upgrade from two to four-through lanes anticipated 2029
- +Adelaide Street North and Sunningdale Road East intersection – upgrade anticipated 2029

+ symbol indicates projects that may be reviewed and incorporate into the upcoming Mobility Master Plan.

In the review of this ZBA Application, no comments were received from Transportation Planning and Design staff to suggest that the proposed development has the potential to adversely impact the designed function or capacity of Sunningdale Road East or other major streets in the area.

Consistent with past Municipal Council direction on the matter, the current ZBA Application does not contemplate completion of the window-street network across the front of the subject lands to connect the east and west-legs of Pleasantview Drive for vehicular traffic. That said, the proposed building placement on the subject lands does not preclude the ability to complete the window-street network in the future and respects the need for a servicing easement (through Site Plan Approval) to extend municipal servicing from the west-leg of Pleasantview Drive to the subject lands' east lot line in favour of the abutting property at 1154 Sunningdale Road East for any development needs in the future.

It is important to note that Transportation Planning and Design staff still consider the completion of the window-street network to be desirable and that the temporary turning circle at the terminus of the east-leg of Pleasantview Drive does not meet current design standards.

The conceptual site plan shows direct vehicular driveway access from the proposed development to Sunningdale Road East, with no proposed vehicular driveway access to the local streets internal to the neighbourhood. As such, the proposed development is not anticipated to add new automobile traffic to those local streets.

Unlike the window-street network, the completion of the pedestrian walkway network is proposed across the front of the subject lands and will function as a continuation of the city sidewalk located west of the subject lands on the north side of Pleasantview Drive, and connecting to the city sidewalk located east of the subject lands on the north side of Sunningdale Road East.

This pedestrian connection supports the neighbourhood-orientation of the convenience commercial uses proposed for the subject lands, whereby residents can access the site through active modes of transportation for their day-to-day needs. Planning and Development staff heard public concern at the Applicant-led Community Information Meeting held in September 2021, that the proposed pedestrian connection may result in visitors and patrons to the proposed development parking on local streets internal to the neighbourhood (e.g. Pleasantview Drive and/or Rollingacres Drive). However, given that the route through the neighbourhood to the subject land is circuitous and inefficient, adverse parking impacts are not expected to result from the proposed development and the pedestrian connection to the internal neighbourhood.

Reduced Parking Rate for Commercial Uses

The on-site parking supply and requested reduction in required parking for proposed convenience commercial uses was reviewed by Transportation Planning and Design staff. The proposed development will provide 64 underground parking spaces to serve the residential use. The 64 underground parking spaces include a surplus of 11 parking spaces above the minimum parking requirement for the number of residential dwelling units. The 64 underground parking spaces are equivalent to a parking rate of 1.5 spaces/unit; whereas the minimum parking rate requirement is 1.25 spaces/unit in the Zoning By-law (Zoning By-law No. Z.-1, Section 4.19).

The Applicant has requested a reduced minimum parking rate for all permitted commercial uses of 1 space/25 m² (269.1 ft²), or the equivalent of 10 surface parking spaces based on the maximum gross floor area of 250 m² (2691.0 ft²) for all permitted commercial uses. In comparison, the requested commercial use with the most onerous minimum parking rate is a Personal Service Establishment and has a minimum parking rate of 1 space/10 m² (107.6 ft²) (Zoning By-law No. Z.-1, Section 4.19) resulting in a total parking requirement of 25 spaces based on the proposed gross floor area.

Transportation Planning and Design staff requested a Parking Reduction Study be provided by the Applicant to justify and demonstrate that the requested parking reduction for convenience commercial uses would not create adverse impacts. Transportation Planning and Design staff have accepted the findings and recommendations of the Parking Reduction Study prepared by Strik, Baldinelli, Moniz and dated December 7, 2021 and do not have any objections to the requested reduced parking rate for convenience commercial uses. The study found that the requested reduced parking rate is within the value range of the parking requirements sampled from other comparable municipalities, and in some instances other municipalities have lower requirements than the requested reduced rate.

The requested reduced minimum parking rate conforms to the policies in The London Plan that zoning will establish parking standards ensuring that excessive amounts of parking are not required (The London Plan, Policy 271_). The 1989 Official Plan directs that provision of parking shall be adequate for the land uses the parking supports and developed to a standard that promotes compatibility with adjacent land uses (1989 Official Plan, Section 18.2.12). Again, the convenience commercial uses proposed for the subject lands are to be small-scale and neighbourhood-oriented to support the day-to-day needs of residents and should encourage and promote access by way of active modes of transportation reducing automobile parking demands.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020. It will contribute to the mix of residential types and housing options (including affordable housing) available to meet diverse housing needs; it will facilitate the development of a compact urban form that will use land, infrastructure, and public service facilities efficiently; and it will provide for infill development and residential intensification on an underutilized site at an appropriate location.

The recommended amendment conforms to the in-force policies of The London Plan for lands located within the Neighbourhoods Place Type that contemplates low-rise apartment buildings on major streets. The proposed convenience commercial use will be scaled appropriately for the in-force policies that aim to achieve an appropriate range of commercial uses, including retail, service, and office uses, within the Neighbourhoods Place Type. The recommended amendment will provide for infill development and residential intensification in a form that can minimize and mitigate the impacts of the development on adjacent properties thereby being sensitive, compatible and a good fit with its neighbourhood context.

The recommended amendment conforms to the in-force policies of 1989 Official Plan for lands located in the Multi-Family, Medium Density Residential designation that contemplates the proposed mixed-use apartment building and convenience commercial uses on major streets and at an appropriate intensity to support neighbourhood residents in their daily needs.

The proposed development is eligible for bonus zoning under the bonus zoning criteria in the 1989 Official Plan and will secure public benefit and design elements that are commensurate to the additional building density, including affordable housing.

Prepared by: **Melissa Campbell, MCIP, RPP**
Senior Planner, Long Range Planning and Research

Reviewed by: **Mike Corby, MCIP, RPP**
Manager, Planning Implementation

Recommended by: **Gregg Barrett, AICP**
Director, Planning and Development

Submitted by: **George Kotsifas, P. Eng**
**Deputy City Manager, Planning and Economic
Development**

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

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1140
Sunningdale Road East

WHEREAS 2839069 Ontario Inc. c/o Royal Premier Homes has applied to rezone an area of land located at 1140 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 1140 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A103, from a Convenience Commercial Special Provision (CC(14)) Zone to a compound Convenience Commercial Special Provision/Residential R8 Special Provision Bonus Zone (CC4(_)/R8-4(_))•H16•B(_) Zone.
- 2) Section Number 29.4 of the Convenience Commercial (CC) Zone is amended by adding the following Special Provision:

CC4(_)	1140 Sunningdale Road East	
a)	Additional Permitted Use:	
i)	Florist Shop, restricted to a location within an apartment building and without a drive-through facility	
b)	Regulations:	
i)	Gross Floor Area for all permitted commercial uses (maximum)	250 square metres (2,691 square feet)
ii)	Parking for all permitted commercial uses (minimum)	1 space/25 square metres (269 square feet)

- 3) Section Number 12.4 of the Residential R8 Zone is amended by adding the following Special Provision:

R8-4(_)	1140 Sunningdale Road East	
a)	Regulations:	
i)	Front Yard Depth (minimum)	22.0 metres (72.2 feet) as measured from the front lot line existing on the date of passing this by-law
ii)	Interior Side Yard Depth (East) (minimum)	3.0 metres (9.8 feet)

iii)	Interior Side Yard Depth (West) (minimum)	1.0 metre (3.2 feet) per 1.0 metre (3.2 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 7.5 metres (24.6 feet)
iv)	Rear Yard Depth (minimum)	1.0 metre (3.2 feet) per 1.0 metre (3.2 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 7.5 metres (24.6 feet)
v)	Location of Underground Parking Ramp (minimum)	3.0 metres (9.8 feet) to all lot lines.
vi)	Height (maximum)	16.0 metres (52.5 feet) or 4-storeys, whichever is less.

- 4) Section Number 4.3 (Bonus Zones) of the General Provisions is amended by adding the following Site-Specific Bonus Provision:

4.3() B() 1140 Sunningdale Road East

The bonus zone shall be implemented through a mixed-use apartment building with a maximum density of 100 units per hectare, in general conformity with the Site Plan, Elevations, and Renderings attached as Schedule “1” to the amending by-law; and provides for the following:

- 1) Exceptional Site and Building Design
 - i. A building placement that is street-oriented and which reinforces the existing window-street context along Sunningdale Road East to provide for continuity of the built street-wall.
 - ii. The provision of a pedestrian walkway across the front of the subject lands that functions as a continuation of the city sidewalk located west of the subject lands on the north side of Pleasantview Drive, and connecting to the city sidewalk located east of the subject lands on the north side of Sunningdale Road East.
 - iii. The provision of yard depths along all edges of the proposed development to accommodate a landscaped buffer able to support tree growth and screen the proposed development from adjacent residential uses.
 - iv. The provision of enhanced landscaping along Sunningdale Road East to screen any surface parking areas located in the front yard from the city-owned boulevard.
 - v. A well pronounced, street-oriented principal building entrance for residential uses
 - vi. A well pronounced, street-oriented unit entrance for commercial uses with large expanses of clear glazing, a wrap around canopy and signage.

- vii. Individual ground-floor residential unit access and private individual courtyards on the street-facing (south) elevation.
 - viii. Inset balconies to screen views to the existing single detached dwellings to the west.
 - ix. A high-level of articulation and architectural detailing on the street-facing front facade for visual interest.
- 2) A minimum of 80% of the required parking spaces provided underground.
 - 3) A minimum of 5% of the required parking spaces fitted with electric vehicle charging stations
 - 4) Provision of Affordable Housing
 - i. A total of two (2) 1-bedroom units will be provided for affordable housing.
 - ii. Rents not exceeding 80% of the Average Market Rent for the London Census Metropolitan Area as determined by the Canadian Mortgage and Housing Corporation at the time of building occupancy.
 - iii. The duration of affordability set at 50 years from the point of initial occupancy.
 - iv. The proponent is to enter into a Tenant Placement Agreement with the Corporation of the City of London to align the affordable units with priority populations.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

- | | | |
|----|---|-------------------------|
| a) | Regulations: | |
| | vii) Density:
(maximum) | 100 units per hectare |
| | viii) Interior Side Yard
Depth (West)
(minimum) | 12.5 metres (41.0 feet) |
| | ix) Rear Yard Depth
(minimum) | 13.5 metres (44.2 feet) |

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

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

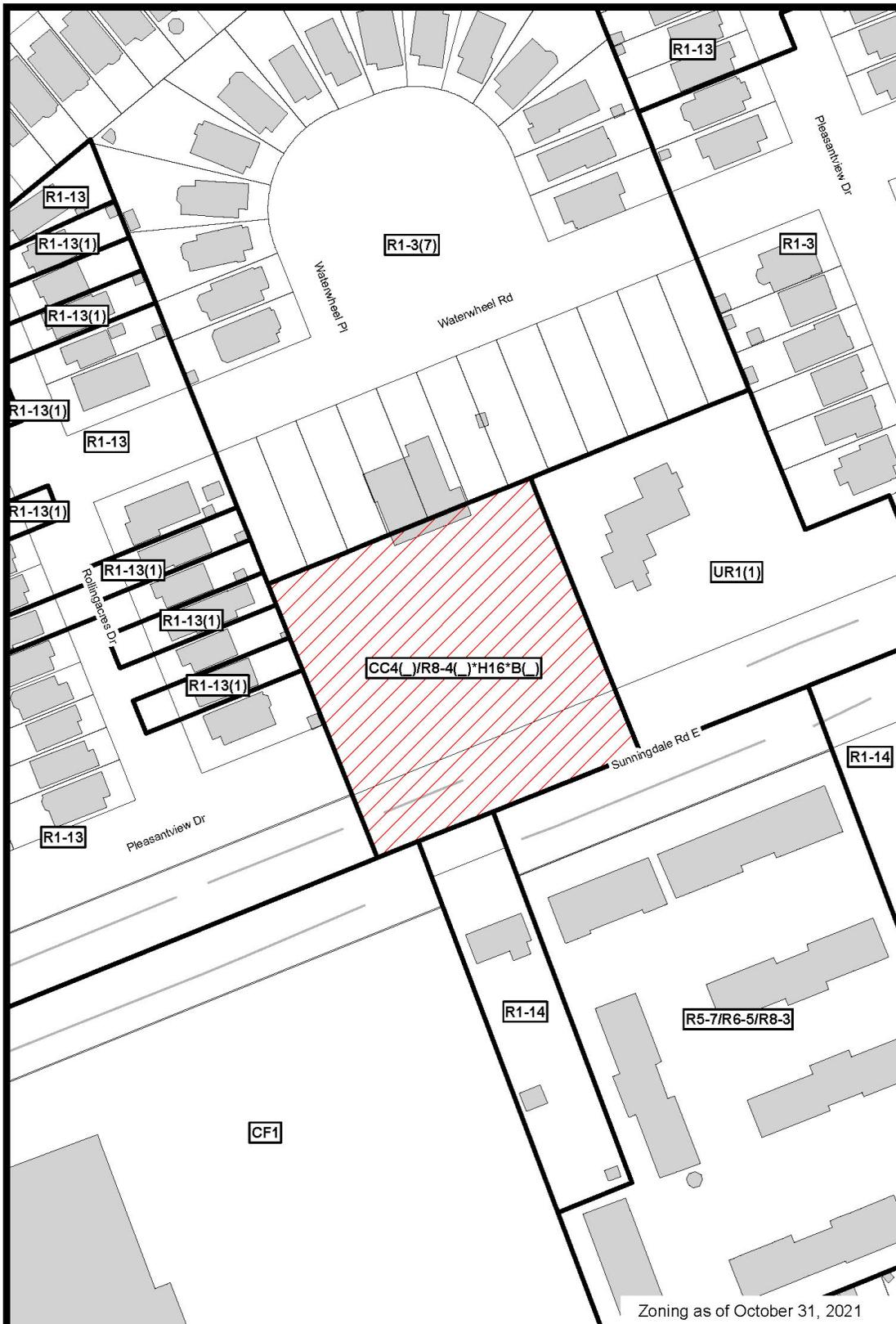
PASSED in Open Council on January 25, 2022.

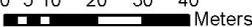
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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



<p>File Number: Z-9405 Planner: MC Date Prepared: 2021/11/25 Technician: RC By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Schedule "1"

ALSO FROM LUTUM INC HOLD THE DRAWING, THE COPY (PH) AND COPY (S) OF THE DESIGN AND ALL THE DETAILS OF THE BUILDING AS SHOWN ON THIS DRAWING SHALL BE KEPT FOR THE USE OF THE ARCHITECT AND NOT TO BE REPRODUCED OR USED FOR ANY OTHER PROJECT, SOLD OR BE LOANED AS PART OF A SALE OF PROPERTY WITHOUT THE WRITTEN CONSENT OF ZEDD ARCHITECTURE INC.

20-056 RPH - SUNNINGDALE RD E

1140 Sunningdale RD E

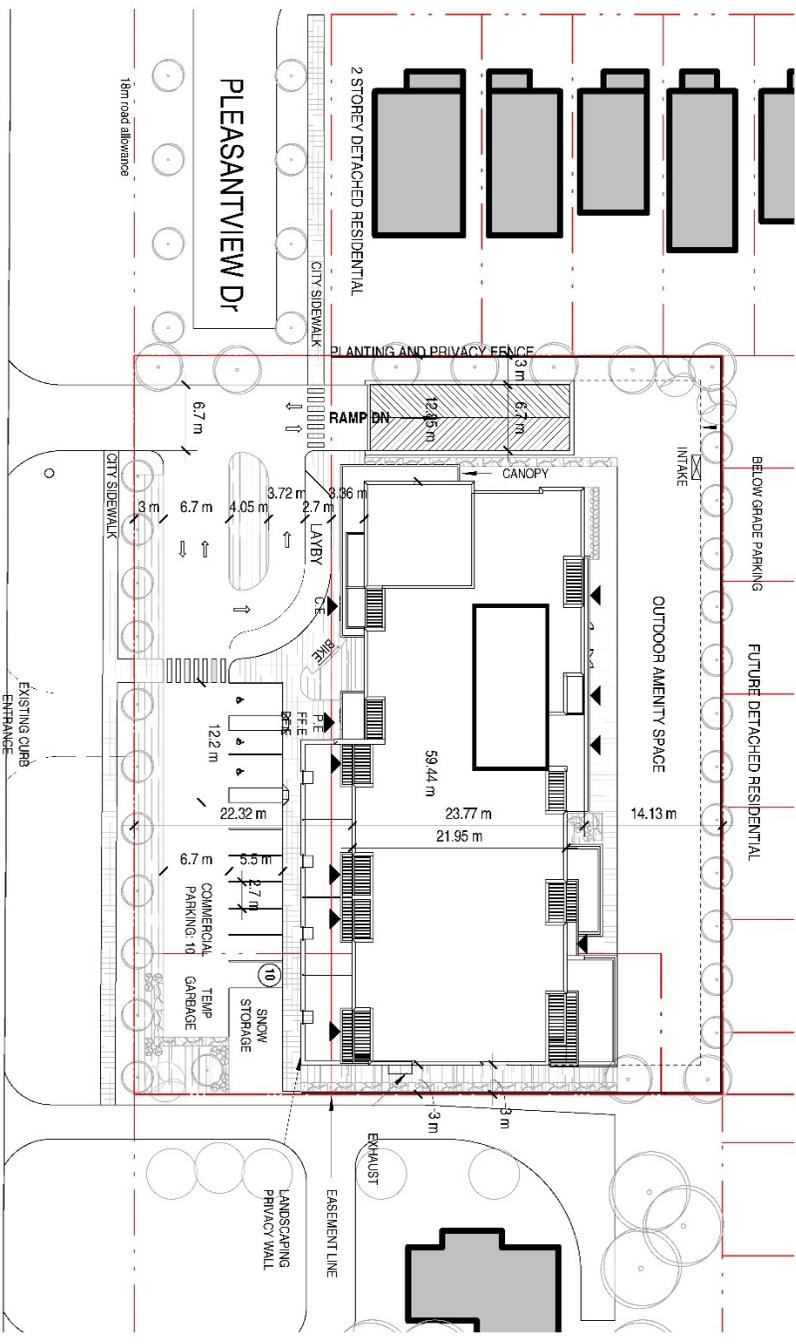
Site Plan

2021-11-04 SD-1.1

ARCHITECTURE

Zedd

Scale: 1" = 40'-0"



Site Development Stats

1140 Sunningdale RD E, London, Ontario

R8-4 ZONE

ITEM	EXISTING	PROPOSED
1 ZONE - PROPOSED BUILDING PERMITTED USES	Apartment Buildings	Mixed-use Building*
2 LOT AREA (MINIMUM)	1000sqm (min)	4,534sqm
3 LOT FRONTAGE (MINIMUM)	30m (min)	75.28m
4 FRONT YARD SETBACK (MINIMUM)	6m+1m per 10m above first 3m (7.11m)	22.32m
5 EXTERIOR SIDEYARD SETBACK (MINIMUM)	n/a	n/a
6 REAR YARD DEPTH (MINIMUM)	1.2m per 3m above first 3m (4.46m)	14.13m
7 INTERIOR SIDEYARD DEPTH (MINIMUM)	1.2m per 3m above first 3m (4.46m)	12.85m (west) 3m (east)*
8 LANDSCAPE OPEN SPACE (% MINIMUM)	30%	2,243sqm (49%)
9 COVERAGE (% MINIMUM)	40%	1,225sqm (27%)
10 HEIGHT (M/MAXIMUM)	13m	15.7m*
11 DENSITY (UPH MAXIMUM)	75 uph	42 units 250sqm commercial 100 uph* 250sqm*
12 COMMERCIAL ALLOWABLE (SQM MAXIMUM)	n/a	250sqm*
13 COMMERCIAL PARKING	17	10*
14 RESIDENTIAL PARKING	11.25 per unit (53 req)	64
15 RESIDENTIAL BIKE PARKING	1.0, 75 per unit	32 spaces

* - REQUIRES SPECIAL PROVISION

NOTE:

- BIKE PARKING LOCATED BELOW GRADE
- GARAGE WILL BE STORED IN GARAGE ROOM, AND BROUGHT OUTSIDE TO TEMPORARY HOLDING AREA ON PICKUP DAYS

STATS:

- BUILDING AREA: 13,185 sqft (1,225 sqm)
- GROSS FLOOR AREA: 49,185 sqft (4,565sqm)
- TOTAL UNITS: 42 UNITS
- TOTAL COMMERCIAL: 250 SQM
- 84 RESIDENTIAL
- 10 COMMERCIAL
- 74 TOTAL

ZEDD ARCHITECTURE INC. 1115 BRIMLEY ST. TORONTO, ONTARIO M6R 2B7. TEL: 416-593-8888. WWW.ZEDDARCHITECTURE.COM



SOUTH ELEVATION - SUNNINGDALE

Scale : 1/16" = 1'-0"

20-056 RPH - SUNNINGDALE RD E

1140 Sunningdale RD E

Elevations - South - Sunningdale

2021-11-04

SD-3.1



ZEDD ARCHITECTURE INC. IS PROVIDING THE SERVICES OF ARCHITECTURE AND DESIGN SERVICES AS AN EXCLUSIVE PROPERTY AND AS A "NOT SUBJECT TO ANY OTHER FORM OF CONTRACT OR AGREEMENT" AND IS NOT PROVIDING ANY OTHER SERVICES OR PRODUCTS WITHOUT THE WRITTEN CONSENT OF ZEDD ARCHITECTURE INC.

20-056

RPH - SUNNINGDALE RD E

1140 Sunningdale Rd E

Elevations - North

2021-11-04

SD-3.3

ZEDD ARCHITECTURE
 ZEDD ARCHITECTURE INC. 1000 SHEPPARD AV. E. SUITE 207, MARKHAM, ONTARIO L3R 9V3
 TEL: 416-477-8888 FAX: 416-477-8889
 WWW.ZEDDARCHITECTURE.COM

Scale: 1/16" = 1'-0"

NORTH ELEVATION





Scale: 1/16 = 1'-0"

20-056 RPH - SUNNINGDALE RD E

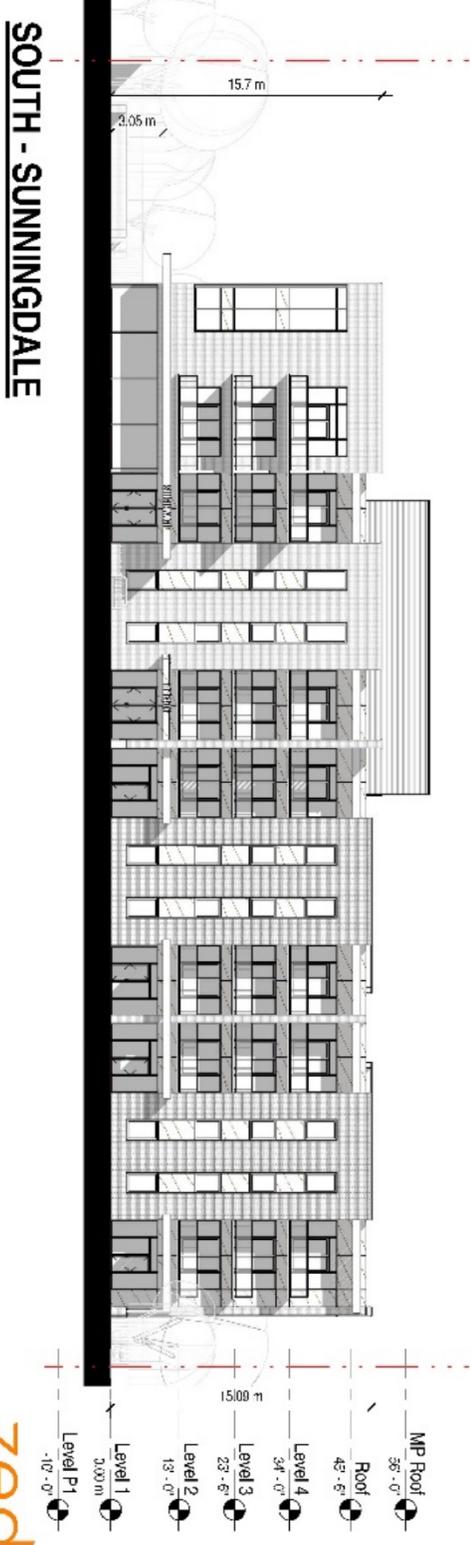
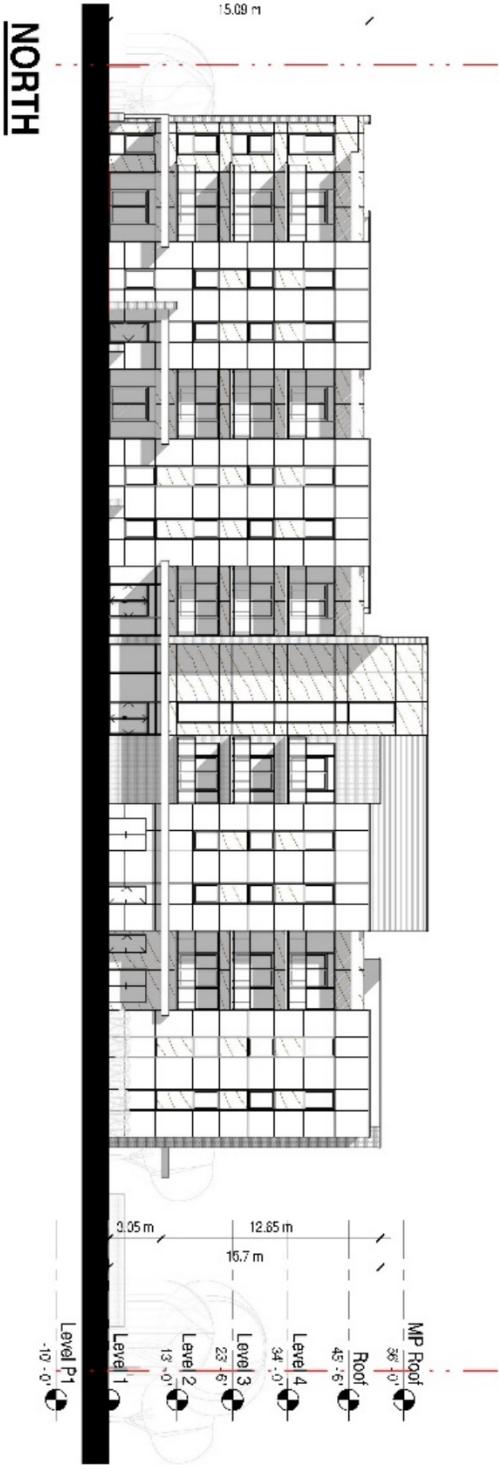
1140 Sunningdale RD E

Elevations - East

2021-1-01

SD-3.4

zedd ARCHITECTURE
 PENNELLER WOODHAKK



Scale: 3/8" = 1'-0"

20-056

RPH - SUNNINGDALE RD E

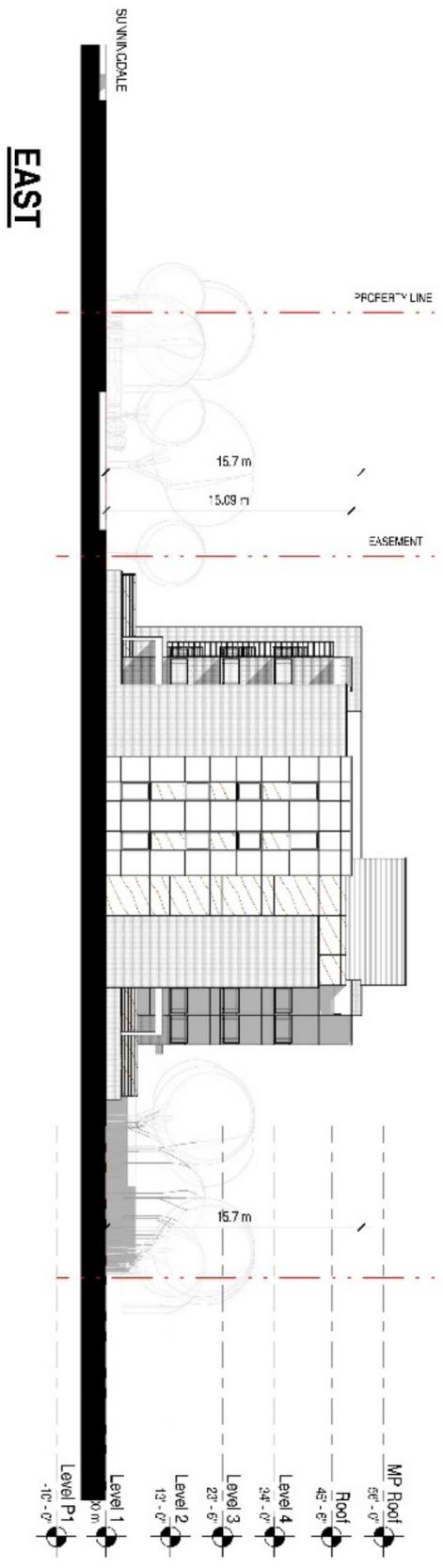
1140 Sunningdale RD E

Elevations BW

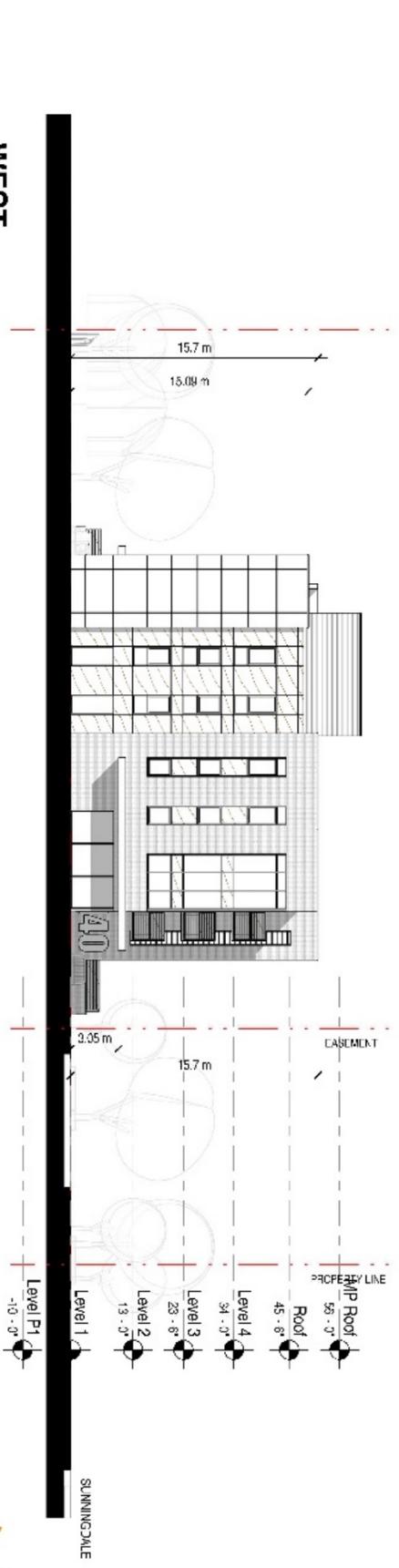
2021-11-01

SD-3.5

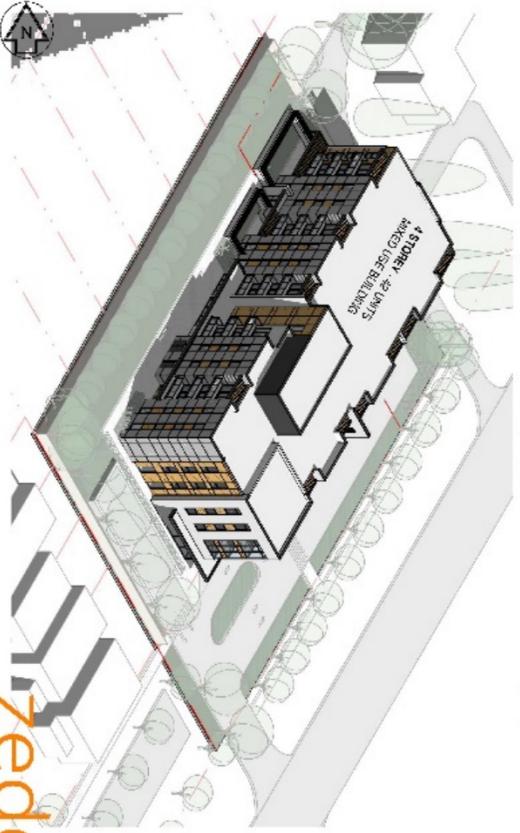
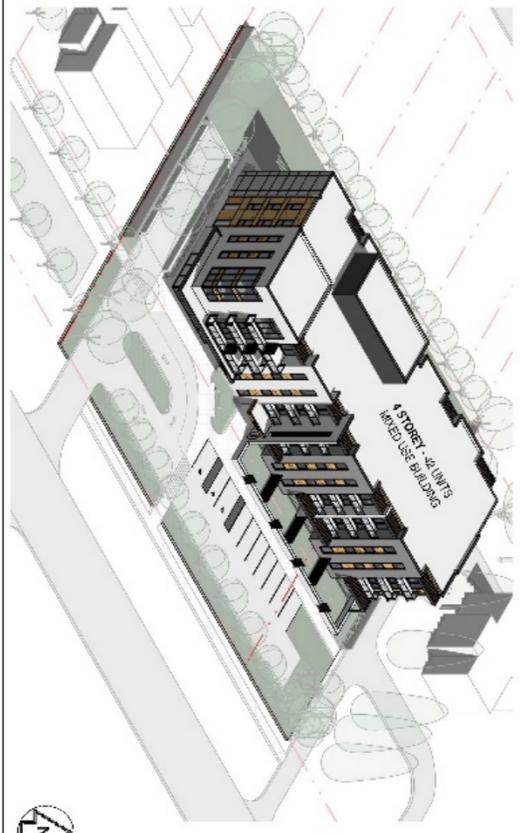
zedd
ARCHITECTURE
2477 MIDLAND AVENUE, SUITE 102, MISSISSAUGA, ONTARIO L4X 1L7
TEL: (905) 270-8888



EAST



WEST



20-056 RPH - SUNNINGDALE RDE 1140 Sunningdale RDE ISO 2021-11-01 SD-5.1





Appendix B – Community Engagement

Community Engagement

Public Liaison:

- On September 15th, 2021, Notice of Application was sent to **143** property owners in the surrounding area. Notice of Application was also published in the “Public Notices and Bidding Opportunities” section of “The Londoner” on September 16th, 2021. A “Planning Application” sign was also posted on the site.

The were no telephone replies, and **two (2)** written replies received.

- On December 22nd, 2021, Notice of Public Meeting was sent to **143** property owners in the surrounding area. Notice of Public Meeting was also published in the “Public Notices and Bidding Opportunities” section of “The Londoner” on December 23rd, 2021 and advised of modifications to the application.

Nature of Liaison:

The Notice of Application advised of a possible amendment to Zoning By-law Z.-1 to change the zoning from a Convenience Commercial Special Provision (CC(14)) Zone to a Residential R8 Special Provision Bonus (R8-4()•B()) Zone to permit and facilitate the development of a mixed-use building consisting of 42-residential dwelling units and a commercial gross floor area of 250m² (2,691.0 ft²). The notice advised of special provisions to the R8-4 Zone to permit Florist Shops and all existing permitted convenience commercial uses (Convenience Service Establishments, Convenience Stores, Financial Institutions and Personal Service Establishments) all without a drive-through facility as additional permitted uses. Additional special provisions would regulate:

- an increased maximum building height of 16.0 metres (52.5 feet); whereas a maximum of 13.0 metres (42.7 feet) is permitted;
- an increased minimum front yard depth of 22.0 metres (72.2 feet) measured from the front lot line as existing on the date of passing the site-specific by-law; whereas a minimum of 6.0 metres (19.7 feet) plus 1.0 metre (3.3 feet) per 10.0 metres (32.8 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet) is required and equal to 8.0 metres (26.3 feet) based on the proposed maximum building height of 16.0 metres.
- a reduced minimum east interior side yard depth of 2.3 metres (7.5 feet); whereas a minimum interior side yard depth of 1.2 metres (3.9 feet) per 3.0 metres (9.8 feet) of main building height or faction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet) is required and equal to 6.0 metres (19.7 feet) based on the proposed maximum building height of 16.0 metres (52.5 feet).
- an increased minimum west interior side yard depth and rear yard depth of 1.0 metre (3.3 feet) per 1.0 metre (3.3 feet) of main building height or fraction thereof above 3.0 metres (9.8feet), but in no case less than 7.5 metres (24.6 feet), and equal to 13.0 metre (42.7 feet) based on the proposed maximum building height of 16.0 metres (52.5 feet); whereas a minimum interior side yard depth and rear yard depth of 1.2 metres (3.9 feet) per 3.0 metres (9.8 feet) of main building height or faction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet)) is required and equal to 6.0 metres (19.7 feet) based on the proposed maximum building height of 16.0 metres (52.5 feet).
- a reduced minimum number of required parking spaces for all permitted commercial uses to permit a minimum of 10 parking spaces (1 space/25 m² (269.1 ft²)); whereas a minimum of 25 parking spaces is required (1 space/10 m² (107.6 ft²)) for Personal Service Establishments.
- a maximum gross floor area of 250m² (2,691.0 ft²) for all permitted commercial uses.

The notice advised of a bonus zone to permit an increased maximum density of 100 uph in return for eligible facilities, services and matters outlined in Section 19.4.4 of the

1989 Official Plan; whereas 75 uph are permitted. The noticed advised that the City may also consider a compound zone and additional special provisions.

The Notice of Public Meeting advised of the modification of the application to change the zoning from a Convenience Commercial Special Provision (CC(14)) Zone to a compound Convenience Commercial Special Provision/Residential R8 Special Provision Bonus Zone (CC4(_)/R8-4(_)**•**H16**•**B(_)) Zone. The notice advised of modified special provisions to regulate:

- a reduced minimum east interior side yard depth of 3.0 metres (9.8 feet); whereas a minimum interior side yard depth of 1.2 metres (3.9 feet) per 3.0 metres (9.8 feet) of main building height or fraction thereof above 3.0 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet) is required and equal to 6.0 metres (19.7 feet) based on the proposed maximum building height of 16.0 metres (52.5 feet).
- a minimum yard depth of 3.0 metres (9.8 feet) to all lot lines for any underground parking garage ramp.

The Notice of Public Meeting advised that the special provision for an increased maximum building height of 16.0 metres (52.5 feet) would be replaced with a height symbol. It being noted that noting that for heights over 13.0 metres (42.7 feet) the R8 Zone variations require that height be applied site-specifically to zoning maps.

Public Responses:

A summary of the various comments received include concern for:

- The change from the prior proposal for a “commercial plaza” or “strip mall” to the current proposal for an apartment building;
- The proposed apartment building being too intense;
- Security, noise, traffic constraints and congestion associated with an increasingly populated area; and
- Traffic from the proposed development being directed through the local streets internal to the neighbourhood.

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

Telephone	Written
None.	COMMERFORD, SHARON 1124 PLEASANTVIEW DR LONDON ON N5X 4K3
	CORRY, CAROL 1108 PLEASANTVIEW DR LONDON ON N5X 4K3

From:

Sent: September 27, 2021 11:39 AM

To: Campbell, Melissa <mecampbe@london.ca>

Cc: Cassidy, Maureen <mcassidy@london.ca>; Holder, Ed <edholder@london.ca>

Subject: [EXTERNAL] Notice of Planning Application at 1140 Sunningdale Rd East

Melissa Campbell

I am an 11 year resident at 1124 Pleasantview Dr in north London. I am contacting you re: the Notice of Planning Application at 1140 Sunningdale Rd East, that I recently received in the mail.

I attended a meeting several years ago now at the Stoneycreek Library, hosted by our City Councillor Maureen Cassidy. The proposal for this site was presented by a different gentleman from the City Planning Department. This new proposal is NOT even close to the original proposal presented to us that evening. The original proposal called for demolition of the present flower shop, replaced by a 4 unit strip mall, one of those units housing the flower shop business. Also, 12 additional housing lots would be offered at the back of this property, along Waterwheel Rd. That was all! Imagine my

shock at learning that now it would be 4 storeys high, with 42 residential units included!! No residential units were ever mentioned in the original proposal!

We have enough high density housing being built in this corner of the city. Look at all the development happening on the NW corner of Adelaide St and Sunningdale Rd. Before that, it was apartments and condos on the SW corner of this same intersection. We also have increased traffic flows from the new commercial businesses on the SE corner of this same intersection. There is constant traffic going through Tim Horton's as well.

All this construction has increased traffic immensely in our small Forest Hill neighbourhood already. The road infrastructure on Sunningdale was never widened to 4 lanes, to accommodate all this increased traffic. (I lived in North London 40 years ago when a Sunningdale Rd Ring Road was proposed, but nothing ever came of that!) North-South and East-West Traffic is already brutal in this city on the major streets!

I see the increased use of Sunningdale Road with the increased traffic early in the morning and later in the day!

We really feel this issue needs to be debated some more.

Thank you.

Sharon and Mark Hofner (Commerford)
1124 Pleasantview Dr
London ON
N5X 4K3

From: Carol C

Sent: September 29, 2021 8:37 AM

To: Campbell, Melissa <mecampbe@london.ca>

Cc: Cassidy, Maureen <mcassidy@london.ca>

Subject: [EXTERNAL] 1140 Sunningdale Road

Dear Melanie,

My name is Carol Corry. I have been a resident at 1108 Pleasantview Drive for over 18 years.

We have watched this community grow and blossom into a lovely, busy neighbourhood.

We have also been involved in the process to develop 1140 Sunningdale Rd.

Approximately 4 years ago we had to petition so that the city didn't change the names of a couple of our streets at the beginning of the Springhill Flowers development. With a lot of time, energy and neighbourhood concern the city council agreed that changing the names of our street and another street in our community would be ridiculous.

Neighbours then went to a development information session held at the local library and we as a community were ok with the idea of a commercial plaza going there with access via Sunningdale Rd.

This has all changed and I am writing this email to you on behalf of my neighbours on Pleasantview Drive to let you know that we do not want a busy residential apartment unit added to 1140 Sunningdale Rd.

We have many concerns including security, traffic and noise all related to an increased densely populated area. There is already a lot of residential construction going on in this area.

Sunningdale has become a very busy street and increased traffic would hinder the already congested flow especially due to Mother Teresa High School and during morning and evening rush hour.

The residents of a Pleasantview Drive are also deeply concerned that traffic from this new build will be directed through our neighbourhood.

Please let our voices be heard. We have spent our time, taxes and put our hearts into making this community a great one. Please consider our issues and realize that this plan shapes the future of our neighbourhood.

Thank you for your time.

Agency/Departmental Responses:

September 17, 2021: Parks Planning and Design

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Craig Smith, MCIP, RPP

Senior Planner
Parks Planning and Design
City of London

September 17, 2021: London Hydro Engineering

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 safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required.

Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

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

Hans Schreff

Manager- Developer & Operations Support,
Engineering & Operations Administration Dept.
519-661-5800 ext. 5014

September 21, 2021: Water Engineering

From: Chromczak, David <dchromcz@London.ca>

Sent: September 21, 2021 11:34 AM

To: Campbell, Melissa <mecampbe@london.ca>

Cc: Lambert, Brent <blambert@london.ca>

Subject: RE: Z-9405 - Notice of Planning Application for Zoning By-Law Amendment - 1140 Sunningdale Road East - 2839069 Ontario Inc. c/o Royal Premier Homes (WARD 5)

Water Engineering comments for Zoning amendment for 1140 Sunningdale Rd E – Water is available from the 150mm PVC watermain on Pleasantview Drive. The applicant shall confirm there will be adequate domestic and fire flow supply for the proposed development.

Thanks

Dave Chromczak

Technologist II
Water Engineering Division
City of London

September 27, 2021: Transportation Planning and Design

From: Chamorro, Juan <jchamorr@london.ca>

Sent: September 27, 2021 12:13 PM

To: Di Losa, Paul <pdilosa@london.ca>; Lambert, Brent <blambert@london.ca>

Cc: Grady, Sarah <sgrady@london.ca>; Harpal, Dhaval <dharpal@london.ca>

Subject: Z-9405 - Notice of Planning Application for Zoning By-Law Amendment - 1140 Sunningdale Road East

Good afternoon,

Please find below Transportations comments regarding the Zoning By-Law Amendment for 1140 Sunningdale Road East.

- Right-of-way dedication of 18.0 m from the centre line be required along Sunningdale Road East.

- A parking reduction study will be required.
- Detailed comments regarding access design and location will be made through the site plan process.

Rgs,

Juan C. Chamorro, CET

Senior Transportation Technologist
 Transportation Planning & Design
 City of London

October 7, 2021: Environment and Engineering Services

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Zoning By-Law amendment application:

General:

- An easement is to be established and servicing is to be extended from Pleasantview Drive to the east property line of the subject site. The easement is to be in favour of 1154 Sunningdale for their future development needs.

Transportation:

- Right-of-way dedication of 18.0 m from the centre line be required along Sunningdale Road East.
- A parking reduction study will be required.
- Detailed comments regarding access design and location will be made through the site plan process.

Water:

- Water for the development site is available from the 150mm PVC on Pleasantview Dr.

Wastewater:

- The municipal sanitary for the south half of the property is to the 200mm municipal sanitary sewer at Pleasantview Drive. The lands are part of accepted (Forest Hill Subdivision) sanitary area plan.

Stormwater:

- As per as-constructed drawing 25953, the south portion of the site at C=0.50 is tributary to the existing 375 mm storm sewer on the west end of Pleasantview Drive.
- As per as-constructed drawing 25953, the parcel to the east of this Site (1154 Sunningdale Road East) is also tributary to the existing 375 mm storm sewer on the west end of Pleasantview Drive. Therefore, this site shall be provide a private easement to 1154 Sunningdale Road East for the purpose of private services.
- Changes in the land use of the south portion of this site from residential to commercial will trigger the need to comply with the approved City Standard Design Requirements for Permanent Private Stormwater System (PPS), including LIDs.
- Since the "C" value for the proposed commercial use is expected to be higher than 0.50, the applicant's consulting engineer is to include in the Storm/Drainage Servicing Report rationale and calculations of the on-site SWM controls to the satisfaction of the City Engineer. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, etc.
- If the number of parking spaces exceed 29, the owner shall be required to have a consulting Professional Engineer addressing the water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) and to the

satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any suitable infiltration/filtration LID solutions.

- The subject lands are located in the Stoney Creek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stoney Creek Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- This site plan may be eligible to qualify for a Stormwater Rate Reduction (up to 50% reduction) as outlined in Section 6.5.2.1 of the Design Specifications and Requirements manual. Interested applicants can find more information and an application form at the following: <http://www.london.ca/residents/Water/water-bill/Pages/Water-and-Wastewater-Rates.aspx>.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed LIDs. For examples of such report contents please refer to the following website: <https://cvc.ca/low-impact-development/lid-maintenance-monitoring/>.

If you have any questions, please feel free to contact Richard Roobroeck at (519) 661-2500 ext. 4952.

October 7, 2021: Urban Design

From: Varughese, Prasanth <pvarughese@london.ca>
Sent: October 7, 2021 4:48 PM
To: Campbell, Melissa <mecampbe@london.ca>
Cc: O'Hagan, Britt <bohagan@london.ca>
Subject: UD Comments: Z9405: 1140 Sunningdale Road East.

Hi Melissa,

Please find below UD Comments for ZBA Application related to **1140 Sunningdale Road East** for your review.

- The applicant is commended for a site and building design that incorporates the following features; a low-rise mixed use built form with active uses along ground floor; ground floor residential units with front courtyards and porches with connections to a common walkway that lead to the city sidewalk; a well-designed and articulated building massing with recesses and projections(e.g., in form of balconies), variation in materials(e.g., brick, steel, aluminum trellis and wood panels) and colour; and clearly distinguished primary entrances from commercial and ground floor residential units; provides for a storefront commercial façade; enhanced North, West and East elevations with increased glazing and articulation; clearly articulated top floor with integrated with lift, stair well and mechanical room; and appropriately sized and located amenity space.
- Ensure adequate setbacks to provide efficient landscape treatment and buffer from North and West property boundaries to mitigate the noise and privacy impacts generated from the outdoor amenity space (towards North) and underground parking entrances towards west of the proposed building.
- Improve the street interface between the proposed building and Sunningdale Road frontage through efficient landscaping along the frontage for screening and

alternative parking and driveway surface treatment (unit pavers or similar materials) to minimize the visual impacts of proposed surface parking and driveway between the building and the ROW.

Please let me know if you have any comments,

Best Regards,

Prasanth C. Varughese, AICP

Urban Designer
Community Planning, Urban Design & Heritage
Planning & Development
City of London

October 14, 2021: Urban Design

From: Varughese, Prasanth <pvarughese@london.ca>
Sent: October 14, 2021 11:01 AM
To: Campbell, Melissa <mecampbe@london.ca>
Subject: RE: UD Comments: Z9405: 1140 Sunningdale Road East.

Hi Melissa,

Good Morning,

Thank you for reaching out to clarify the comments.

For 2nd point with regard to the setbacks, I was concerned with the setbacks between the underground parking and the Western property line, but 3m setback and appropriate landscape treatment within that width should be sufficient to offset any noise and privacy impact.

For 3rd point, We would like to lock-in landscape screening for the exposed surface parking between building and the street through the bonus zone. Surface treatment at this location may not be necessary.

Please let me know if you need further clarifications.

Thanks,

Prasanth C. Varughese, AICP

Urban Designer
Community Planning, Urban Design & Heritage
Planning & Development
City of London

October 19, 2021: Ecology

From: McNiven, Lisa <lmcniven@London.ca>
Sent: October 19, 2021 10:04 AM
To: Campbell, Melissa <mecampbe@london.ca>
Subject: RE: Z-9405 - 1140 Sunningdale Road East - Comments from Site Plan

Good Morning Melissa

Sorry for the delay in getting back to you.

A 3 meter setback is sufficient to support tree growth to provide screening to adjacent private residences. It would be ideal to also request soil amelioration in the area adjacent to parking structure. The soil will become compacted and contaminated during construction of underground structure. To ensure a health growth of trees the contaminated soils to be removed and replaced with growing medium up to 0.6m and undisturbed native soils striated.

Enhanced landscaping to be provided along Sunningdale street frontage to provide screening of parking to sidewalk and ROW in the 3m setback.

Lisa McNiven, MLA OALA CSLA

[She/her]
Landscape Architect
Long Range Planning, Research and Ecology
Planning & Development

October 19, 2021: Site Plan

From: Vivian, Melanie <mvivian@london.ca>

Sent: October 19, 2021 11:25 AM

To: Campbell, Melissa <mecampbe@london.ca>; McNiven, Lisa <lmcniven@London.ca>

Subject: RE: Z-9405 - 1140 Sunningdale Road East - Comments from Site Plan

Hi Melissa,

I've had a chance to review the submitted concept site plan and the notice. From a Zoning standpoint it looks like all required special provisions were captured accordingly.

For the site design, I have the following comments:

1. Dimension the barrier-free stalls to ensure zoning compliance (if these are not the correct size, it will result in changes to the parking)
2. Dimension the sidewalk width

There were some comments relating to the garbage location and it's functionality in terms of:

- a) The egress of parking stall 10 when the garbage bins are out and;
- b) There is no turn-around location for the trucks.

Is there the opportunity to provide moloks/earth bins in this location instead?

The snow storage is not fully functional in terms of location as it is impacted by the garbage bins on collection day and/or parking stall 10. Through SPC there was a comment relating to exploring opportunities to have the snow storage removed from the site. Is this something that is being considered? If so, there may be more space for moloks/earth bins, landscaping or even garbage collection turnarounds.

Let me know if you want to chat further about this!

Thanks,

Melanie Vivian

Site Development Planner

Site Plans

Planning & Development

City of London

October 20, 2021: Urban Design Peer Review Panel

Urban Design Peer Review Panel Memo

To: Proponents

- Jerzy Smolarek, Partner, Urban Design, Siv-ik Planning & Design
- Max Sim, Lead Feasibility Planning, Zedd Architecture
- David Yuhasz, Partner & Senior Architect, Zedd Architecture

From: Urban Design Peer Review Panel (UDPRP)

- Tim Wickens, Architect
- Adrienne Hossfeld, Architect
- Kyle Poole, Landscape Architect
- Terence Lee, Landscape Architect

Regrets:

- Mike Davis, Planner
- Leo Lin, Architect

RE: Zoning By-law Amendment Application, 1140 Sunningdale Road East, October 20, 2021

- The panel commends the applicant for a clear and complete application, and detailed graphic site context analysis and planning rationale.

- The panel commends the applicant for a clear site strategy that appears to make the most of a difficult and unique planning context.
- The panel commends the applicant for an appropriately articulated building which attempts to architecturally define the publicly oriented program as distinct from the private.
- The panel commends the applicant's effective use of signage and canopies.
- The panel commends the provision of a 3m landscape strip and fencing along the West property line to buffer the proposed commercial use and amenity area from the existing residential rear yards.
- The front yard garbage staging location appears to be temporary/short term. The panel noted that if that is not the case, and it is used for long term storage, it is recommended it be screened with a solid enclosure constructed of opaque materials in keeping with the proposed project aesthetic.
- It was noted that the garbage staging location appears to be unreasonably remote from the interior waste management location and should be reconsidered for a successful project outcome.
- The panel commends the use of masonry walls and wood screens to delineate the boundary between private and public space, and strongly recommends that plant material be included as part of the design solution in future applications to soften transitions and aid in screening.
- The panel notes that the rear façade and building corners appear less resolved than the street façade, with some material treatments appearing inconsistently two-dimensional. A simplification more aligned with the street façade is recommended.
- The panel recommends the applicant explore design opportunities to connect the new building and site design to the heritage of the founding flower shop business, including the possibility of flipping the plan to link the proposed commercial function to the original house to remain on the adjacent site.
- The panel commends the applicant for providing a large amenity space, though expressed concerns that it's northern orientation and awkward proportion will require detailed and creative landscape solutions to resolve successfully. The panel recommends providing detailed solutions to these design opportunities in future applications.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and the noted presentation. It is intended to inform the ongoing planning and design process. The development of this site as proposed appears to be an appropriate planning outcome. This project appears to be a creative solution to densifying a difficult and unique urban form. It is noted that this particular solution is unlikely to be successful outside of this specific context. Consider the panel's recommendations as noted above for future refinements to the project in the interest of enhanced experience of the public realm for current and future residents. The Panel looks forward to the proponent's response.

Sincerely on behalf of the UDPRP,
 Tim Wickens, UDPRP Acting Chair

October 28, 2021: Urban Design

From: Varughese, Prasanth <pvarughese@london.ca>
Sent: October 28, 2021 8:28 AM
To: Campbell, Melissa <mecampbe@london.ca>
Subject: RE: Z-9405 - 1140 Sunningdale Road East - Additional UD Questions

Hi Melissa,
 Good Morning,

1. With regard to the Interior Side-yard Setback requested on the east side. Yes, the setbacks are tight and will impact the development to the East property. But the impact is already known to the applicant as that property-1154 Sunningdale Road East belonged to the same owner.
2. December shadows are not a big concern as it tends to be longer and larger, the shadows from March and June are well within their site boundaries during majority of the time periods.

Please let me know if you need me to discuss before the meeting.

Best Regards,

Prasanth C. Varughese, AICP

Urban Designer

Community Planning, Urban Design & Heritage

Planning & Development

City of London

November 4, 2021: London Housing Development Corporation, London

November 4, 2021

TO: City of London Development Services (via e-mail only)

Attention: Mike Corby, Manager, Planning Implementation, Planning and Development
Melissa Campbell, Senior Planner, Long Range Planning and Research, Planning and Development

REGARDING: Bonusing for Affordable Housing

1140 Sunningdale Road East ("Subject Lands")

Background:

Housing Development Corporation, London (HDC) was engaged to work with 2425293 Ontario Inc. c/o Royal Premier Developments (the "Proponent") and provide a fair recommendation to the Director, City of London Development Services in response to the Zoning By-law Amendment application (City of London Planning File: Z-9405) proposal for height and density "bonusing" in exchange for the provision of affordable housing. The application is proposing a four-storey mixed-use building containing 42 residential units and 250 m² of non-residential gross floor area.

This letter reflects the recommendation of HDC and is provided with the concurrence of the Proponent.

RECOMMENDATION:

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

1. **Two (2) one-bedroom residential units be dedicated to affordable rental housing in exchange for the granting of increased height and density.**
2. **"Affordability" for the purpose of an agreement be defined as rent not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for units where:**
 - i. AMR is defined at the one-bedroom rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
 - ii. the identified units will be mixed throughout and not otherwise identifiable within the building; and
 - iii. Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation but not to exceed 80% of the CMHC AMR.
3. **The duration of the affordability period be set at 50 years** calculated from initial occupancy of each unit and for each month thereafter that the unit is occupied. At the conclusion of the agreement period, any sitting tenants within associated affordable unit shall retain security of tenure and rental rates until the end of their

tenancy. The rights of tenancy and affordability in the dedicated units shall not be allowed to be assigned or sublet during or after the agreement.

4. **The Proponent be required to enter a Tenant Placement Agreement (TPA) with the City of London.** This action aligns bonus units with priority populations vetted and referred to the Proponent or their agent by the City. The owner retains final tenant selection in accordance with the *Residential Tenancy Act*, subject to the established eligibility and compliance requirements.
5. **These conditions be secured through an agreement registered on title with associated compliance requirements and remedies.** This recommendation ensures the retained value of each affordable rental housing unit within the Bonus Zone for the 50-year affordability period. Compliance will be monitored in a similar fashion as is conducted with other agreements and shall include conditions related to default and remedy.

The Proponent's application proactively aligned their bonus interests to the City's affordable housing priorities and the associated discussions establishing the above recommendation were achieved with their concurrence.

Rationale for Affordable Housing Bonus:

Guiding Policy: The London Plan recognizes housing affordability as one of the City's principle planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. The Plan identifies bonusing as a planning tool in support of the provision of affordable rental housing within planning and development proposals.

Location and Application Considerations: The Subject Lands are on located on the north side of Sunningdale Road East east of South Wenige Drive. The lands are proximate to a broad range of residential, community facility, institutional, open space and office uses. The lands are served by transit.

Alignment to Need: The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to housing stock, affordability rates, vacancy rates, rental rates, incomes, and other market conditions.

Conclusion:

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentage of households in "Core Housing Need" in major urban centres (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12/PEC, July 25, 2018).

Sincerely,

Brian Turcotte, Development Manager, HDC

c. Isabel da Rocha, Business and Program Manager, HDC

December 6, 2021: Subdivisions and Condominiums

From: Mottram, Larry <LMottram@London.ca>

Sent: December 6, 2021 8:27 AM

To: Campbell, Melissa <mecampbe@london.ca>

Subject: RE: Noise Report for Review - 1140 Sunningdale Road East (Z-9405)

Hi Melissa,

I have reviewed the Environmental Noise Assessment Report prepared by Strik Baldinelli Moniz Ltd. dated May 2021 for the above-noted development proposal and am satisfied that it meets the MECP requirements. The report assesses predicted noise levels resulting from road traffic volumes (Sunningdale Road East). Please ensure the

recommendations and specific Warning Clauses identified under Section 4 of the report are included within the Site Plan and Development Agreement for this site.

Should you have any questions or require further clarification, please let me know.

Thanks,

Larry Mottram, MCIP, RPP

Senior Planner - Subdivisions and Condominiums

Planning and Development

City of London

December 10, 2021: Transportation Planning and Design

From: Chamorro, Juan <jchamorr@london.ca>

Sent: December 10, 2021 12:15 PM

To: Campbell, Melissa <mecampbe@london.ca>

Cc: Grady, Sarah <sgrady@london.ca>

Subject: RE: Z-9405 - Parking Justification Brief

Melissa,

I reviewed the Parking Justification Report, and the proposed parking rate of 10 surface parking spaces at the front of the building for use by the commercial unit (equivalent to 1 parking space per 25sqm of commercial space) should be accepted based on other municipalities parking rates that are within those values (Table 4 of the parking brief-attached), regardless the current CoL parking rate is 1 per 10 sqm.

Let me know if you have further questions.

Rgs,

Juan C. Chamorro, CET

Senior Transportation Technologist

Transportation Planning & Design

City of London

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 (PPS)

Policy 1.1.1 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

Policy 1.1.3.1 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.2 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.3 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.4 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.4.3 Building Strong Health Communities, Housing

Policy 1.7.1 Building Strong Health Communities, Long Term Economic Prosperity

1989 Official Plan

Section 3.1.1 i)-iv), vii) and x) Residential Land Use Designations, Objectives for Residential Land Use Designations, General Objectives for All Residential Designations

Section 3.1.3 i) and ii) Residential Land Use Designations, Objectives for Residential Land Use Designations, Multi-Family, Medium Density Residential Objectives

Section 3.3 Residential Land Use Designations, Multi-Family, Medium Density Residential

Section 3.3.1 Residential Land Use Designations, Multi-Family, Medium Density Residential, Permitted Uses

Section 3.3.1 ii) Residential Land Use Designations, Multi-Family, Medium Density Residential, Permitted Uses, Convenience Commercial and Service Stations

Section 3.3.3 Residential Land Use Designations, Multi-Family, Medium Density Residential, Scale of Development

Section 3.3.3 i) Residential Land Use Designations, Multi-Family, Medium Density Residential, Scale of Development, Height

Section 3.3.3 ii) Residential Land Use Designations, Multi-Family, Medium Density Residential, Scale of Development, Density

Section 3.6.5 i) Residential Land Use Designations, General Provisions for All Residential Land Use Designations, Convenience Commercial and Service Stations, Function

Section 3.6.5 ii) (a) and (c) Residential Land Use Designations, General Provisions for All Residential Land Use Designations, Convenience Commercial and Service Stations, Permitted Uses

Section 3.6.5 iii) Residential Land Use Designations, General Provisions for All Residential Land Use Designations, Convenience Commercial and Service Stations, Location

Section 3.6.5 iv) Residential Land Use Designations, General Provisions for All Residential Land Use Designations, Convenience Commercial and Service Stations, Scale of Development

Section 3.6.5 vi) Residential Land Use Designations, General Provisions for All Residential Land Use Designations, Convenience Commercial and Service Stations, Locations of Convenience Commercial and Service Station Uses

Section 3.7 Residential Land Use Designations, Planning Impact Analysis,

Section 3.7.2 Residential Land Use Designations, Planning Impact Analysis, Scope of Planning Impact Analysis

Section 3.7.3 Residential Land Use Designations, Planning Impact Analysis, Required Information

Section 18.2.12 Transportation Transportation Planning, Parking Policies

Section 19.4.4 Implementation, Zoning, Bonus Zoning

Section 19.4.4 ii) (a), (c), and (h) Implementation, Zoning, Bonus Zoning, Objectives

The London Plan

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

Policy 59_2., 4.-6. Our Strategy, Key Directions, Direction #7 Build a Mixed-use Compact City

Policy 61_1.-4. and 10. Our Strategy, Key Directions, Direction #7 Build Strong, Health and Attractive Neighbourhoods for Everyone.

Policy 80_4. Our City, City Structure Plan, The Growth Framework, Intensification

- Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification
- Policy 271 City Design, How Are We Going to Achieve This, Site Layout, Parking
- Policy 789_6. Place Type Policies, Urban Place Types, General Framework
- Policy 918_5. Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form
- Policy 919_2., 3. and 4. Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form
- Policy 924_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses
- Policy 925_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses
- Policy 926_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses
- *Policy 935_1. and 2. Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Intensity
- Policy 936_1. and 3. Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Form
- Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods
- Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification
- Policy 940_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification
- Policy 953_1., 2. and 3. Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification
- *Policy 1638_ Our Tools, Planning and Development Controls, Bonus Zoning
- *Policy 1643_1. Our Tools, Planning and Development Controls, Bonus Zoning
- *Policy 1645_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 1 Bonus Zoning
- *Policy 1646_1. Our Tools, Planning and Development Controls, Bonus Zoning, Type 1 Bonus Zoning
- *Policy 1647_ Our Tools, Planning and Development Controls, Bonus Zoning, Type 1 Bonus Zoning
- Table 10 Range of Permitted Uses in Neighbourhoods Place Type
- *Table 11 Range of Permitted Heights in Neighbourhood Place Type
- *Table 12 – Retail, Service and Office Floor Area Permitted in Neighbourhood Place Type

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	With respect to land use compatibility and appropriate locations for the proposed development, the subject lands are located on a major street and meet the locational criteria for low-rise apartment buildings and convenience commercial uses in residential areas as identified by the in-force Official Plan policies. The proposed development will provide for convenience commercial uses in a

residential area that are appropriately sized and neighbourhood-oriented for the needs of residents.

The proposed development has been evaluated from a form-based perspective and found to be compatible and a good fit with the neighbourhood context based on the following considerations site layout, building and main entrance orientation, building line and setback from the street, and height and massing transitions with adjacent development.

With respect to site layout, the vehicular driveway access to Sunningdale Road East is generally aligned with an existing driveway access on the south side of Sunningdale Road East. The location of the ramp to the underground parking is located on the west side of the subject lands to provide more separation between the proposed building and the existing adjacent single detached dwellings to the west. The requested amendment includes a minimum yard depth to all lot lines of 3.0 metres (9.8 feet) for the underground parking ramp to ensure sufficient space is provided for a landscape screen to minimize and mitigate any adverse impacts from the underground parking ramp on the adjacent dwellings. Most of the required on-site parking is proposed to be located underground and where surface parking is proposed it is located in the front yard and away from the planned and existing single detached dwellings to the north and to the west.

With respect to building and main entrance orientation, the proposed building has been oriented towards Sunningdale Road East and away from abutting properties and the internal portion of the neighbourhood. The street-facing elevation includes the principal building entrance for residential uses and the unit entrance for convenience commercial uses to animate the Sunningdale Road East streetscape and focus public interactions away from abutting properties. To minimize and mitigate overlook from the proposed development adversely impacting existing single detached dwellings, balconies are proposed only on the north (rear) and south (front/street-facing) elevations and are inset to screen views to the existing single detached dwellings to the west.

With respect to building line and setback from the street, the Plan of Subdivision

	<p>that surrounds the subject lands established a series of window-streets adjacent to Sunningdale Road East. The proposed development will not complete the window-street network based on past public input and Municipal Council direction. However, the placement and setback of the proposed building will mimic the window-street network visually and continue the built-edge condition or “built street-wall” along Sunningdale Road East.</p> <p>With respect to height and massing transitions to planned and existing single detached dwellings to the north and to the west, all components of the proposed building have been designed to be contained within a 45-degree angular plane to provide a gradual transition in height over the distance or depth of the subject lands’ rear (north) and west interior side yards. This gradual transition in height over the yard depth will minimize and mitigate shadow impacts on the adjacent properties. The rear (north) and west interior side yard depths exceed the standard minimum yard depth required by the requested R8-4 Zone variation.</p>
<p>The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;</p>	<p>The size and shape of the subject lands appears generally able to accommodate the intensity of the proposed development. Detailed design at a future Site Plan Approval stage will refine the site elements.</p>
<p>The supply of vacant land in the area which is already designated and/or zoned for the proposed use;</p>	<p>There is no vacant land in the immediate area which is already designated and/or zoned for the proposed use.</p>
<p>The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;</p>	<p>The subject lands are located within walking distance of the Stoney Creek Community Centre, Mother Teresa Catholic Secondary School, Stoney Creek Public School and the commercial node at the intersection of Adelaide Street North and Sunningdale Road East. Neighbourhood parks and natural heritage open space is also within walking distance of the subject lands.</p>
<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>Dwelling units in apartment buildings are intrinsically more affordable than the neighbourhood’s prevailing single detached dwelling units. The proposed multi-unit residential development will diversify unit size, (offering 1 and 2-bedroom units), and possibly diversify tenure (ownership or rental) in the neighbourhood to support affordability in the neighbourhood and housing options for all types of households including aging in place. Moreover, the addition of the</p>

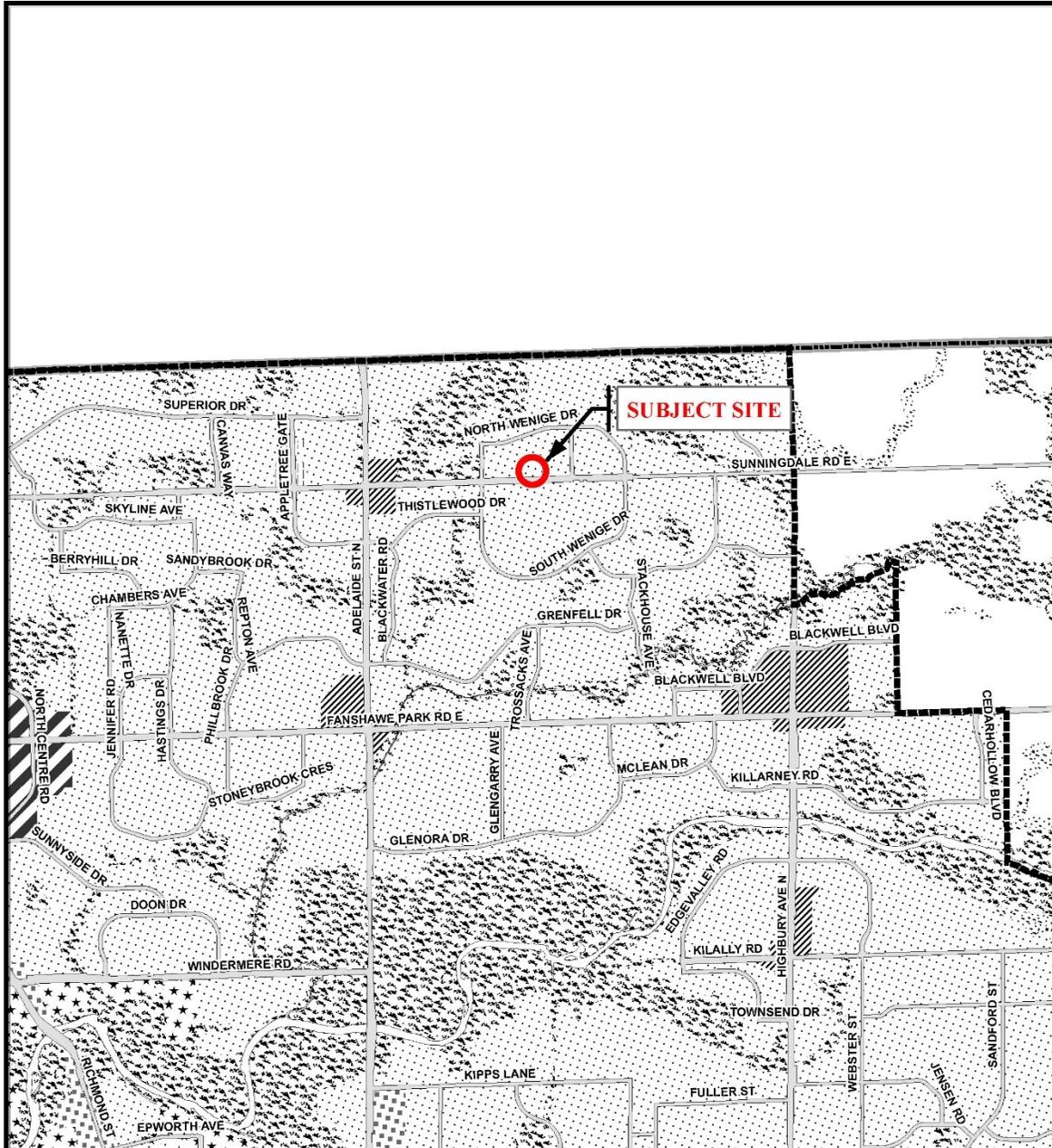
	<p>proposed units to the housing supply may also free-up other more affordable units elsewhere in support of Municipal Council's commitment to the Housing Stability Action Plan, Strategic Area of Focus 2: Create More Housing Stock. The use of bonus zoning will secure two (2) affordable housing units within the proposed development.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The height and massing of the proposed 4-storey apartment building has been designed to be contained within a 45-degree angular plane measured from the rear (north) and west lot lines to mitigate the shadow impacts on the adjacent planned and existing single detached dwellings.</p> <p>The use of the angular plane provides for a gradual transition in height over the yard depths from the proposed 4-storey apartment building to the 2-storey existing single detached dwellings.</p> <p>Requested special provisions to the underlying R8-4 Zone will ensure that any apartment building proposal on the subject land will require an increased rear (north) and west interior side yard depth that is more onerous than the standard minimum requirement to minimize and mitigate the shadow and overlook impacts of the proposed development on the adjacent single detached dwellings.</p> <p>The location of the ramp to the underground parking is located on the west side of the subject lands to provide more separation between the proposed building and the existing adjacent single detached dwellings to the west.</p> <p>All yard depths will be sufficient to accommodate a landscape screen and support tree growth to minimize and mitigate loss of privacy for adjacent properties.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>It appears that trees were removed from the subject lands between 2015 and 2018 and the subject lands are now relatively clear of vegetation.</p> <p>Landscaping including and screening opportunities through tree planting will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and</p>	<p>The subject lands have frontage on Sunningdale Road East, and the conceptual site plan shows direct vehicular driveway access to this street. There is no vehicular driveway access</p>

<p>on surrounding properties;</p>	<p>contemplated to the local streets internal to the neighbourhood.</p> <p>No comments were received from Transportation Planning and Design staff to suggest that the proposed development and/or location of vehicular driveway access has the potential to adversely impact the designed function or capacity of Sunningdale Road East or other major streets in the area.</p> <p>The proposed vehicular driveway access has been designed to generally aligned with an existing driveway access on the south side of Sunningdale Road East.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>Urban Design staff and the Urban Design Peer Review Panel commended the site and building design for the following features: a successful site layout that appears to make the most of the planning context; an articulated building that architecturally defines public and private function/space as distinct from one another, and effective use of signage and canopies.</p> <p>At the site plan stage, additional attention should be paid to the detailed design criteria to further urban design goals and provide screening and buffering adjacent to planned and existing single detached dwellings.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>Not applicable.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>Not applicable.</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The proposed 4-storey mixed use apartment building conforms to the in-force policies for lands identified as Neighbourhoods Place Type in The London Plan and Multi-Family Medium Density Residential in the 1989 Official Plan.</p> <p>The requirements of the Site Plan Control By-law will be considered through the detailed design of the site at a future Site Plan Approval stage to ensure functionality, including the provision of amenity space, drive aisle widths, sidewalk widths, garbage and snow storage, and long-term bicycle storage etc.</p>

<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Enhanced yard depths, building height and massing transitions, and landscape screening in combination with privacy fencing are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The infill development and residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form and intensity of development abutting a major street (Sunningdale Road East).</p> <p>Major streets can serve as significant routes for transit.</p> <p>Sunningdale Road East is classified as a Civic Boulevard in The London Plan and an Arterial in the 1989 Official Plan. Civic Boulevards and Arterials are higher-order street classifications intended to move medium to high volumes of traffic, with priority given to pedestrian, cycling and transit movements as the streets are upgraded over-time to a complete urban street cross-section.</p>

Appendix D – Relevant Background

Additional Maps



Legend

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

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

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

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000

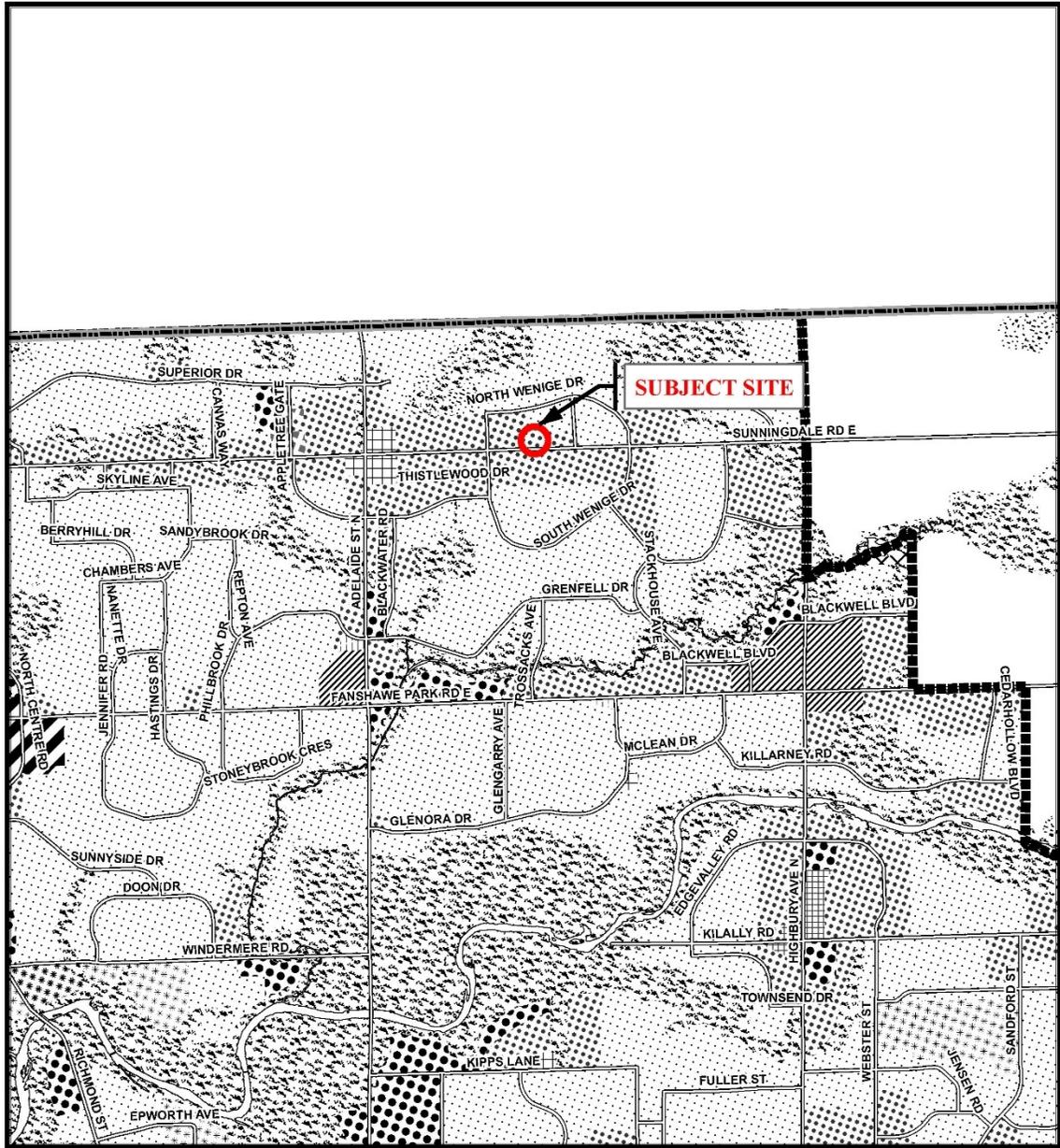


File Number: Z-9405

Planner: MC

Technician: RC

Date: November 25, 2021



Legend

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

CITY OF LONDON

Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



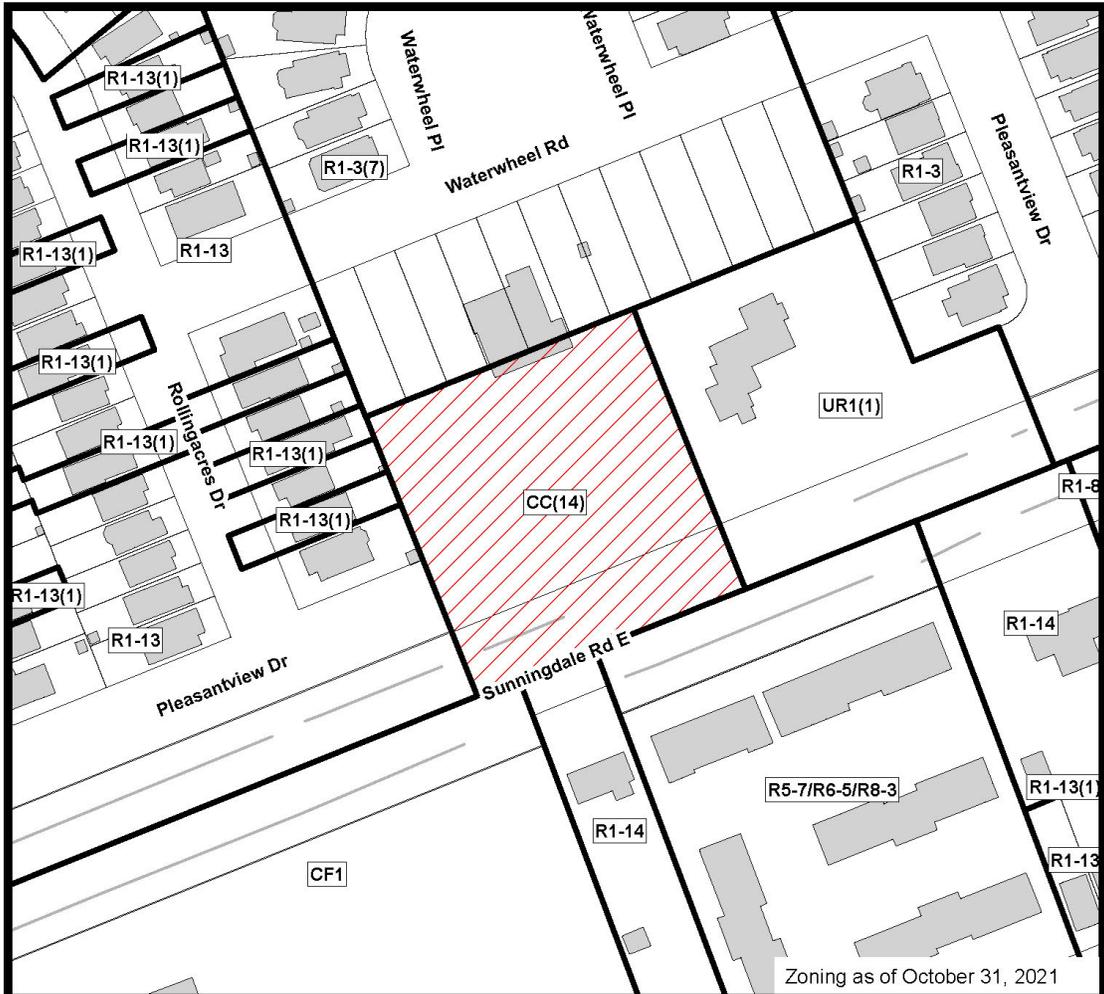
FILE NUMBER: Z-9405

PLANNER: MC

TECHNICIAN: RC

DATE: 2021/11/25

PROJECT LOCATION: e:\planning\projects\p_officialplanwork\consol\00\excerpts\vmxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9405

MC

MAP PREPARED:

2021/11/25

RC

1:1,500

0 5 10 20 30 40

Meters

Appendix E – Applicant Response to UDPRP Comments

Urban Design Peer Review Panel Comments – Applicant Response

Address of Development Site: 1140 Sunningdale Road E

Date of Panel Meeting: 2021-10-20

Comment:

The panel commends the applicant for a clear and complete application, and detailed graphic site context analysis and planning rationale.

Applicant Response:

Acknowledged, thank you.

Comment:

The panel commends the applicant for a clear site strategy that appears to make the most of a difficult and unique planning context.

Applicant Response:

Acknowledged, thank you.

Comment:

The panel commends the applicant for an appropriately articulated building which attempts to architecturally define the publicly oriented program as distinct from the private.

Applicant Response:

Acknowledged, thank you.

Comment:

The panel commends the applicant's effective use of signage and canopies.

Applicant Response:

Acknowledged, thank you.

Comment:

The panel commends the provision of a 3m landscape strip and fencing along the West property line to buffer the proposed commercial use and amenity area from the existing residential rear yards.

Applicant Response:

Acknowledged, thank you.

Comment:

The front yard garbage staging location appears to be temporary/short term. The panel noted that if that is not the case, and it is used for long term storage, it is recommended it be screened with a solid enclosure constructed of opaque materials in keeping with the proposed project aesthetic.

Applicant Response:

The proposed garbage location in the front yard is a concrete pad that will be used only temporarily during garbage day pick-ups. Garbage in bins will be brought out only on garbage day and will be stored back indoors once pick-up is complete.

Comment:

It was noted that the garbage staging location appears to be unreasonably remote from the interior waste management location and should be reconsidered for a successful project outcome.

Applicant Response:

We will examine alternate locations for garbage pick-up, however we believe that this location would be the least impactful to the function and layout of the site. The building

manager would be responsible for moving the bins from the indoor garbage room to the outdoor garbage pick-up location.

Comment:

The panel commends the use of masonry walls and wood screens to delineate the boundary between private and public space, and strongly recommends that plant material be included as part of the design solution in future applications to soften transitions and aid in screening.

Applicant Response:

Acknowledged, thank you. Once we further develop our landscape plans, we will look to incorporate landscaping to soften the proposed screening walls.

Comment:

The panel notes that the rear façade and building corners appear less resolved than the street façade, with some material treatments appearing inconsistently two dimensional. A simplification more aligned with the street façade is recommended.

Applicant Response:

We are currently looking at the rear and side facades and may implement brick that would mimic the front (street facing) elevation.

Comment:

The panel recommends the applicant explore design opportunities to connect the new building and site design to the heritage of the founding flower shop business, including the possibility of flipping the plan to link the proposed commercial function to the original house to remain on the adjacent site.

Applicant Response:

We have explored the opportunity to locate the commercial use on the east end of the building and believe that the current location on the west side (next to the principle building entrance) allows for the dual functionality of turn around and the lay-by for both the commercial and residential uses. We did explore to locate both entrances and the layby at the east side of the site however due to the fact that the location of our vehicular entrance is locked-in place we would then have to have all drop-off/pickup/delivery traffic to cross the entire front parking lot.

Comment:

The panel commends the applicant for providing a large amenity space, though expressed concerns that it's northern orientation and awkward proportion will require detailed and creative landscape solutions to resolve successfully. The panel recommends providing detailed solutions to these design opportunities in future applications.

Applicant Response:

Acknowledged, thank you. We will work closely with the landscape architect selected for this project to come up with creative landscape solutions for the space.

Form Completed By: Jerzy Smolarek, Partner, Urban Design, Siv-ik Planning & Design

1140 SUNNINGDALE ROAD EAST

PROJECT SUMMARY

www.siv-ik.ca/1140se

Developer: Royal Premier Developments



Proposal At-A-Glance

USE

42

RESIDENTIAL UNITS

250m²

COMMERCIAL SPACE
(PROPOSED FLORIST SHOP)

PARKING

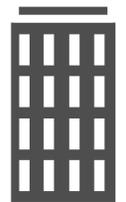
74

VEHICLE SPACES
(64 RESIDENT SPACES AND
10 COMMERCIAL SPACES)

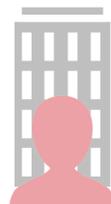
32

**SECURE BICYCLE
PARKING SPACES**

HEIGHT & DENSITY



4
STOREYS
(15.7m)



98.2
**UNITS PER
HECTARE**

BONUSING

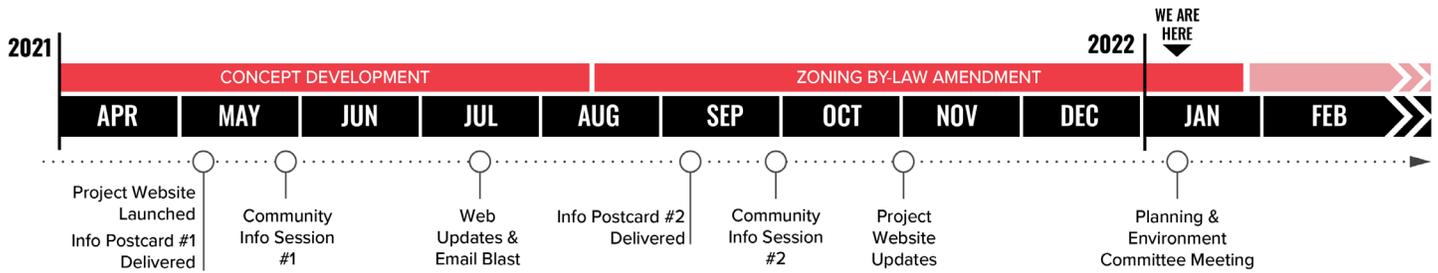


**2 AFFORDABLE
HOUSING UNITS**
(ONE-BEDROOM UNITS
WITH **80%** AVERAGE
MARKET RENT FOR
50 YEARS)

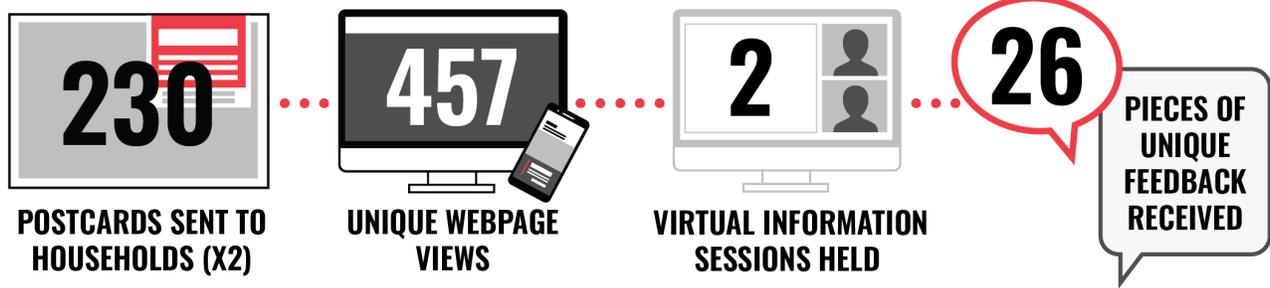


MINIMUM
4
**ELECTRIC VEHICLE
CHARGING SPACES**

Timeline



Community Engagement by the Numbers



Key Themes Heard and Our Response

<p>Who will Live Here</p> <ul style="list-style-type: none"> 40 units offered at market rate and 2 units offered at 80% market rent. Ownership vs. rental not determined and is not regulated by the City. 	<p>Parking</p> <ul style="list-style-type: none"> 80% of parking provided underground. The proposed residential parking supply exceeds City requirements (1.5 stalls per unit vs. 1.25 stalls per unit).
<p>Height and Density</p> <ul style="list-style-type: none"> Pursuing a 4-storey development vs. 6-storey allowable height in London Plan. Building fits within 45 degree angular plane from north and west. Proposed density aligns with Medium Density Residential range. 	<p>Privacy and Overlook</p> <ul style="list-style-type: none"> Avoided balconies on west building face and all balconies on north face are “inset”. A 3-metre strip between the underground parking garage and property boundary has been included to allow for tree planting. Privacy fencing to be built along west, north and east property lines.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development
Subject: Anast Holdings Inc.
257-263 Springbank Drive
Public Participation Meeting
Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of Anast Holdings Inc. relating to the property located at 257-263 Springbank Drive:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend the Official Plan (1989) to **ADD** a policy to Section 10.1.3 – "Policies for Specific Areas" to permit a residential apartment building with a maximum building height of 5-storeys - 20 metres (northerly half)/6-storeys - 23 metres (southerly half) and with a maximum density of 136 units per hectare within the Auto-Oriented Commercial Corridor designation to align the 1989 Official Plan policies with the Neighbourhood Place Type policies of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Arterial Commercial Special Provision (AC2(2)) Zone, **TO** a Residential R9 Special Provision (R9-7()) Zone;
- (c) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Board on board fencing along the west, and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities; and
 - ii) Ensure the tree preservation report has been updated, consent has been granted from Forestry Operations to remove any boulevard trees and vegetation, and a risk assessment of trees prior to construction and anticipated with construction is conducted.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the development of a 5-storey (northerly half)/6-storey (southerly half) apartment building with a total of 38 dwelling units and maximum density of 136 units per hectare.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a 5-storey (northerly half) and 6-storey (southerly half) apartment building with 38 dwelling units and a maximum density of 136 units per hectare. The following special provisions would facilitate the proposed development, a minimum exterior side yard setback of 0.3m; a minimum front yard depth of 2.0m; a minimum interior side yard setback of

15.5m; a minimum parking rate of 1 space per residential unit; a residential density of 136 units per hectare; and a maximum balcony projection of 0.6m from the exterior lot line.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, 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 Urban Corridor Place Type policies. It also conforms with the in-force policies but not limited to the Key Directions, and City Design policies.
3. The recommended amendment meets the criteria for Specific Area Policies and will align the 1989 Official Plan with The London Plan;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of development.
5. The subject lands represent an appropriate location for intensification in the form of an apartment building, at an intensity that is appropriate for the site and 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

None

1.2 Property Description

The subject site is comprised of three parcels of land located at the northwest corner of Springbank Drive and Forest Hill Avenue. The site has a frontage of approximately 35.9 metres along Forest Hill Avenue which is considered the legal frontage of the property and 58.2m along Springbank Drive with a total area of 0.28 hectares. The subject site currently contains three single detached dwellings.

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

- Official Plan Designation – Auto Oriented Commercial Corridor
- The London Plan Place Type – Urban Corridor Place Type
- Existing Zoning – Arterial Commercial Special Provision (AC2(2))Zone

1.4 Location Map



1.5 Site Characteristics

- Current Land Use – single detached dwellings
- Frontage – 35.9 metres
- Depth – n/a
- Area – 0.28 hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – single detached dwellings
- East – single detached dwellings
- South – vacant residential land
- West – single detached dwellings

1.7 Intensification

The proposed 38 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Original Development Proposal and Requested Amendments (May 2021)

On May 10, 2021, Planning and Development accepted a complete application that proposed a 6-storey apartment building consisting of 38 units at 136 units per hectare, and 41 parking spaces, 12 located underneath a cantilevered portion of the building. Vehicular access was proposed from Forest Hill Drive and direct pedestrian access from a main entrance from Springbank Drive to the sidewalk. Balconies for each unit were proposed along with a common outdoor amenity area in the southwest corner of the site.

The applicant originally requested to change the zoning on the subject site from an Arterial Commercial Special Provision (AC2(2)) Zone, to a Residential R9 Special Provision (R9-7()) Zone. Special provisions included a minimum exterior side yard setback of 2.3m metres, whereas 3 metres is required; permit a minimum front yard depth of 0.5 metres, whereas 6 metres is required; a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required; a maximum density of 136 units per hectare whereas 130 units per hectare is required. and a setback of balconies to 0.5 metres from the front lot line.

The revised proposal did not change the number of units, however it specifically addressed stepping down the northerly side of the building to 5-storeys with a terrace on top. Special provisions were also changed to reflect Forest Hill Ave as the legal frontage resulting in a minimum exterior side yard setback of 0.3m metres, whereas 3 metres is required; permit a minimum front yard depth of 2.0 metres, whereas 6 metres is required; a minimum interior side yard setback of 15.5m whereas 4.5m is required; a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required a maximum density of 136 units per hectare whereas 130 units per hectare is required and a maximum balcony projection of 0.6m from the exterior side lot line.

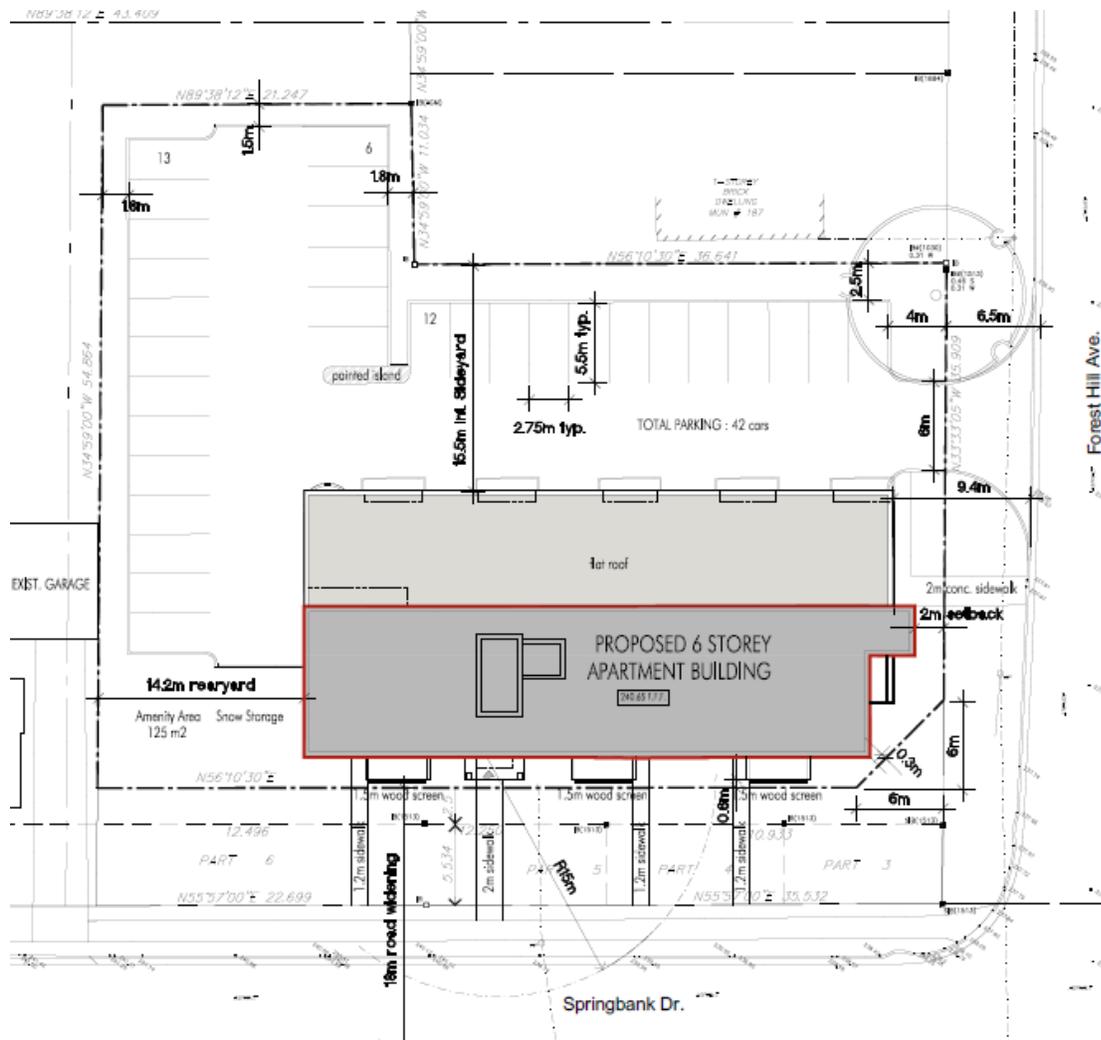


Figure 3: Final Revised site concept plan (November 2021)



2.5 Community Engagement (see more detail in Appendix B)

Twelve written responses were received, which will be addressed later in this report. The primary issues identified by the public included:

- The proposed built form/density are not in keeping with the area
- Compatibility
- Increase in traffic
- Parking
- Perceived decrease in property value
- Lighting, privacy, noise
- Parking
- Access
- Wildlife

The applicant also hosted a virtual community meeting November 10, 2022. The purpose of the meeting was to provide the community with information with respect to this application. Six members of the community attended the meeting. The applicant provided a presentation on the proposed development and answered questions relating to the proposal.

2.6 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). The PPS also directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The London Plan

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

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

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow

- outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Directions 5 and 10).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

All planning and development applications will conform with the City Design policies of The London Plan. All planning applications are to be evaluated with consideration of the use, intensity and form that is being proposed, subject to specific criteria set out in the Plan (Policy 1578_).

The London Plan identifies that residential intensification is fundamentally important to achieving the vision and key directions of plan. Intensification within existing neighbourhoods will be encouraged to help realize the vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability (Policy 937_).

In addition to The City Design policies of this Plan, residential intensification projects are subject to additional urban design considerations (Policy 953_). New proposals must clearly demonstrate that the proposed intensification project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood. The Plan evaluates compatibility and fit from a form perspective against a specific list of criteria to help ensure it is in keeping with the character of the surrounding neighbourhood. Compatibility and fit will be evaluated on matters such as, but not limited to, site layout, building and main entrance orientation, building line and setback from the street, character and features of the neighbourhood, height and massing. The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas (Policy 953_).

The site is in the Urban Corridor Place Type, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include range of residential, retail, service, office, cultural, recreational, and institutional uses.

1989 Official Plan

The City's *Official Plan (1989)* contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The lands are within the Auto Oriented Commercial Corridor land use designation of the 1989 Official Plan. This designation is intended to accommodate commercial uses that cater to the needs of the travelling public, generally applied to areas along arterial roads where high traffic volumes are present and where services can be concentrated and supported. Examples of permitted uses include hotels, automotive uses and services, restaurants, and building supply outlets/hardware stores. Commercial buildings in the

“Auto-Oriented Commercial Corridor” designation are to be of low-rise form to provide for a scale that will minimize impact on, and can be integrated with, surrounding uses.

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

Through an analysis of the use, intensity and form, Staff have considered the compatibility and appropriateness of the requested amendment and proposed development, as shown in the revised concept plan, both on the subject lands and within the surrounding neighbourhood.

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Consistent with the PPS, and conforming to The London Plan, the recommended apartment development will contribute to the existing range and mix of housing types in the area, which predominately consists of one and two-storey single detached, semi-detached dwellings to the north and west, and 14-storey apartment building zoned for development across the street at 250-270 Springbank Drive. The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed cluster development with 5-storeys on the northerly portion and 6-storeys on the southerly portion will provide choice and diversity in housing options for both current and future residents. No new roads or infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to open space, with the Thames Valley Corridor across Springbank Drive and a park to the north, transit, community facilities, convenience and shopping areas along Springbank Drive, and commercial corridor along Wharncliffe Road.

The London Plan

The subject site is located along an Urban Corridor Place Type which permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. The proposed apartment building is in keeping with the permitted uses of The London Plan. (Permitted Uses, *837_).

While the recommended development has a different intensity and built form than some of the existing surrounding development, the analysis of intensity and form below demonstrates that this apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

1989 Official Plan

The proposed residential development is not contemplated within the *Auto-Oriented Commercial Corridor* land use designation in the 1989 Official Plan. Since this designation does not allow for residential uses, an amendment to the 1989 Official Plan is required to align the 1989 Official Plan policy framework with the Urban Corridor Place Type of The London Plan. Therefore, staff's recommendation includes a site-specific policy to permit a residential development within the 1989 Official Plan. Further analysis of this is below in Section 4.2 – Intensity.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated. These take into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The subject property is of a size and configuration capable of accommodating a more intensive form of development and can be considered an underutilized site within a settlement area. As the site is currently developed with three single detached dwellings, the proposed development represents a form of residential intensification consistent with the PPS. The increased intensity of development on the site will make use of existing transit services, nearby passive recreation opportunities, and public service opportunities. The proposed intensity of the development can be accommodated on the subject site and within the surrounding context with minimal impacts. The proposed development supports the Province's goal to achieve a more compact, higher density form of development, consistent with the PPS.

The London Plan

The City of London has identified appropriate locations and promoted opportunities for intensification and redevelopment through The London Plan. The Plan establishes a hierarchy of where intensification should occur and what levels of intensity are considered appropriate within the Urban Growth Boundary. The Urban Corridor Place Type is one of those areas where intensification is promoted in order to achieve greater levels of intensity.

The London Plan uses height as a measure of intensity. In the Urban Corridor Place Type a minimum height of 2 storeys and a maximum height of 6 storeys, with bonusing up to 8 storeys is contemplated (*Table 9). The proposed 5-storey/6-storey apartment building is in keeping with the permissions of the place type and considered appropriate for the subject site. The development is sensitive to the adjacent land uses as a result of the building orientation, landscaping, and proposed setbacks/stepbacks from the sensitive residential land uses. This helps create a compatible development at a human scale along both Springbank Drive and Forest Hill Ave resulting in a comfortable pedestrian environment.

Furthermore, the subject site is of sufficient size and configuration which can accommodate the proposed use and allow for the creation of a comprehensive

development. The development provides a coordinated parking facility through parking in the rear of the development which is internal to the site (Intensity, *840_). The increased intensity of development on the site will make use of and be supported by existing transit services, the wide range of commercial uses along the corridor and additional, office uses, public and Catholic elementary schools, and several parks within walking distance.

The policies of the Urban Corridor also speak to the careful management of the interface between the subject lands and any adjacent lands within less intense neighbourhoods. In consultation with Urban Design Staff it has been determined the recommended setbacks from the adjacent low density residential are a suitable form of redevelopment on these lands. This is discussed further in the Form Section below.

The proposal will help to implement the vision of the Urban Corridor Place Type policies of The London Plan with respect to creating additional intensity in these areas and is consistent with the desired development pattern of a compact and transit-oriented mixed-use corridor (Policy 855).

1989 Official Plan

As mentioned, the Official Plan identifies that the subject lands are designated as Auto Oriented Commercial Corridor. This designation is intended to accommodate commercial uses that cater to the needs of the travelling public, generally applied to areas along arterial roads where high traffic volumes are present and where services can be concentrated and supported (Section 4.4.2.4; Section 4.4.2.5). The proposed residential development is not contemplated within this designation.

While the proposal complies with the maximum standard height in the London Plan, the requested use with a density of 136 uph is not permitted by the 1989 Official Plan. It has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan. Therefore, a specific policy is recommended to allow for a residential development with a height of 5-storeys on the northerly half and 6-storeys on the southerly half with a density of 136 uph for this development to align the policy framework with the Urban Corridor Place type. A Planning Impact Analysis has been provided in Appendix 'D' to address impacts of the proposed use and density on surrounding lands. Additionally measures addressing the impacts of the proposed intensity on surrounding lands have been reviewed through the above analysis of the Urban Corridor Place Type policies and no further review is required through the AOCC policies as they do not relate to residential developments.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The redevelopment and intensification of the subject lands would contribute to achieving a more compact form of growth along an Urban Corridor where this form of development is encouraged. The proposed apartment building provides a form of development that will optimize the development of the consolidated parcels and utilize existing services in the area.

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy *7_, 66_). It encourages growing "inward and upward" to achieve compact forms of development (Policy 59_ 2, 79_) and provides opportunities for infill and intensification through various types and forms of development (Policy 59_ 4). To manage outward growth, The London Plan encourages infill and intensification in meaningful ways (Policy *59_8).

Within the Urban Corridor Place Type, and according to the urban design considerations, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (841_). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

The proposed building is oriented along and located close to the Springbank Road and Forest Hill Ave. streetscapes. Particular emphasis is placed on the lot's corner location, as the building is situated close to the intersection of Springbank Road and Forest Hill Ave helping define the street edge and encourage a street-oriented design with ground floor entrances facing the streets. The preliminary building design includes appropriate building articulation, rhythm, materials, fenestration, and balconies. The differing setbacks of the building improves sightlines for residents and adds an appropriate architectural rhythm along the Springbank Road and Forest Hill Ave streetscapes. The exterior side yard abuts Springbank Drive however, requires a reduced setback to 0.3m corner setback at the intersection whereas the building itself is setback 0.2metres from Springbank Drive. The west interior side yard abuts a residential zone and a setback of 15.5m has been provided between the proposed apartment and abutting residential lots. Further special provisions include a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required, and a maximum 1.5m balcony projection that is 0.6m from the exterior side lot line.

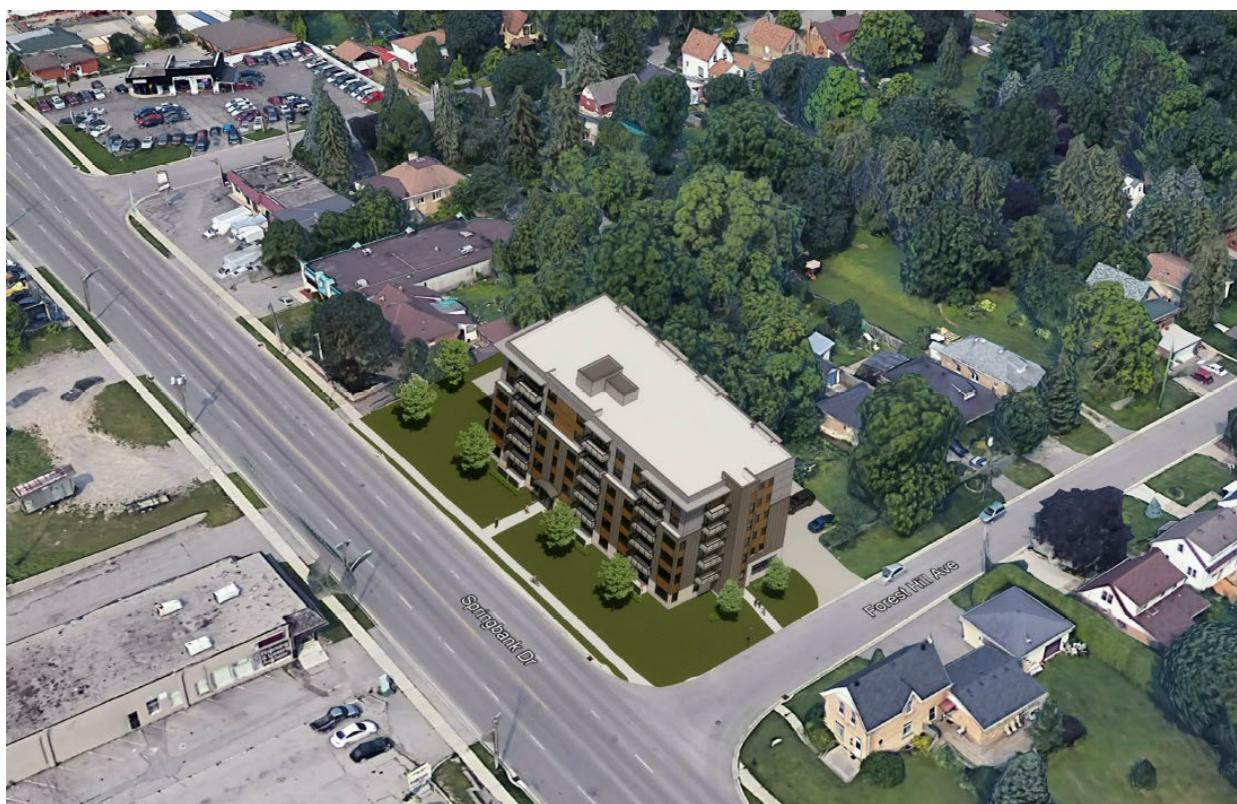


Figure 5 – Aerial View (Original Rendering)

In Staff's opinion there is sufficient space between the development proposal and the property lines, providing an opportunity to provide for fencing, landscaping, and/or tree plantings to screen the building and afford adequate privacy levels for residents. The pedestrian pathways on the subject lands provide direct access from the ground floor units to the public sidewalk and to the surface parking area, helping establish an active street wall and appropriate interface with the public realm.

As previously noted, the proposed building placement and reduction in height to the northerly elevation (5 storeys) combined with the large setback from the existing residential development provides a suitable relationship between the proposed development and existing homes, helping to mitigate compatibility concerns. Additional

buffering will be provided through appropriate fencing and/or vegetative screening along the west and north property boundaries adjacent to existing development.

The proposed development meets the urban design goals of The London Plan and will result in a development that is compatible with, and a good fit, within the existing and planned context of the area.

1989 Official Plan

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses. The development provides an active street wall along the Springbank Drive and Forest Hill Ave frontages, creating a positive interface for pedestrians. The building's design provides appropriate scale/ rhythm/ materials and fenestration. The main pedestrian access points for the building create a prominent entrance feature clearly identifying the main entrance to the building. The development also transitions the height and massing from six stories to five stories to limit the impacts of the building height on the abutting properties.

The Official Plan also ensures that all developments conform to the Urban Design principles in Section 11.1. 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. The applicant was successful in meeting these requests improving the overall development. Staff are supportive of the overall design and changes made by the applicant and believe it is in keeping with the Urban Design principles in Section 11.1

4.5 Specific Policy - Chapter 10

The applicant has requested a Specific Area Policy to permit an apartment building with a maximum residential density of 136 units per hectare within the Auto Oriented Commercial Corridor.

Specific Area policies may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the lands. Under these circumstances, the adoption of Specific Area policies may be considered where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use. (10.1.1.ii) The commercial policies applied to these lands do not contemplate residential development and anticipate the primary function to be commercial uses. The proposal for a stand-alone apartment building is not consistent with the planned function of the auto oriented commercial corridor however, the proposed development is in keeping with the Neighbourhoods Place Type in the London Plan which will be applied to the subject site and will come into effect once The London Plan appeals have been resolved. As such, the existing commercial designation currently applied to the subject site does not "*accurately reflect the intent of Council*" for future development on this property. In Staff's opinion the proposed development warrants consideration of a special area policy to permit the requested apartment building until the Neighbourhood Place Type comes into effect.

Furthermore, the proposed building has been positioned and oriented on the subject lands to minimize the impact on surrounding land uses. There are no notable land uses proximate to the subject lands that will present any significant land use conflicts with the proposed development. Adequate levels of landscaping and/or tree plantings will screen the surface parking area from the public realm, enhancing the pedestrian environment around the subject lands. The proposed development is located at an intersection, where it is anticipated that many of the land uses along Springbank Drive will transition to similar mixes of land uses along the corridor, replacing many auto-oriented commercial corridors uses. The subject lands represent a location that provides convenient access along an arterial road and is proximate to many commercial amenities and institutional services.

As such, staff have recommended a special policy to align the current 1989 Official Plan with the London Plan for the proposed intensity and scale of development.

4.6 Public Concerns

Over Intensification:

Concern that too many units are being proposed for the site in relation to the intensity of surrounding development.

Concern about the cumulative impact of ongoing and planned residential intensification in the vicinity of the subject property.

Response: The proposal will help to implement the vision of the Urban Corridor Place Type policies of The London Plan with respect to creating additional intensity in these areas and is consistent with the desired development pattern of a compact and transit-oriented mixed-use corridor.

Compatibility

Concern the proposed development will not be compatible with the surrounding area.

Response: The proposed building has been positioned and oriented on the subject lands to minimize the impact on surrounding land uses. There are no notable land uses proximate to the subject lands that will present any significant land use conflicts with the proposed development.

Traffic

Concern about the cumulative impact on the transportation system for volume and safety of existing, ongoing and planned residential intensification in the vicinity of the subject property.

Response: The Transportation Division did not have any concerns with the proposed increase in traffic that could result from this proposed development.

Privacy

Concern that the development will create privacy issues and will negatively impact the enjoyment of neighbouring properties.

Response: The proposed recommendation includes that during the time of site plan approval additional buffering will be provided through appropriate fencing and/or vegetative screening along the west and north property boundaries adjacent to existing development will be considered.

Parking

Concern that insufficient parking is being provided for the site.

Response: This development is located along an arterial road with access to transit. The applicant also has provided one space per unit and bicycle parking.

Wildlife

Concern this will destroy the wildlife in the area

Response: There are no natural heritage issues that were identified through the process.

Trees

Concern about the existing trees.

Response: This is a site plan issue. However, the recommendation includes that the tree preservation report be updated.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the 1989 Official Plan policies and the in-force policies of The London Plan including the Urban Corridor Place Type policies. The proposal facilitates the development of an underutilized property and encourages an appropriate form of development. The building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial streets, existing public transit, and large open space corridor with passive recreational trails in the area.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner, Planning & Development

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

Appendix A Official Plan Amendment – Policies for Specific Areas

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 257-
263 Springbank Drive

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on January 25, 2022

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a Chapter 10 policy in Section 10.1.3 of the Official Plan for the City of London Planning Area – 1989 to permit a 5-storey-20 metre (northerly half)/6-storey-23 metre (southerly half) apartment building with a total of 38 units and a maximum density of 136 units per hectare, that will allow for a development that is consistent with the Urban Corridor Place Type policies of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 257-263 Springbank Drive in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2020, and the in-force policies of the 1989 Official Plan and The London Plan.

The recommendation provides for intensification in the form of an apartment building located along a high-order road. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding area. and would help to achieve the vision of the Urban Corridor Place Type.

D. THE AMENDMENT

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

1. Chapter 10 – Policies for Specific Areas of the Official Plan for the City of London is amended by modifying the following:

257-263 Springbank Drive

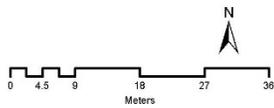
- () At 257-263 Springbank Drive, within the Auto-Oriented Commercial Corridor, a 5-storey-20 metre (northerly half)/6-storey-23 metre (southerly half) apartment building with a maximum density of 136 units per hectare may be permitted.



LOCATION MAP

Subject Site: 257-263 Springbank Drive
 File Number: O-9354/Z-9355
 Planner: Alanna Riley
 Date: 2021/12/03

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



Scale 1:800

Legend

-  Subject Site
-  Assessment Parcels
-  Buildings
-  Vegetation

Appendix B

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 257-263 Springbank Drive.

WHEREAS Anast Holdings Inc. has applied to rezone an area of land located at 257-263 Springbank Drive, 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 257-263 Springbank Drive, as shown on the attached map comprising part of Key Map No. A110, from an Arterial Commercial Special Provision (AC2(2)) Zone, to a Residential R9 Special Provision (R9-7()) Zone.
- 2) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:
 -) R9-7() 257-263 Springbank Drive
 - a) Regulations
 - i) North Interior Side Yard Setback (Minimum) 15.5 metres
 - ii) Exterior Side Yard Setback (Minimum) 0.3 metres
 - iii) Front Yard Setback (Minimum) 2.0 metres
 - iv) Parking Rate 1.0 space per unit
 - v) Height (Northerly Portion) 5-storeys – 20 metres
 - vi) Height (Southerly Portion) 6-storeys – 23 metres
 - vii) Density 136 units per hectare
 - viii) Balcony Projection (maximum) 0.6m from the lot line

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

This By-law shall come into force and be deemed to come into force in accordance with

Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

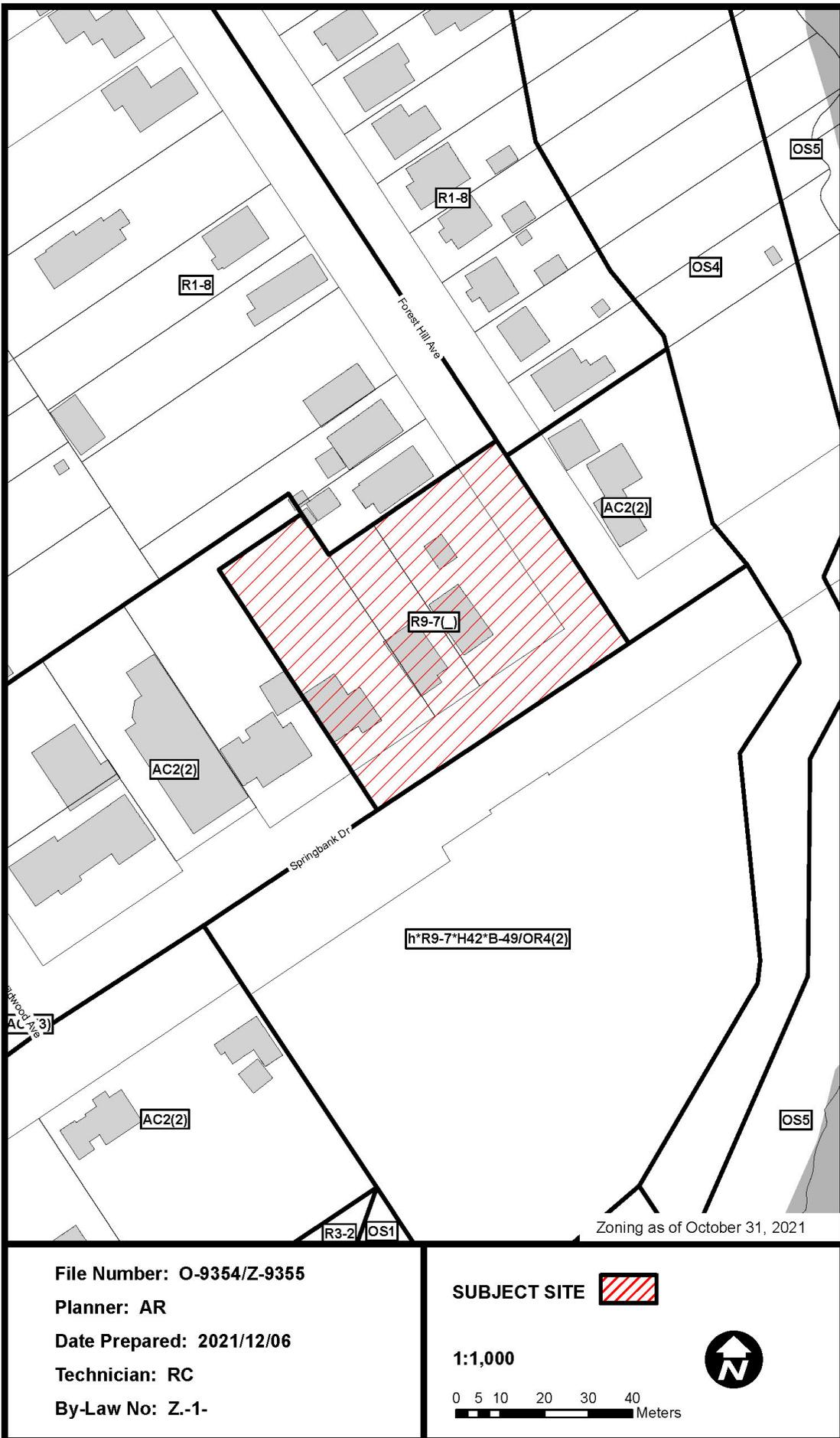
PASSED in Open Council on January 25, 2022.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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



Appendix B – Public Engagement

Community Engagement

Notice of Application (May 20, 2021):

On May 20, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 20, 2021. A “Planning Application” sign was also posted on the site.

12 replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit a 6-storey apartment building with 38 units with a density of 136 units per hectare

Notice of Revised Application (December 2, 2021):

On December 2, 2021, Notice of Revised Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 2, 2021.

Nature of Liaison: The purpose and effect of this zoning change is to permit a cluster townhouse/stacked townhouse development with 13 cluster townhouses and 8 a 5-storey(northerly half) and 6-storey(southerly half) apartment building with 38 units with a density of 136 units per hectare.

Community Meeting: The applicant also hosted a virtual community meeting November 10, 2022. The purpose of the meeting was to provide the community with information with respect to this application. Six members of the community attended the meeting. The applicant provided a presentation on the proposed development and answered questions relating to the proposal.

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

Concern for:

Over Intensification:

Concern that too many units are being proposed for the site in relation to the intensity of surrounding development..

Concern about the cumulative impact of ongoing and planned residential intensification in the vicinity of the subject property.

Traffic

Concern about the cumulative impact on the transportation system for volume and safety of existing, ongoing and planned residential intensification in the vicinity of the subject property.

Privacy

Concern that the development will create privacy issues and will negatively impact the enjoyment of neighbouring properties.

Parking

Concern that insufficient parking is being provided for the site.

Wildlife

Concern this will destroy the wildlife in the area

Trees

Concern about the existing trees

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

Dear Alanna Riley and Stephen Turner,

The proposed plan to build a 38 unit, six-story apartment building at 257-263 Springbank Drive will significantly impact the general livability conditions of our small, quiet neighbourhood on Forest Hill Ave. After meeting with several neighbours, I have created a list of significant and genuine concerns.

1. Residential properties immediately abutting a six-story apartment building and parking lot will decrease in property value.
2. The scale of a six-story apartment building and parking space spilling over onto Forest Hill Ave, is not compatible with a quiet, side-street neighbourhood of single-family dwellings which are mostly one-story homes.
3. As proposed, the six-story building will absolutely overshadow and intrude on private outdoor spaces.
4. The proposed plan of a six-story building and parking space will create a negative visual impact in the neighbourhood.
5. The proposed plan will negatively affect the natural habitat and biodiversity of the area as numerous old, healthy trees will need to be removed. As well, noise and light pollution will negatively affect the wildlife in the area including deer, fox, birds, chipmunks, geese, wild turkey, ducks and rabbits.
6. The proposed plan will create substantial shading of existing ground-related residences. Since the proposed building will be built south of residential homes, it will create shade during the critical mid-day period during which many plants need direct sunlight and outdoor activities are most common.
7. A significant increase in noise pollution from traffic, air conditioning units, neighbours on balconies as well as mechanical equipment.
8. A significant increase in vehicle traffic on our short, narrow, side-street neighbourhood will lead to traffic congestion and an increase in air pollution. As well, there will already be a substantial increase in traffic on Springbank Drive as a 15-storey apartment building is being built directly across the street (250-270 Springbank Drive) from the proposed plan for 257-263 Springbank Drive. Many homeowners on Forest Hill Ave are concerned about the challenge of turning left onto Springbank Drive, which will be exacerbated by the increase of vehicles from the apartment buildings.
9. As visitor parking to the building will be extremely limited, there will be an increase of people parking on Forest Hill Ave in front of residential homes.
10. A significant increase in foot traffic directly on Forest Hill Ave of people wanting to access Greenway Park at the end of our street.
11. Ongoing construction headaches including noise and air pollution and debris will disrupt the wildlife in the area and the daily life of many homeowners.
12. A proposal for renovation of the existing homes would be more reasonable.

We appreciate your attention to the legitimate and serious concerns of our neighbourhood community.

Claudine St. Pierre

Ray Smith

Greetings,

Background

Currently Springbank Drive is a high traffic, 4 lane arterial road serving the west end of London, south of the Thames. The speed limit is commonly exceeded and is really just a number on a post. As a long-time resident of Forest Hill Avenue, I find it increasingly difficult to enter or exit Springbank because of the increase in the volume and speed of traffic. As the west end of the city develops, so does the traffic on Springbank.

My street, Forest Hill Avenue, is on the hillside off Springbank Drive just above the Coves. There is no alternative to this intersection as Forest Hill ends at Springbank Park where it joins the next residential street - Wildwood Avenue. Both streets are a kilometer or so long and together form a U - ending at Springbank Drive. There are no parking restrictions posted on Forest Hill. Despite a lack of sidewalks, there is also a considerable volume of foot/bike/dog walker traffic from Springbank Drive using Forest Hill for access to the park. The street is also on a school bus route. Forest Hill predates amalgamation by many years.

I should add that shopping and services are in very short supply within walking distance of Forest Hill. Particularly for those of us with age and physical limitations. Private cars and taxis are considered essential. LTC provides bus service on Springbank Drive but not to any convenient supermarket, full service drug store or hardware shopping. The closest plaza on Springbank is anchored by Giant Tiger and a tombstone dealer.

The Proposed Amendment

To add an entry/exit for 38 parking spaces with no visitor parking within a few meters of the Springbank/Forest Hill intersection is untenable and will further increase the access problem. Compounding this problem will be the proposed large development at 250 on the south side of Springbank Drive. That will be adding an even greater number of vehicles trying to enter/exit Springbank Drive on the hillside. In addition, that hill puts east-bound traffic on Springbank Drive out of sight until it is quite close - about 50 meters from Forest Hill. Given the traffic's speed, exiting or entering Forest Hill becomes chancy for current residents. Increasing the volume will only increase the risk. The alternative is to exit by the other end of the U on Wildwood Avenue. That of course will only move the problem and antagonize residents of a very quiet street. The used car dealership at the corner of Wildwood and Springbank is probably a more logical apartment building site as it is already cleared and it's not on the hillside.

At the very least, the entrance/exit to 257-263 Springbank Drive should be at the west end of the development site and as far as possible from Forest Hill Ave. Although that may only move the problem, not solve it.

Since I live about 100 meters north of the proposed development, I won't comment on the shade and privacy effects on the existing single family homes north of the site. But that must be a very real concern for those neighbours.

Conclusion

It appears from the official notice that the city's administration is sharing sponsorship of the proposed amendment. That only feeds the common belief that 'you cant fight city hall'. In addition, there is no community organization to lead opposition to the amendment. Still I consider that the installation of an apartment block at the corner of Forest Hill and Springbank Drive will have a very negative effect on this viable but strained neighbourhood. I will join any effort to stop the proposed amendment to the official plan. That includes any action by the Friends of the Coves Association to protect the wetlands from contaminated run-off from the development.

I am available for questions or discussion at your convenience.

Stewart Malcolm

Owner/Resident,

Councillor Stephen Turner

File: O-9354/z-9355

In looking at the City Building Policies, there are many violations to those policies with the proposal of a 6 story building at the corner of Springbank Dr. and Forest Hill Ave. We are a well established neighbourhood, proud of our green environment next to the Coves and our unique Carolina trees. The proposal to change the current zoning by-laws would open the door for all homes on the north side of Springbank Drive, right up to Wonderland Road, to be demolished and replaced with like apartment buildings. Is that the City's plan? There has been much pride in our neighbourhood that several of our homes around the corner on Springbank have been built by Habitat for Humanity. We are proud of the herons, deer and other wildlife that frequent our quiet neighbourhood that backs on to the Coves. Many articles have been written about the diversity right here. There will be no pride in a building that would overshadow our neighbours, cause street noise and traffic congestion etc., and interrupt the aesthetics of our environmentally friendly neighbourhood. We are also designated under your Urban Design Guidelines as a Low Density area and this proposal goes against the vision of the newly formed London Plan adopted by City Council and approved by the Province in 2016.

I am certainly no expert in interpreting your City Building Policies, but after reading them, the following are just some of the observations I feel Violate those Policies.

202, 204, 210 – These do not meet Character Policy as this building is an entry point into our neighbourhood and does not identify its Character of beautiful tree landscapes and single family dwellings.

213 – It says the “street patterns will be easy and safe to navigate by walking”. The proposed building is too close to the sidewalk for pedestrians to safely walk as the balconies almost hover over the sidewalk.

231 – On the site concept, there is no indication of where the required outside transformer would be located, and for a building this size, it would have to be massive to support enough electricity. There is obviously no room for it.

235, 236, 237, 238, 240 – The conceptual rendering is meant to deceive as the front and side yards are too miniscule to support landscaping, tree canopy or pleasant environment

255 – This item is looking at safe movement. It is already difficult to turn left off Forest Hill because it enters Springbank half way down a hill. Also, when we turn left off Springbank to enter Forest Hill Ave we often have traffic bunched up behind us waiting for us to turn. That traffic does not see us readily because we are half way down the hill. With increased traffic this will be more dangerous.

259 - as 213, the building is so close to the sidewalk, with its minimal setback, to be a comfortable pedestrian environment and allow public right of way.

266 – The Site Concept does not show a loading area or where garbage collection would be. That is likely because there is no room for it on their plan. How is garbage to be collected. Where is the loading place for moving in/out? Which brings up the thought of negative visuals from the street and noise pollution.

270 – Parking. The allotment here for parking spots is against zoning and because previous violation points show space is already compromised, there is not space for residential parking. Visitor parking is not even addressed. Parking on the street in winter is prohibited. Forest Hill is narrow, so even now when meeting another car while driving, and a car is parked on our street, one car waits. It will be hazardous if people park close to Springbank Dr.

277 – Surface parking is to include 30% tree canopy coverage, and this Site Concept is in full violation. No Canopy coverage.

278 - There is only a 1.5m setback from the neighbour's property line.

279 - There is nothing on the site plan that shows how lighting will be achieved in the parking areas without bothering the neighbours. 280, 281 & 282 need to be addressed as well.

284 - a two story building or townhome should be the maximum in relation to all adjacent homes. This north side of Springbank is zoned for residential and small business buildings only. A large building would set a precedent for the future and affect all quiet residential streets off Springbank. It will impact all residents' quality of life.

286 – The scale of this building and the closeness of the building and balconies to the sidewalk is unacceptable, .5m. Not only will it be unsightly, but unsafe to walk by balconies that close.

290 – It is a corner lot and on the Site Plan they are showing the building corner to have a 6m only daylight triangle. I have been told this is ridiculous and very dangerous. This needs to be at least doubled.

291 – The Rendering does not clearly show a designed front entrance.

293 – The height of the building will have Shadowing Impact on neighbouring properties. That is not acceptable. The homeowners have a right to sunlight in their yards.

294&295 – There is nothing green about this proposal. No regard for trees or outdoor enjoyment areas in the Site Concept. The outdoor amenity space is just grass. A poor living environment for any future tenants. The Urban Design Guidelines stipulate that large shade trees be provided along all interior and exterior property lines where hydro lines allow.

I feel the city should not go against policy and stay within the existing zoning bylaws. As per London's Urban Design Guidelines, each site and neighbourhood is unique and any infill development should reflect the betterment of the community. This would not better our community. Based on the "Identified Place Type" of the London Plan, consideration should be given to the intent and possible future development envisioned for this area on the north side of Springbank Drive.

Please do what is right for us and all citizens in London. We appreciate or standard of living here and do not wish to move.

Elaine and Walter Pevcevicius

Hello Alanna Riley and Stephen Turner:

We are homeowners and residents @169 Forest Hill Ave, London, Laszlo & Susanna Rahoi..

We are strongly against the proposed rezoning of our area(File # O-9354/Z-9356Z) .

The construction of the 6 storey substandard building will affect both Forest Hill Ave & Wildwood Ave as well.

The North side of Springbank Drive doesn't have higher than two level buildings: planning to remove the 3 single family homes, the applicant try to squeeze a 6 level building with 38 residential units- which number close to the number of homes on Forest Hill Ave! It will cause traffic and congestion problems in our narrow street beside other problems.

The acceptance of this plant will cause a huge loss in our property values, prices go down, where poorly designed apartment buildings are erected. The Coves are Environmentally significant area, and this type of development will destroy their habitat.

Susanna & Laszlo Rahoi

REPEAT: WE STRONGLY OPPOSE THE REZONING.

Hi Alanna – I was wondering if you could share more information regarding the proposed 257-263 development. I plan to submit a response by the June 10th deadline, but wanted to see if more information was available first. I missed the public notice period for 250-270 Springbank, but I see you are the planner on that file as well.

I reside on Forest Hill Ave. Specifically my concerns for both developments are around:

- Traffic safety: what are the plans for traffic lights and any traffic control / calming measures for Forest Hill and Wildwood. How are the cars for 38 new residential units going to be handled turning onto Forest Hill?
- Street parking: are there any restrictions planned for parking on Forest Hill and Wildwood. With almost 300 residential units being build, along with medical/dental offices there are definite concerns of overflow onto Forest Hill & Wildwood
- How is garbage/recycling being handled for 257-263 Springbank. I do not see anything addressed on the Site Plan provided.

I am generally supportive of redevelopment, however there are some concerns I have regarding the pressures to be undeniably added to the quiet residential streets of Forest Hill Ave and Wildwood.

I will prepare a much more complete response prior to the deadline, just wanted to see if there was more information you could share first.

I would be happy to chat on the phone if that is easier for you as well.

Thanks you.

Good evening,

I am writing to appeal the proposed building on springbank drive at forest hill ave. This proposed building will have a significant negative impact on the current community with increased traffic and risk to the wild life.

We hope that our community's appeal is brought to the attention of city planners, as this will significantly impact many lives.

Thank you

Emily Corke

Good Morning,

I have received the proposed application O-9354 and Z-9355 in regards to 257-263 Springbank Drive and am writing to share my opposition to this development and zoning amendment.

1. There is a complete contrast from this proposed 6 storey apartment building in relation to the single story homes throughout the neighbourhood, it is not a fit

for the area and to be frank will be an eyesore and a devastating addition to our neighbourhood.

2. Privacy for neighbours in the area from the proximity and height of the building along with the shade that would be created on their properties.
3. Negative effect to the natural habitat and biodiversity in the area especially the bird population which is very dense, as well as the mature trees on the current properties that would be removed for this building.
4. Significant increase in noise and light pollution to the area.
5. Increase in vehicle traffic and parking issues on our very small narrow road not only from this building but already is a concern for the "twin towers" proposed for the adjacent lot on Springbank.
6. This building does not have enough proposed parking, nor can the size of these properties allow for as many parking spots as are needed for 38 units.
7. Increase to foot traffic directly on Forest Hill, again affecting the neighbourhood given the narrow street that does not have sidewalks.
8. Traffic on Springbank, with this proposal as well as the proposed "twin towers" it would be near impossible for anyone on Forest Hill or Wildwood to turn left onto Springbank, There is already concern and frankly fear of being hit from behind when turning left onto Forest Hill as we are on a Hill/blindspot coming down Springbank where people are often exceeding the speed limit as it moves from 50 to 60 within this location.
9. These proposed buildings are not inline with the London Plan, 257-263 Springbank Dr. proposal is asking for MANY changes to the minimum requirements in the plan and each of these changes will create a building that completely imposes on the neighbourhood.

The entire neighbourhood is incredibly concerned that this proposal has been created and are in complete opposition of this proposal. We strongly believe this building - especially along with the "twin towers" will ruin what this neighbourhood is: It's a piece of country within the city, quiet, small and filled with wildlife. We love where we live and want to do whatever we can to protect it, as we believe it truly is an amazing example of what we are "the Forest City". I bought a house in this neighbourhood because of all those reasons and would feel forced to move if this goes forward, and at a loss given the decrease in property value I believe this will put on the neighbourhood. Please let me know if there is anything more we can do to protect our homes.

We have created an online and paper petition to allow for the neighbourhood to have their voices heard as some do not feel comfortable writing or calling. I have linked it here <http://chnng.it/2BRgchj6dN>

Thank you for your time and listening to our concerns.

Sabrina Tomaszewski

Alanna Riley and Stephen Turner:

I own my house on Wildwood Avenue, not far from the [proposed development](#) which would be right next to the Coves at the top of a small hill overlooking the Coves. I frequently walk in the Coves and photograph the wildlife in this protected, environmentally sensitive area. The proposed towers will literally tower over the neighbourhood. Construction will surely have a negative impact on the Coves. When hundreds of new residents live in the towers the number of people walking in the Coves will increase and cause damage to the habitat and wildlife that live there. I also see an increased risk of traffic accidents on Springbank as residents of the development exit onto Springbank at a location where visibility is poor and where drivers already tend to drive faster than the posted limit.

While I agree that we need more housing and especially affordable housing in London, I think that this is not a good location for two high rise towers. I am opposed to the development and absolutely opposed to changing the zoning to allow for higher towers with more units, increasing the percentage of lot coverage, and not meeting the requirements for LEED certification.

Sincerely,

Norah Fraser
150 Wildwood Ave

Hello Alanna Riley and Stephen Turner:

We are homeowners and residents @169 Forest Hill Ave, London, Laszlo & Susanna Rahoi..

We are strongly against the proposed rezoning of our area(File # O-9354/Z-9356Z) .

The construction of the 6 storey substandard building will affect both Forest Hill Ave & Wildwood Ave as well.

The North side of Springbank Drive doesn't have higher than two level buildings: planning to remove the 3 single family homes, the applicant try to squeeze a 6 level building with 38 residential units- which number close to the number of homes on Forest Hill Ave! It will cause traffic and congestion problems in our narrow street beside other problems.

The acceptance of this plant will cause a huge loss in our property values, prices go down, where poorly designed apartment buildings are erected.

The Coves are Environmentally significant area, and this type of development will destroy their habitat.

Susanna & Laszlo Rahoi

REPEAT: WE STRONGLY OPPOSE THE REZONING.

Dear Alanna Riley and Stephen Turner,

The proposed plan to build a 38 unit, six-story apartment building at 257-263 Springbank Drive will significantly impact the general livability conditions of our small, quiet neighbourhood on Forest Hill Ave. After meeting with several neighbours, I have created a list of significant and genuine concerns.

1. Residential properties immediately abutting a six-story apartment building and parking lot will decrease in property value.
2. The scale of a six-story apartment building and parking space spilling over onto Forest Hill Ave, is not compatible with a quiet, side-street neighbourhood of single-family dwellings which are mostly one-story homes.
3. As proposed, the six-story building will absolutely overshadow and intrude on private outdoor spaces.
4. The proposed plan of a six-story building and parking space will create a negative visual impact in the neighbourhood.
5. The proposed plan will negatively affect the natural habitat and biodiversity of the area as numerous old, healthy trees will need to be removed. As well, noise and light pollution will negatively affect the wildlife in the area including deer, fox, birds, chipmunks, geese, wild turkey, ducks and rabbits.
6. The proposed plan will create substantial shading of existing ground-related residences. Since the proposed building will be built south of residential homes, it will create shade during the critical mid-day period during which many plants need direct sunlight and outdoor activities are most common.

7. A significant increase in noise pollution from traffic, air conditioning units, neighbours on balconies as well as mechanical equipment.
8. A significant increase in vehicle traffic on our short, narrow, side-street neighbourhood will lead to traffic congestion and an increase in air pollution. As well, there will already be a substantial increase in traffic on Springbank Drive as a 15-storey apartment building is being built directly across the street (250-270 Springbank Drive) from the proposed plan for 257-263 Springbank Drive. Many homeowners on Forest Hill Ave are concerned about the challenge of turning left onto Springbank Drive, which will be exacerbated by the increase of vehicles from the apartment buildings.
9. As visitor parking to the building will be extremely limited, there will be an increase of people parking on Forest Hill Ave in front of residential homes.
10. A significant increase in foot traffic directly on Forest Hill Ave of people wanting to access Greenway Park at the end of our street.
11. Ongoing construction headaches including noise and air pollution and debris will disrupt the wildlife in the area and the daily life of many homeowners.
12. A proposal for renovation of the existing homes would be more reasonable.

We appreciate your attention to the legitimate and serious concerns of our neighbourhood community.

Claudine St. Pierre

Ray Smith

Homeowners

187 Forest Hill Ave

Dear Mr Turner

First off I hope you are staying safe. Thank you for your assistance last summer in getting the grass cut on the boulevard at the end of Forest Hill Ave at Wildwood and for getting the city to maintain the two pathways into the park. Though the grass paths are not ideal they are still nicer than having the neighbours maintain it.

I am writing for four reasons

1. It has been brought to our attention by the neighborhood about the proposed development at the end of forest hill and springbank. I myself feel these run down properties are a bit of an eyesore and agree that redevelopment is a good idea. I just do not think that a 6 story building is ideal for these properties. It does not fit in with the aesthetics of the area. Something shorter or townhomes/condos would perhaps be better. The larger problem would be parking. The ratio of spots to units will mean increased parking on forest hill and that is already a problem.
2. Parking on Forest Hill. I know it was voted on a couple years ago and the responses did not have enough to pass a motion. With the possibility of this development I think this may need to be revisited. Parking on the East side should be prohibited as it already is on Wildwood (which will also be affected)
3. Why the East side. Because as Forest hill turns into wildwood parking is already prohibited on that side of the street. But here are my concerns about that. At the end of Forest Hill on Wildwood there is a no parking sign some distance from the road and quite high up with arrows pointing both ways. There is no end point on the right so technically where is one able to park again. The next sign to the left is old faded and dirty and almost impossible to see from a vehicle. I have included pictures.
- 4 I have also included a picture of a broken fence post near the no parking sign. Could we get it fixed or the wire fence removed.

Sincerely Mike Laur

Comments on Proposals O-9354 and Z-9355

Brenda Palmer Tyson Whitehead

In accordance with Section 24 of the Planning Act, R.S.O. 1990, c. P. 13, no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform with this [The London] Plan. . . . some examples . . . include: Approvals of planning and development applications such as official plan amendments, zoning by-law amendments, . . . [32]

The decisions City Council makes will conform with The London Plan . . . Being open and transparent in its decision making will allow all Londoners to see that the values, vision, and priorities of the Plan are being adhered to in every decision City Council makes.[52]

Summary

We are the couple who own and live at 185 Forest Hill Ave. In reviewing the proposed official plan and zoning amendment O-9354/Z-9355 (257-263 Springbank Dr.), the associated site plan, the London Plan, and Zoning By-law No. Z.-1, we have come to the conclusion that the proposed 6-story, 38-unit, mid-rise, apartment complex is simply too big for these lots and not a good fit for the character of the area.

On the first point, it runs contrary to the vision and balance expressed in the London Plan, other mid-rise sites in the area, and the standard yard depths for the proposed R9-Residential zone. The raw unbuffered intensification and deforestation this would force on the adjoining neighbours' lots is entirely out of the character of the neighbourhood, and frankly lacks basic decency (who would want this done to them?).

On the second point, the other side of the street is slated for a massive 51m high-density twin-tower apartment building due to an OMB ruling when the city only wanted a 6 story mid-rise. The Forest Hill Ave./Wildwood Ave. loop has approximately 70 homes on it. The towers will add on the order of 270 units. This is significantly more intensification than the area was supposed to see. This proposal would then add another 38 units.

The official plan amendment is also troublesome. It would be enacting specific bits of the London Plan that are not yet settled (or in force) without also enacting all their context, such as the many items speaking to mitigating impact on adjacent neighbourhood areas and encouraging underground parking.

Introduction

Forest Hill Ave connects at the back with Wildwood Ave to form a "U" shaped loop off the north side of Springbank Dr. immediately west of the coves. There are no other entrances or exits to this area. Our house is the second along the interior on the Forest Hill Ave. side of the loop. Due to the way the lots are laid out, a significant portion of our backyard runs adjacent to the extended north-west part of the proposal, so we will be considerably affected by this development.

We have been spending significant time and effort to attempt to educate ourselves on the London Plan and how municipal zoning works. We ask the city to keep in mind though that neither we, nor our neighbours, will be able to match the depth of knowledge, prior experience, or resources that the developer will be able to marshal to their case. Our arguments to the finer points of the process will necessarily be less complete and less effective than those of the developer. We will also undoubtedly fail entirely to represent our interests in areas of importance that we will not even be aware exist until we find ourselves experiencing them, at which point it will be too late.

1

Issues with the Official Plan Amended

One of the effects of the London Plan will be to redesignate the area of Springbank Dr. west of The Coves that is Auto-Oriented Commercial Corridor to be Urban Corridor. While currently under LPAT appeal (our understanding is these issues are likely to be taken up in 2022) it would seem likely that this will make a broader range of developments, including mid-rise residential, part of the plan. The city official plan amendment that is part of this proposal is to essentially jump the gun on this process by creating a Specific Policy Area in the old designation to enact the likely inclusion of mid-rise residential units for the sake of this proposed re-zoning.

It seems reasonable that the Ministry of Municipal Affairs and Housing and the Local Planning Appeal Tribunal (LPAT) will take a dim view of a selective circumvention of the Planning Act's approval process. This would also set a precedent for cherry-picking bits from parts of the London Plan that are still under review and bringing them into force without their broader context (e.g., the Urban Corridor type place encourages underground or structured parking integrated into the building, tree canopy cover targets are to be set in the Zoning By-law, etc.).[395,841] The London Plan explicitly states that it is to be considered in its entirety.[36] It also explicitly forbids creating Specific Policy Areas that set general precedences.[1730,1731]

Failure to Mitigate Impacts on the Neighbourhood and Fit into and Retain its Character



Figure 1: Entrance to Forest Hill Ave./Wildwood Ave. loop as currently is.



Figure 2: Entrance to Forest Hill Ave./Wildwood Ave. after developments (this and the towers).

2

The London Plan has an entire chapter dedicated to the fact that London is the Forest City. How our urban forest transcends public and private ownership (over three-quarters of it is on private property).[382,383] How it is critically important to the structure and ecological function of much of our Natural Heritage system, how it improves watershed health, controlling water movement above and below the ground, and how it reduces erosion and surface runoff (the plan identifies the loop as a Significant Groundwater Recharge Area and a Highly Vulnerable Aquifer), how it helps mitigate the impacts of climate change, how it gives us shade, spiritual well-being, and an overall higher quality and longevity of life, how it increases the value of our properties, and how it is critical to London's overall identity and prosperity.[382,383,386-388]

One of the key characteristics of the Forest Hill Ave./Wildwood Ave. loop, as implied in both names, is the captured forest in its interior. Composed of an interlocking canopy of massive mature trees, it towers over the (many single-story) houses on the loop, forms a highly visible omnipresent treescape at all points in the neighbourhood, and blocks out the city. Talking to the residents quickly reveals that it is this which makes the neighbourhood and the individual lots so special. A little piece of paradise in a big city.

The London Plan speaks to the criticality of actively protecting and planting the trees in order to reverse the decline in canopy that has been occurring and eventually return us to a 34% coverage.[389,391,393,394] It specifies that all trees are to be inventoried, that large mature shade trees (trees of distinction) on sites should be preserved, that new ones are to be planted, that the site needs to be planned so these trees have long-term viability, and that parking lots need to have significant tree canopy coverage.[399,401]

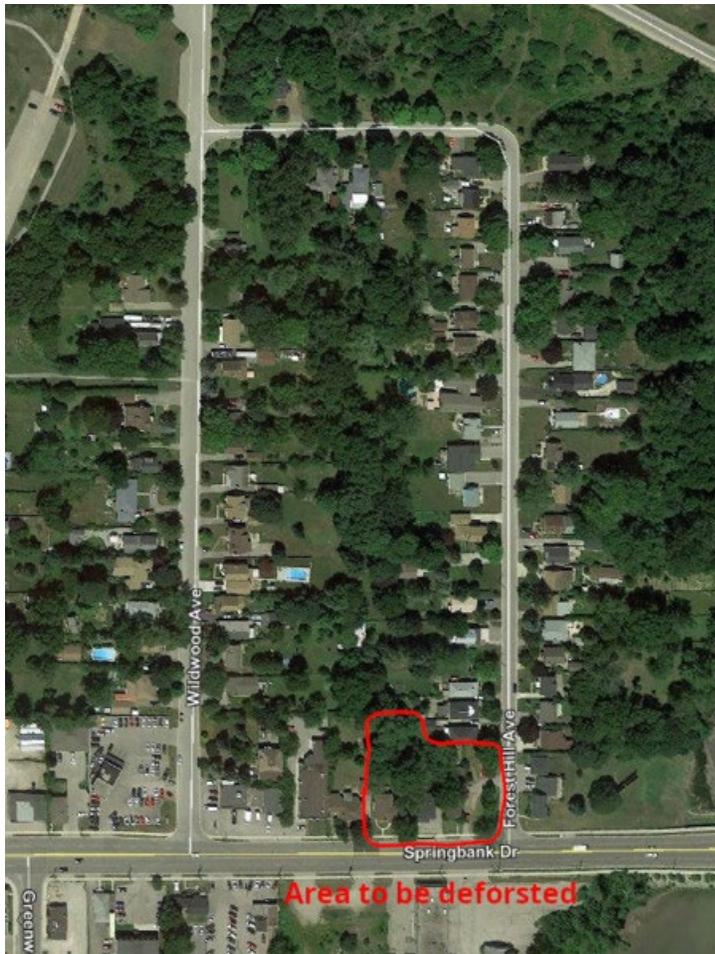


Figure 3: Area of loop to be deforsted under plan.

In contrast to this, the proposed plan is to destroy all the mature interior trees and replace them with a small-shrub delimited parking lot that extends right up to the adjacent residential units on all sides. As seen in the figures, this will deforest the south-east chunk of the loop. The only tree to be preserved is one city tree on the north-east corner of the far east lot, and the only replacement trees are to be a few city trees on the perimeter road allowances. At some point, with road expansions (Springbank Dr. will require significant widening to bring it in line with Urban Corridor street's vision in the Mobility Section), these trees will likely go too.

3

Intensification is supposed to be done in a way that is sensitive to existing neighbourhoods, represents a good fit, and retains both public and private existing trees.[83,160] Buildings, and especially those at key entry points into neighbourhoods, are to be designed to articulate and to help establish the character, identity, and sense of place.[199,202,210,284] The site layout is to fit in the context of the existing character of the surrounding area, to minimize impact on adjacent properties, incorporate desirable trees, and parking lots are to be designed to include a sustainable tree canopy and landscape area.[252,253,258,277,282]

While the plan allows for access to developments along Urban Corridor using side-streets, it stipulates that such access must be done in a way that minimizes the impact on internal portions of the adjacent neighbourhoods.[841] It stipulates proposals are to be evaluated on, among other things, their potential impact for traffic and access management and causing parking on the street and adjacent properties.[1578] Given that the proposal asks for a 20% reduction in the standard parking allotment (1.3 per units down to 1.0 per unit), it seems safe to assume that there are going to be parking issues (e.g., where is the visitor parking, what about two-vehicle households?).

Exiting towards downtown (to the left/east) out of the Forest Hill Ave. is already tricky due to the limited uphill visibility (to the right/west). When Springbank Dr. is busy, people already drive around the loop and exit via Wildwood Ave. There are only around 70 homes in the loop. The twin towers that OMB has forced through immediately across from the loop will add around 270 units worth of people entering and exiting this same area of Springbank Dr. It is safe to assume that Forest Hill Ave. will go from difficult, to almost impossible to exit during key hours and all the traffic from these additional 38 units, plus existing 70 homes already on the loop, will instead circulating around the entire loop and exit on the Wildwood Ave. side. This will be a major impact on the entire neighbourhood which is currently quiet, has no sidewalks, and people stroll along on their way to the Greenway and Kensal parks.

Failure to Manage and Mitigate Impact on Adjacent Lots

A growing city needs intensification. While the details are not fully worked out yet due to appeals, the London Plan lays out that Springbank Dr. between The Coves and Wonderland Rd. is to be an Urban Corridor place type, and Urban Corridor places types are to target a moderate level of intensity (less than the Rapid Transit Corridor place type) that would eventually see mid-rise residential and mixed-use development. On the surface, this proposal would appear to fit well into this plan. As intensification can both create and destroy value, however, the plan does not just seek to promote intensification, but also to protect the existing value in order to manage and direct it to the greatest effect.

To this end, it speaks a great deal to the character of neighbourhoods and places, and how development proposals, and especially those at key entry points into neighbourhoods, need to fit with the character.[199,202,284] It sets out how intensification along the Urban Corridor place type needs to manage the interface, be sensitive to adjacent land use, and provide transitioning heights or sufficient buffers.[298,830,832,840] It speaks to lots having to be of sufficient size, how lots further into the neighbourhood may need to be consolidated to provide sufficient transitioning and buffers, and that the Urban Corridor designation is not a blanket approval for the full extent of intensity everywhere.[826,834,840] It notes that there are primarily residential segments, without large amounts of commercial floor space, that will only allow for small-scale commercial uses.[826] Everyone on the Forest Hill Ave./Wildwood Ave loop will tell you that the urban forest is a key characteristic, if not *the* characteristic, of the neighbourhood (the other is the camaraderie of the neighbours). This is fully in line with The London Plan, which states that trees are part of a neighbourhood's character and treescapes should be recognized as so too.[210,237] Nowhere is this more apparent than in our backyards. The trees and treescape blots out the city and it is replaced by the hush of a forest and the chirp of birds. It is hard to describe the immersiveness of it unless you have ever walked the trails of places like Reservoir Park and Medway Creek. Then you know. It is the reason we bought our property. Contrary to all the aforementioned bits of the London Plan, the proposed development will not preserve and enhance the character of the neighbourhood and buffer and mitigate its impact on those of us with adjacent lots. Rather it will strip us of the very thing we cherish. Our privacy and the complete nature immersion will be gone if much of the treescape that towers over our single-story home to the south is replaced with six

4



Figure 4: Our backyard looking north near the entrance.



Figure 5: Our backyard looking north deeper into the yard.
5

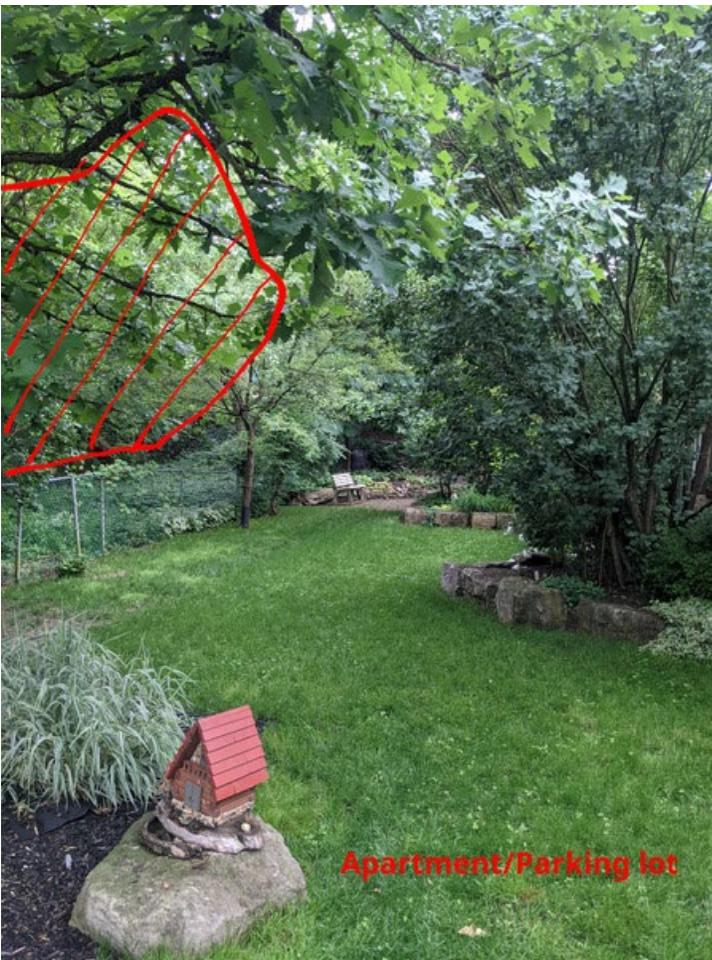


Figure 6: Our backyard looking west partway into the yard will be exposed.



Figure 7: Our backyard looking south deeper into the yard will be exposed.
6



Figure 8: Our backyard looking south near the entrance will be exposed.



Figure 9: Our southern neighbour's backyard will be entirely exposed. 7 stories of apartment building staring down on us. The south ground view in the back half of our yard will be the extended north-west portion of the parking lot. The same will be true on the residential property to the west of the sites. Our neighbours, whose property forms the north-east corner cut out of the amalgamated lots, will be entirely surrounded on side and back by apartment and parking lot.

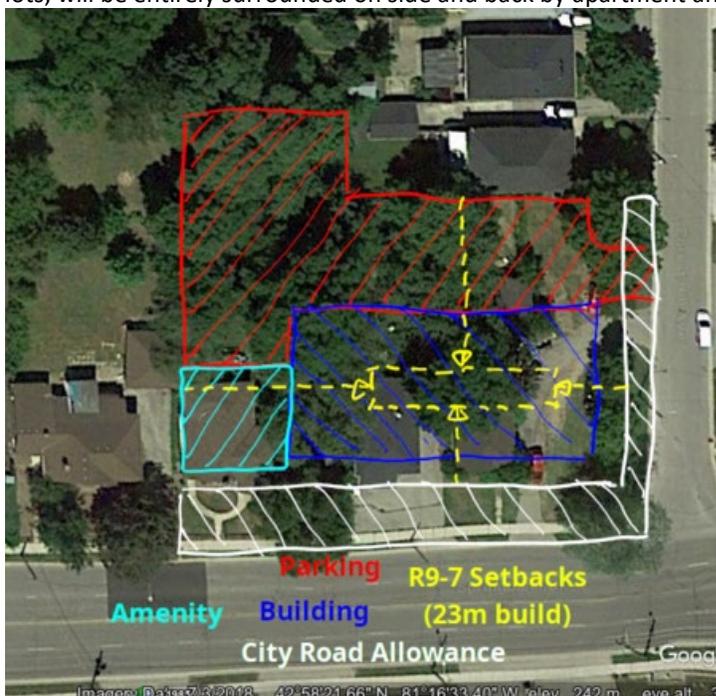


Figure 10: Site plan overlay with R9-7 setback regulations (Zoning By-law Table 13.3)

While it isn't yet clear how the Urban Corridor type place will be recognized with respect to zoning requirements (part of why approving this now under the Urban Corridor vision is jumping the gun), the proposal is to for the current R9-7 designation. R9-7 is the highest density form of the R9 medium and higher density designations. This is to be contrasted with the aforementioned Urban Corridor vision of place appropriate moderate levels of intensity, with lesser levels along the primarily residential segments lacking large floor space.[826,840] Nonetheless, we have tabulated the setback requirements given in Table 13.3 of the city's Zoning By-law for an R9-7 zoning abutting a R1 or R2 residential zone in the following table and overlaid them with the site plan onto satellite imagery.

- yard depth minimum proposed
- front 10m 0.5m
- exterior side 10m 2.3m
- rear 23m 15.0m

interior side 23m 13.8m

Clearly, there are significant issues. Even with the proposed extremely reduced front and exterior side setbacks, the 1:1 height to setback ratio required on the rear and interior sides does not leave enough space for the building. Further, while the Urban Corridor place type does specify that buildings are to be situated close to the front lot to assist with rear setback, accepting the level of reduction proposed in this case will create future issues. If the Urban Corridor street vision for Springbank Dr. is to be realized (it has been classified for widening), the city will need its full road allowance, and this will result in six stories of balconies with virtually no setback over the future pedestrian zone.[371,372,841,1737] It also seems doubtful that the R9 requirement for 30% landscaped open space is being met.

In addition to the loss of privacy and neighbourhood character, the building shadowing needs to be addressed.[1578,1681] The [online shadow calculator](#) shows the building would cast significant shadows over our lot, and, even at high noon, have our neighbour's lot (the north-east corner cut out of the amalgamated lots) under almost complete shadow from early September to July. The high-level of visibility and the negative

lighting impacts of the parking lot also needs addressing.[278,279,745] The parking precludes on-site garbage pickup under the Site Plan Control By-law (garbage trucks have a 12m centreline turning radius and they are not to have to back up), so large bins will have to be wheeled out to the curb for collection once or twice a week, negatively impacting the adjacent lots and neighbourhood character. Nor is it clear how snow removal will work with no free space (e.g., where will it be piled, where will residents park while it is being cleared)?

Conclusion

Everything about this simply says the proposal is too large for the size of the acquired lots. Much of the raised issues can be avoided by proper sizing and following the plan. Underground and structured parking integrated within the building design is encouraged for the Urban Corridor place type.[270,841] Reducing the height of the building and integrating the parking into/under it would allow for the preservation of the distinct trees and associated urban forest at the back of the lots. This would help maintain the character of the neighbourhood, be beneficial to the residents of the building, be consistent with the directives regarding trees of distinction and preservation and enhancement of the urban forest, meet the required setbacks, and go a long way to mitigating and buffering the impact on the adjacent residential lots.[252,253,258,270,277-279,282,284,298,386-389,391,393-395,399,401,745,830,832,840,841,1578,1681]

Another option is that the lots could be used for small-scale commercial as suggested in the plan for parts of Urban Corridor that are primarily residential areas.[826] Many people we have talked to have expressed how nice it would be to have some small-scale coffee shops and restaurants like those found on the corners of Wortley Village. Business would likely be very good given they would be situated immediately across, and the closest amenities to, the twin high-density towers the OMB has forced through. Yet another option would be for the developer to invest in upgrading and restoring the properties as the residential lots they are. This has been done elsewhere on the Forest Hill Ave./Wildwood Ave. loop and, from talking to the developer, in the current market it is a very profitable, immediate option.

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

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

1.1.1 b)

1.1.1 e)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

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

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

Policy 54_ Our Strategy, Key Directions

Policy 59_ 1, 2, 4, 5, and 8 Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_ 10 Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 66_ Our City, Planning for Growth and Change

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

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

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

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

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

*Policy 837 Permitted Uses

*Table 9 Range of Permitted Heights

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

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

Official Plan (1989)

Auto-Oriented Commercial Corridor Policies

11.1. Urban Design Policies

19.4.4. Bonus Zoning

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use contributes to the housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site is able to accommodate the intensity of the proposed use. Special provisions have been recommended where appropriate setbacks have been proposed.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located close to office and commercial uses, elementary schools, numerous parks, and bus service in the area.

<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>There is no bonusing required and therefore the applicant did not propose any affordable housing.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The height, location and spacing as proposed are all considered appropriate with mitigation measures available.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Transportation Division has no concerns.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The applicant is commended for incorporating the following into the design of the site and buildings. Providing a well-defined built edge at street level; Well-defined principal entrances to all of residential units; A variety of building materials and articulation break up the massing of the buildings; and Purpose-designed amenity space on top of the roof and on site.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>Not applicable.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>There is not a presence of naturally occurring methane gas on site.</p>
<p>Compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the recommended Official Plan Amendment and the in-force policies of The London Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process.</p>

<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Enhanced, robust tree planting and landscaping in combination with privacy fencing, and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.</p>

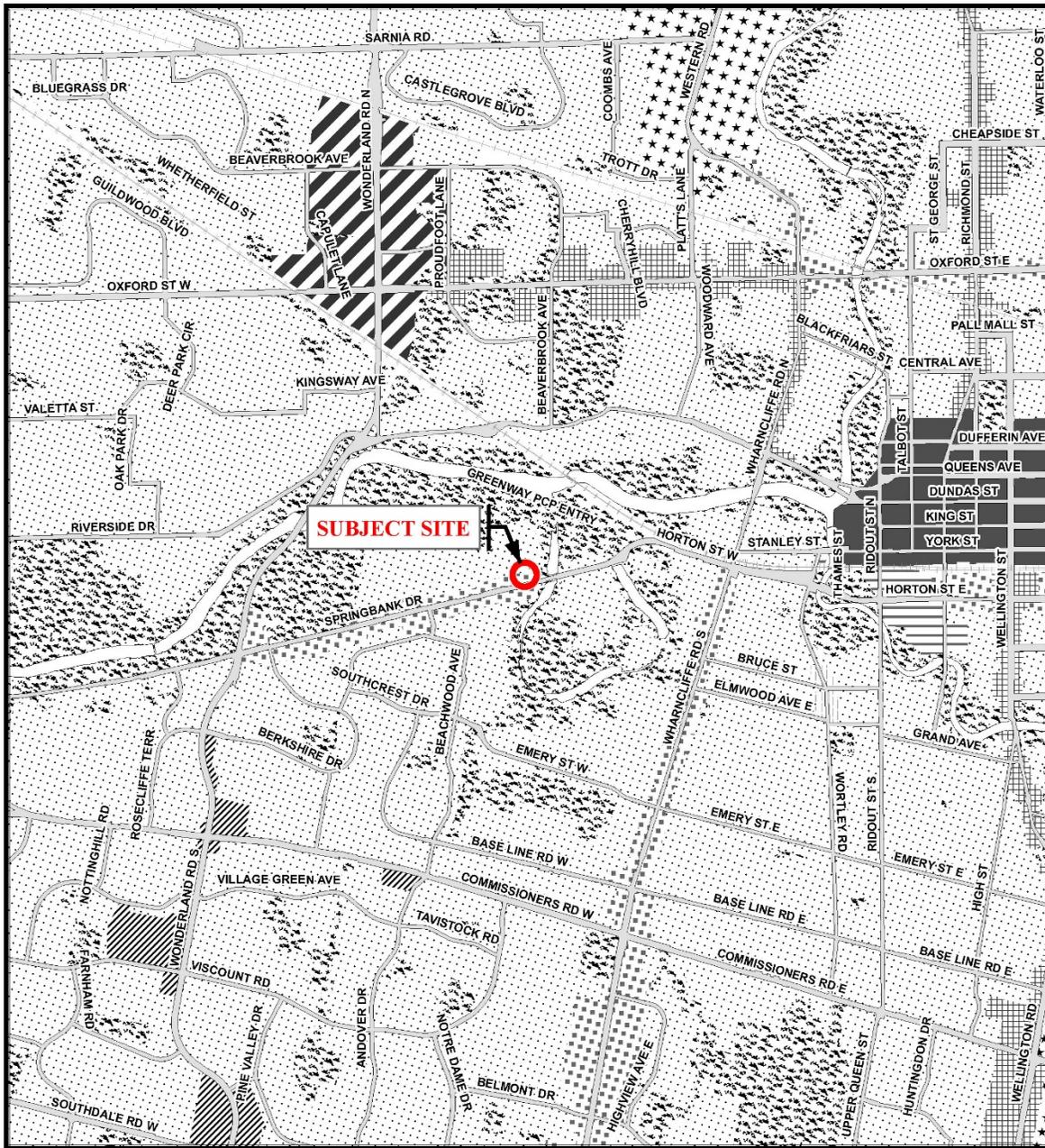
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a compact City and strong, healthy and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the site plan approval stage.
Conformity with the policies of the place type in which they are located.	The proposed development provides for the use and intensity of development contemplated within the Urban Corridor Place Type.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water and sanitary sewers. Additional evaluation of the capacity of the stormwater management system is to occur at the site plan approval stage.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Transportation Division has no concerns.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was submitted to be reviewed at the site plan stage to address the mitigation of impacts of road noise on the new development.
Parking on streets or adjacent properties.	The proposal includes the provision of on-site parking at a reduced rate of 1 space per residential unit where 1.25 spaces are required for apartment buildings at this location. The reduced parking rate is a common and acceptable modern standard for sites located on streets that support a good level of public transportation, such as Springbank Drive.

Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. The applicant indicates that exterior lighting will be located near building entrances, along pedestrian walkways, and parking areas. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Garbage facilities should be screened, storage inside the building is a standard requirement for apartment forms, with garbage to be placed outside on collection day.
Privacy	The proposed development situates the buildings as far from abutting residential properties as possible. An adequate separation is provided between the proposed building and the residential properties to the east. In addition to the spatial separation between the buildings and the lot lines, the provision of a combination of privacy fencing and enhanced, robust landscaping to soften the property boundaries and provide screening to neighbouring single detached lots will help screen views from the proposed building to neighbouring properties.
Shadowing	Minor shadowing may impact adjacent properties in the early morning or late afternoon, depending on the season.
Visual Impact.	Enhanced landscaping, articulated building design, and architectural details and materials to be finalized at the site plan approval stage are expected to have a positive visual impact on the area. The proposed development is consistent with the character of the area, which includes several low, mid and high-rise apartment buildings and commercial.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	The development will result in the loss of some trees and canopy cover in order to achieve more compact forms of development within the built-up part of the City. At the site plan stage, consideration should be given to the removal of some or all of the existing trees in favour of the provision of privacy fencing in combination with new enhanced landscaping to provide screening for neighbouring properties.

Cultural heritage resources.	Not applicable.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

Appendix D – Relevant Background

The London Plan



Legend

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

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

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

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



File Number: O-9354/Z-9355

Planner: AR

Technician: RC

Date: December 3, 2021

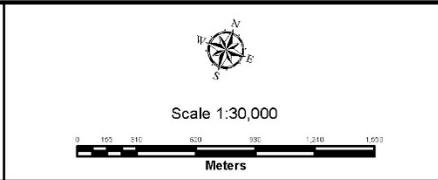
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1989 Official Plan – Schedule A – Land Use



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

CITY OF LONDON
 Planning Services /
 Development Services
 OFFICIAL PLAN SCHEDULE A
 - LAND USE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: O-9354/Z-9355
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2021/12/03

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



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

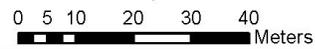
FILE NO:

O-9354/Z-9355 AR

MAP PREPARED:

2021/12/03 RC

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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Anast Holdings Inc.
257-263 Springbank Drive
Public Participation Meeting

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of Anast Holdings Inc. relating to the property located at 257-263 Springbank Drive:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend the Official Plan (1989) to **ADD** a policy to Section 10.1.3 – "Policies for Specific Areas" to permit a residential apartment building with a maximum building height of 5-storeys - 20 metres(northerly half)/6-storeys - 23 metres(southerly half) and with a maximum density of 137 units per hectare within the Auto-Oriented Commercial Corridor designation to align the 1989 Official Plan policies with the Neighbourhood Place Type policies of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Arterial Commercial Special Provision (AC2(2)) Zone, **TO** a Residential R9 Special Provision (R9-7()) Zone;
- (c) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Board on board fencing along the west, and north property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities; and
 - ii) Ensure the tree preservation report has been updated, consent has been granted from Forestry Operations to remove any boulevard trees and vegetation, and a risk assessment of trees prior to construction and anticipated with construction is conducted.
- (d) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-laws as the recommendation implements the same number of proposed units of 38 for which public notification has been given.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the development of a 5-storey(northerly half)/6-storey(southerly half) apartment building with a total of 38 dwelling units and maximum density of 137 units per hectare.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a 5-storey (northerly half) and 6-storey (southerly half) apartment building with 38 dwelling units and a maximum density of 137 units per hectare. The following special provisions would facilitate the proposed development, a minimum exterior side yard setback of 0.3m; a minimum front yard depth of 2.0m; a minimum interior side yard setback of 15.5m; a minimum parking rate of 1 space per residential unit; a residential density of 137 units per hectare; and a maximum balcony projection of 0.6m from the exterior lot line.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, 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 Urban Corridor Place Type policies. It also conforms with the in-force policies but not limited to the Key Directions, and City Design policies.
3. The recommended amendment meets the criteria for Specific Area Policies and will align the 1989 Official Plan with The London Plan;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of development.
5. The subject lands represent an appropriate location for intensification in the form of an apartment building, at an intensity that is appropriate for the site and 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

None

1.2 Property Description

The subject site is comprised of three parcels of land located at the northwest corner of Springbank Drive and Forest Hill Avenue. The site has a frontage of approximately 35.9 metres along Forest Hill Avenue which is considered the legal frontage of the property and 58.2m along Springbank Drive with a total area of 0.28 hectares. The subject site currently contains three single detached dwellings.

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

- Official Plan Designation – Auto Oriented Commercial Corridor
- The London Plan Place Type – Urban Corridor Place Type
- Existing Zoning – Arterial Commercial Special Provision (AC2(2))Zone

1.4 Location Map



1.5 Site Characteristics

- Current Land Use – single detached dwellings
- Frontage – 35.9 metres
- Depth – n/a
- Area – 0.28 hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – single detached dwellings
- East – single detached dwellings
- South – vacant residential land
- West – single detached dwellings

1.7 Intensification

The proposed 38 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Original Development Proposal and Requested Amendments (May 2021)

On May 10, 2021, Planning and Development accepted a complete application that proposed a 6-storey apartment building consisting of 38 units at 136 units per hectare, and 41 parking spaces, 12 located underneath a cantilevered portion of the building. Vehicular access was proposed from Forest Hill Drive and direct pedestrian access from a main entrance off of Springbank Drive to the sidewalk. Balconies for each unit were proposed along with some common outdoor amenity area in the southwest corner of the site.

The applicant originally requested to change the zoning on the subject site from an Arterial Commercial Special Provision (AC2(2)) Zone, to a Residential R9 Special Provision (R9-7()) Zone. Special provisions included a minimum exterior side yard setback of 2.3m metres, whereas 3 metres is required; permit a minimum front yard depth of 0.5 metres, whereas 6 metres is required; a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required; a maximum density of 136 units per hectare whereas 130 units per hectare is required. and a setback of balconies to 0.5 metres from the front lot line.

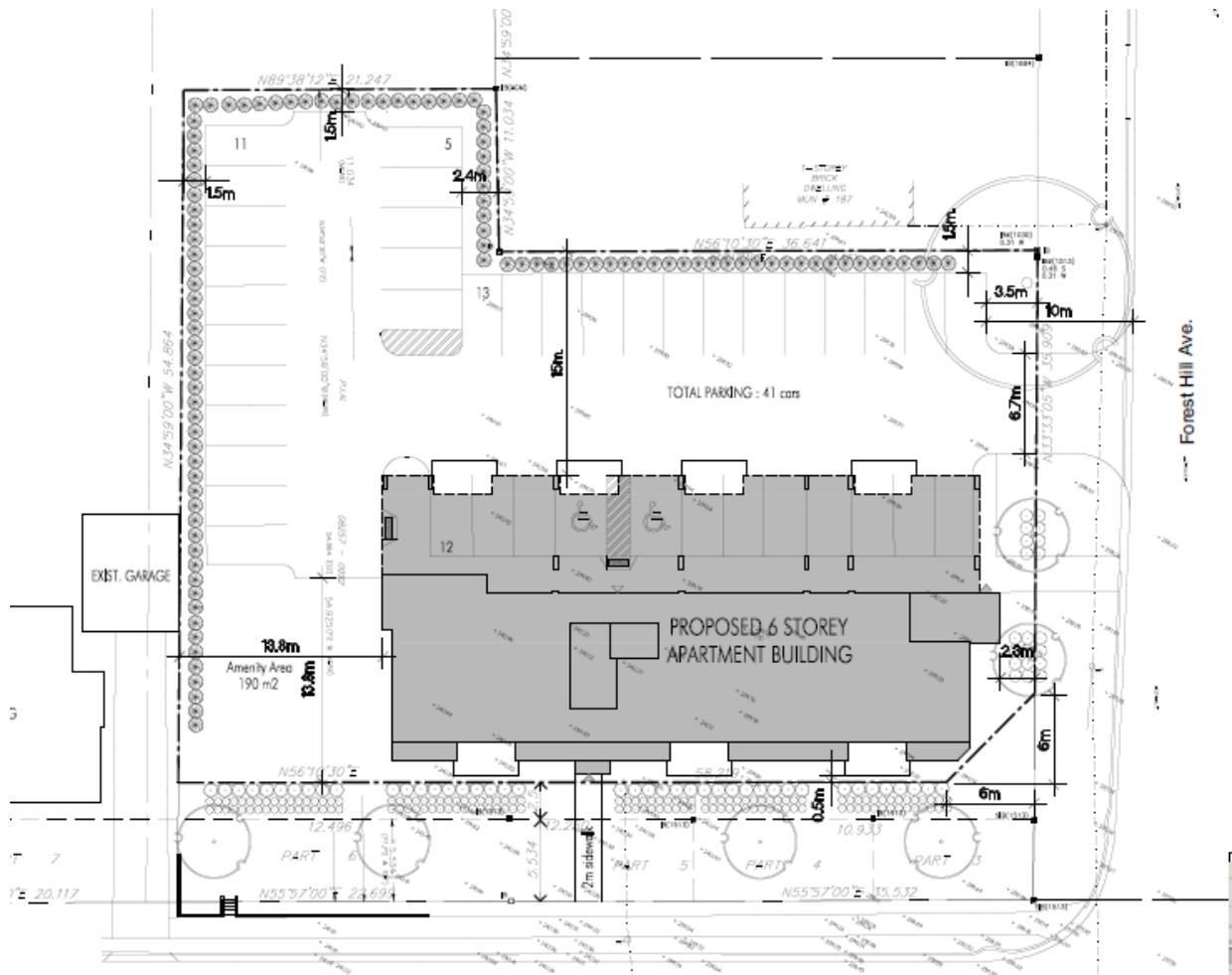


Figure 1: Original site concept plan (May 2021)



Figure 2: Original Rendering

2.2 Revised Development Proposals and Requested Amendments (November 2021)

On November 10, 2021, the applicant requested a revision to the application and provided slight design modifications to address technical site design requirements in response to concerns raised by City staff and the public.

The revised proposal did not change the number of units, however it specifically addressed stepping down the northerly side of the building to 5-storeys with a terrace on top. Special provisions were also changed to reflect Forest Hill Ave as the legal frontage resulting in a minimum exterior side yard setback of 0.3m metres, whereas 10 metres is required; permit a minimum front yard depth of 2.0 metres, whereas 8 metres is required; a minimum interior side yard setback of 15.5m whereas 26m is required; a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required a maximum density of 137 units per hectare whereas 130 units per hectare is required and a maximum balcony projection of 0.6m from the exterior side lot line.

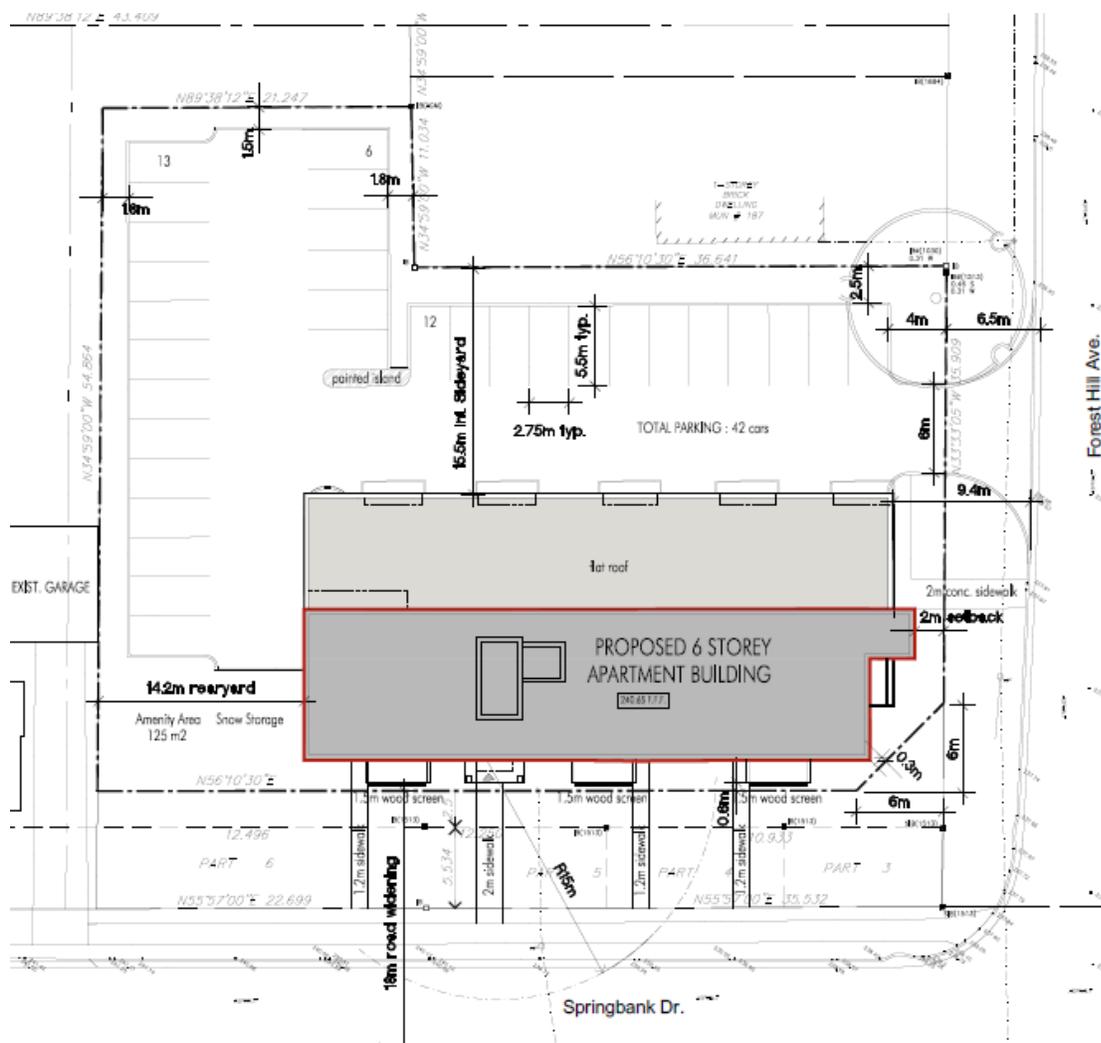


Figure 3: Final Revised site concept plan (November 2021)



2.5 Community Engagement (see more detail in Appendix B)

Twelve written responses were received, which will be addressed later in this report. The primary issues identified by the public included:

- The proposed built form/density are not in keeping with the area
- Compatibility
- Increase in traffic
- Parking
- Perceived decrease in property value
- Lighting, privacy, noise
- Parking
- Access
- Wildlife

The applicant also hosted a virtual community meeting November 10, 2022. The purpose of the meeting was to provide the community with information with respect to this application. Six members of the community attended the meeting. The applicant provided a presentation on the proposed development and answered questions relating to the proposal.

2.6 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). The PPS also directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The London Plan

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

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

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow

- outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Directions 5 and 10).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

All planning and development applications will conform with the City Design policies of The London Plan. All planning applications are to be evaluated with consideration of the use, intensity and form that is being proposed, subject to specific criteria set out in the Plan (Policy 1578_).

The London Plan identifies that residential intensification is fundamentally important to achieving the vision and key directions of plan. Intensification within existing neighbourhoods will be encouraged to help realize the vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability (Policy 937_).

In addition to The City Design policies of this Plan, residential intensification projects are subject to additional urban design considerations (Policy 953_). New proposals must clearly demonstrate that the proposed intensification project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood. The Plan evaluates compatibility and fit from a form perspective against a specific list of criteria to help ensure it is in keeping with the character of the surrounding neighbourhood. Compatibility and fit will be evaluated on matters such as, but not limited to, site layout, building and main entrance orientation, building line and setback from the street, character and features of the neighbourhood, height and massing. The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas (Policy 953_).

The site is in the Urban Corridor Place Type, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include range of residential, retail, service, office, cultural, recreational, and institutional uses.

1989 Official Plan

The City's *Official Plan (1989)* contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The lands are within the Auto Oriented Commercial Corridor land use designation of the 1989 Official Plan. This designation is intended to accommodate commercial uses that cater to the needs of the travelling public, generally applied to areas along arterial roads where high traffic volumes are present and where services can be concentrated and supported. Examples of permitted uses include hotels, automotive uses and services, restaurants, and building supply outlets/hardware stores. Commercial buildings in the

“Auto-Oriented Commercial Corridor” designation are to be of low-rise form to provide for a scale that will minimize impact on, and can be integrated with, surrounding uses.

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

Through an analysis of the use, intensity and form, Staff have considered the compatibility and appropriateness of the requested amendment and proposed development, as shown in the revised concept plan, both on the subject lands and within the surrounding neighbourhood.

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Consistent with the PPS, and conforming to The London Plan, the recommended apartment development will contribute to the existing range and mix of housing types in the area, which predominately consists of one and two-storey single detached, semi-detached dwellings to the north and west, and 14-storey apartment building zoned for development across the street at 250-270 Springbank Drive. The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed cluster development with 5-storeys on the northerly portion and 6-storeys on the southerly portion will provide choice and diversity in housing options for both current and future residents. No new roads or infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to open space, with the Thames Valley Corridor across Springbank Drive and a park to the north, transit, community facilities, convenience and shopping areas along Springbank Drive, and commercial corridor along Wharncliffe Road.

The London Plan

The subject site is located along an Urban Corridor Place Type which permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. The proposed apartment building is in keeping with the permitted uses of The London Plan. (Permitted Uses, *837_).

While the recommended development has a different intensity and built form than some of the existing surrounding development, the analysis of intensity and form below demonstrates that this apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

1989 Official Plan

The proposed residential development is not contemplated within the *Auto-Oriented Commercial Corridor* land use designation in the 1989 Official Plan. Since this designation does not allow for residential uses, an amendment to the 1989 Official Plan is required to align the 1989 Official Plan policy framework with the Urban Corridor Place Type of The London Plan. Therefore, staff's recommendation includes a site-specific policy to permit a residential development within the 1989 Official Plan. Further analysis of this is below in Section 4.2 – Intensity.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated. These take into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The subject property is of a size and configuration capable of accommodating a more intensive form of development and can be considered an underutilized site within a settlement area. As the site is currently developed with three single detached dwellings, the proposed development represents a form of residential intensification consistent with the PPS. The increased intensity of development on the site will make use of existing transit services, nearby passive recreation opportunities, and public service opportunities. The proposed intensity of the development can be accommodated on the subject site and within the surrounding context with minimal impacts. The proposed development supports the Province's goal to achieve a more compact, higher density form of development, consistent with the PPS.

The London Plan

The City of London has identified appropriate locations and promoted opportunities for intensification and redevelopment through The London Plan. The Plan establishes a hierarchy of where intensification should occur and what levels of intensity are considered appropriate within the Urban Growth Boundary. The Urban Corridor Place Type is one of those areas where intensification is promoted in order to achieve greater levels of intensity.

The London Plan uses height as a measure of intensity. In the Urban Corridor Place Type a minimum height of 2 storeys and a maximum height of 6 storeys, with bonusing up to 8 storeys is contemplated (*Table 9). The proposed 5-storey/6-storey apartment building is in keeping with the permissions of the place type and considered appropriate for the subject site. The development is sensitive to the adjacent land uses as a result of the building orientation, landscaping, and proposed setbacks/stepbacks from the sensitive residential land uses. This helps create a compatible development at a human scale along both Springbank Drive and Forest Hill Ave resulting in a comfortable pedestrian environment.

Furthermore, the subject site is of sufficient size and configuration which can accommodate the proposed use and allow for the creation of a comprehensive

development. The development provides a coordinated parking facility through parking in the rear of the development which is internal to the site (Intensity, *840_). The increased intensity of development on the site will make use of and be supported by existing transit services, the wide range of commercial uses along the corridor and additional, office uses, public and Catholic elementary schools, and several parks within walking distance.

The policies of the Urban Corridor also speak to the careful management of the interface between the subject lands and any adjacent lands within less intense neighbourhoods. In consultation with Urban Design Staff it has been determined the recommended setbacks from the adjacent low density residential are a suitable form of redevelopment on these lands. This is discussed further in the Form Section below.

The proposal will help to implement the vision of the Urban Corridor Place Type policies of The London Plan with respect to creating additional intensity in these areas and is consistent with the desired development pattern of a compact and transit-oriented mixed-use corridor (Policy 855).

1989 Official Plan

As mentioned, the Official Plan identifies that the subject lands are designated as Auto Oriented Commercial Corridor. This designation is intended to accommodate commercial uses that cater to the needs of the travelling public, generally applied to areas along arterial roads where high traffic volumes are present and where services can be concentrated and supported (Section 4.4.2.4; Section 4.4.2.5). The proposed residential development is not contemplated within this designation.

While the proposal complies with the maximum standard height in the London Plan, the requested use with a density of 137 uph is not permitted by the 1989 Official Plan. It has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan. Therefore, a specific policy is recommended to allow for a residential development with a height of 5-storeys on the northerly half and 6-storeys on the southerly half with a density of 137 uph for this development to align the policy framework with the Urban Corridor Place type. A Planning Impact Analysis has been provided in Appendix 'D' to address impacts of the proposed use and density on surrounding lands. Additionally measures addressing the impacts of the proposed intensity on surrounding lands have been reviewed through the above analysis of the Urban Corridor Place Type policies and no further review is required through the AOCC policies as they do not relate to residential developments.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The redevelopment and intensification of the subject lands would contribute to achieving a more compact form of growth along an Urban Corridor where this form of development is encouraged. The proposed apartment building provides a form of development that will optimize the development of the consolidated parcels and utilize existing services in the area.

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy *7_, 66_). It encourages growing "inward and upward" to achieve compact forms of development (Policy 59_ 2, 79_) and provides opportunities for infill and intensification through various types and forms of development (Policy 59_ 4). To manage outward growth, The London Plan encourages infill and intensification in meaningful ways (Policy *59_8).

Within the Urban Corridor Place Type, and according to the urban design considerations, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (841_). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

The proposed building is oriented along and located close to the Springbank Road and Forest Hill Ave. streetscapes. Particular emphasis is placed on the lot's corner location, as the building is situated close to the intersection of Springbank Road and Forest Hill Ave helping define the street edge and encourage a street-oriented design with ground floor entrances facing the streets. The preliminary building design includes appropriate building articulation, rhythm, materials, fenestration, and balconies. The differing setbacks of the building improves sightlines for residents and adds an appropriate architectural rhythm along the Springbank Road and Forest Hill Ave streetscapes. The exterior side yard abuts Springbank Drive however, requires a reduced setback to 0.3m corner setback at the intersection whereas the building itself is setback 0.2metres from Springbank Drive. The west interior side yard abuts a residential zone and a setback of 15.5m has been provided between the proposed apartment and abutting residential lots. Further special provisions include a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required, and a maximum 1.5m balcony projection that is 0.6m from the exterior side lot line.

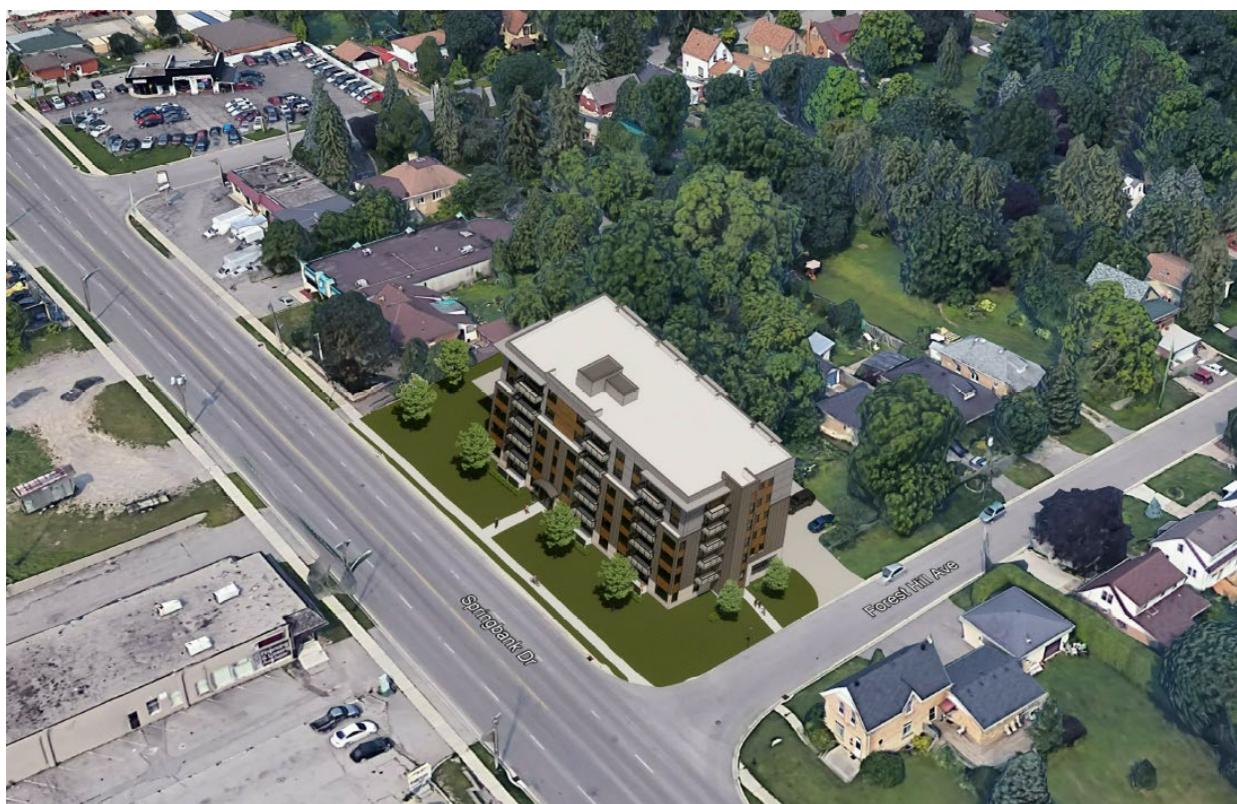


Figure 5 – Aerial View (Original Rendering)

In Staff's opinion there is sufficient space between the development proposal and the property lines, providing an opportunity to provide for fencing, landscaping, and/or tree plantings to screen the building and afford adequate privacy levels for residents. The pedestrian pathways on the subject lands provide direct access from the ground floor units to the public sidewalk and to the surface parking area, helping establish an active street wall and appropriate interface with the public realm.

As previously noted, the proposed building placement and reduction in height to the northerly elevation (5 storeys) combined with the large setback from the existing residential development provides a suitable relationship between the proposed development and existing homes, helping to mitigate compatibility concerns. Additional

buffering will be provided through appropriate fencing and/or vegetative screening along the west and north property boundaries adjacent to existing development.

The proposed development meets the urban design goals of The London Plan and will result in a development that is compatible with, and a good fit, within the existing and planned context of the area.

1989 Official Plan

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses. The development provides an active street wall along the Springbank Drive and Forest Hill Ave frontages, creating a positive interface for pedestrians. The building's design provides appropriate scale/ rhythm/ materials and fenestration. The main pedestrian access points for the building create a prominent entrance feature clearly identifying the main entrance to the building. The development also transitions the height and massing from six stories to five stories to limit the impacts of the building height on the abutting properties.

The Official Plan also ensures that all developments conform to the Urban Design principles in Section 11.1. 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. The applicant was successful in meeting these requests improving the overall development. Staff are supportive of the overall design and changes made by the applicant and believe it is in keeping with the Urban Design principles in Section 11.1

4.5 Specific Policy - Chapter 10

The applicant has requested a Specific Area Policy to permit an apartment building with a maximum residential density of 137 units per hectare within the Auto Oriented Commercial Corridor.

Specific Area policies may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the lands. Under these circumstances, the adoption of Specific Area policies may be considered where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use. (10.1.1.ii) The commercial policies applied to these lands do not contemplate residential development and anticipate the primary function to be commercial uses. The proposal for a stand-alone apartment building is not consistent with the planned function of the auto oriented commercial corridor however, the proposed development is in keeping with the Neighbourhoods Place Type in the London Plan which will be applied to the subject site and will come into effect once The London Plan appeals have been resolved. As such, the existing commercial designation currently applied to the subject site does not "*accurately reflect the intent of Council*" for future development on this property. In Staff's opinion the proposed development warrants consideration of a special area policy to permit the requested apartment building until the Neighbourhood Place Type comes into effect.

Furthermore, the proposed building has been positioned and oriented on the subject lands to minimize the impact on surrounding land uses. There are no notable land uses proximate to the subject lands that will present any significant land use conflicts with the proposed development. Adequate levels of landscaping and/or tree plantings will screen the surface parking area from the public realm, enhancing the pedestrian environment around the subject lands. The proposed development is located at an intersection, where it is anticipated that many of the land uses along Springbank Drive will transition to similar mixes of land uses along the corridor, replacing many auto-oriented commercial corridors uses. The subject lands represent a location that provides convenient access along an arterial road and is proximate to many commercial amenities and institutional services.

As such, staff have recommended a special policy to align the current 1989 Official Plan with the London Plan for the proposed intensity and scale of development.

4.6 Public Concerns

Over Intensification:

Concern that too many units are being proposed for the site in relation to the intensity of surrounding development.

Concern about the cumulative impact of ongoing and planned residential intensification in the vicinity of the subject property.

Response: The proposal will help to implement the vision of the Urban Corridor Place Type policies of The London Plan with respect to creating additional intensity in these areas and is consistent with the desired development pattern of a compact and transit-oriented mixed-use corridor.

Compatibility

Concern the proposed development will not be compatible with the surrounding area.

Response: The proposed building has been positioned and oriented on the subject lands to minimize the impact on surrounding land uses. There are no notable land uses proximate to the subject lands that will present any significant land use conflicts with the proposed development.

Traffic

Concern about the cumulative impact on the transportation system for volume and safety of existing, ongoing and planned residential intensification in the vicinity of the subject property.

Response: The Transportation Division did not have any concerns with the proposed increase in traffic that could result from this proposed development.

Privacy

Concern that the development will create privacy issues and will negatively impact the enjoyment of neighbouring properties.

Response: The proposed recommendation includes that during the time of site plan approval additional buffering will be provided through appropriate fencing and/or vegetative screening along the west and north property boundaries adjacent to existing development will be considered.

Parking

Concern that insufficient parking is being provided for the site.

Response: This development is located along an arterial road with access to transit. The applicant also has provided one space per unit and bicycle parking.

Wildlife

Concern this will destroy the wildlife in the area

Response: There are no natural heritage issues that were identified through the process.

Trees

Concern about the existing trees.

Response: This is a site plan issue. However, the recommendation includes that the tree preservation report be updated.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the 1989 Official Plan policies and the in-force policies of The London Plan including the Urban Corridor Place Type policies. The proposal facilitates the development of an underutilized property and encourages an appropriate form of development. The building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, the nearby arterial streets, existing public transit, and large open space corridor with passive recreational trails in the area.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner, Planning & Development

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

Appendix A Official Plan Amendment – Policies for Specific Areas

Bill No. (number to be inserted by Clerk's Office)
2022

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 257-
263 Springbank Drive

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on January 25, 2022

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a Chapter 10 policy in Section 10.1.3 of the Official Plan for the City of London Planning Area – 1989 to permit a 5-storey-20 metre (northerly half)/6-storey-23 metre (southerly half) apartment building with a total of 38 units and a maximum density of 137 units per hectare, that will allow for a development that is consistent with the Urban Corridor Place Type policies of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 257-263 Springbank Drive in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2020, and the in-force policies of the 1989 Official Plan and The London Plan.

The recommendation provides for intensification in the form of an apartment building located along a high-order road. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding area. and would help to achieve the vision of the Urban Corridor Place Type.

D. THE AMENDMENT

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

1. Chapter 10 – Policies for Specific Areas of the Official Plan for the City of London is amended by modifying the following:

257-263 Springbank Drive

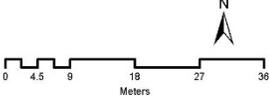
- () At 257-263 Springbank Drive, within the Auto-Oriented Commercial Corridor, a 5-storey-20 metre (northerly half)/6-storey-23 metre (southerly half) apartment building with a maximum density of 137 units per hectare may be permitted.



LOCATION MAP

Subject Site: 257-263 Springbank Drive
 File Number: O-9354/Z-9355
 Planner: Alanna Riley
 Date: 2021/12/03

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



Scale 1:800

Legend

-  Subject Site
-  Assessment Parcels
-  Buildings
-  Vegetation

Appendix B

Bill No.(number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 257-263 Springbank Drive.

WHEREAS Anast Holdings Inc. has applied to rezone an area of land located at 257-263 Springbank Drive, 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 257-263 Springbank Drive, as shown on the attached map comprising part of Key Map No. A110, from an Arterial Commercial Special Provision (AC2(2)) Zone, to a Residential R9 Special Provision (R9-7()) Zone.
- 2) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:
 -) R9-7() 257-263 Springbank Drive
 - a) Regulations
 - i) North Interior Side Yard Setback (Minimum) 15.5 metres
 - ii) Exterior Side Yard Setback (Minimum) 0.3 metres
 - iii) Front Yard Setback (Minimum) 2.0 metres
 - iv) Parking Rate 1.0 space per unit
 - v) Height (Northerly Portion) 5-storeys – 20 metres
 - vi) Height (Southerly Portion) 6-storeys – 23 metres
 - vii) Density 137 units per hectare
 - viii) Balcony Projection (maximum) 0.6m from the lot line

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

This By-law shall come into force and be deemed to come into force in accordance with

Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

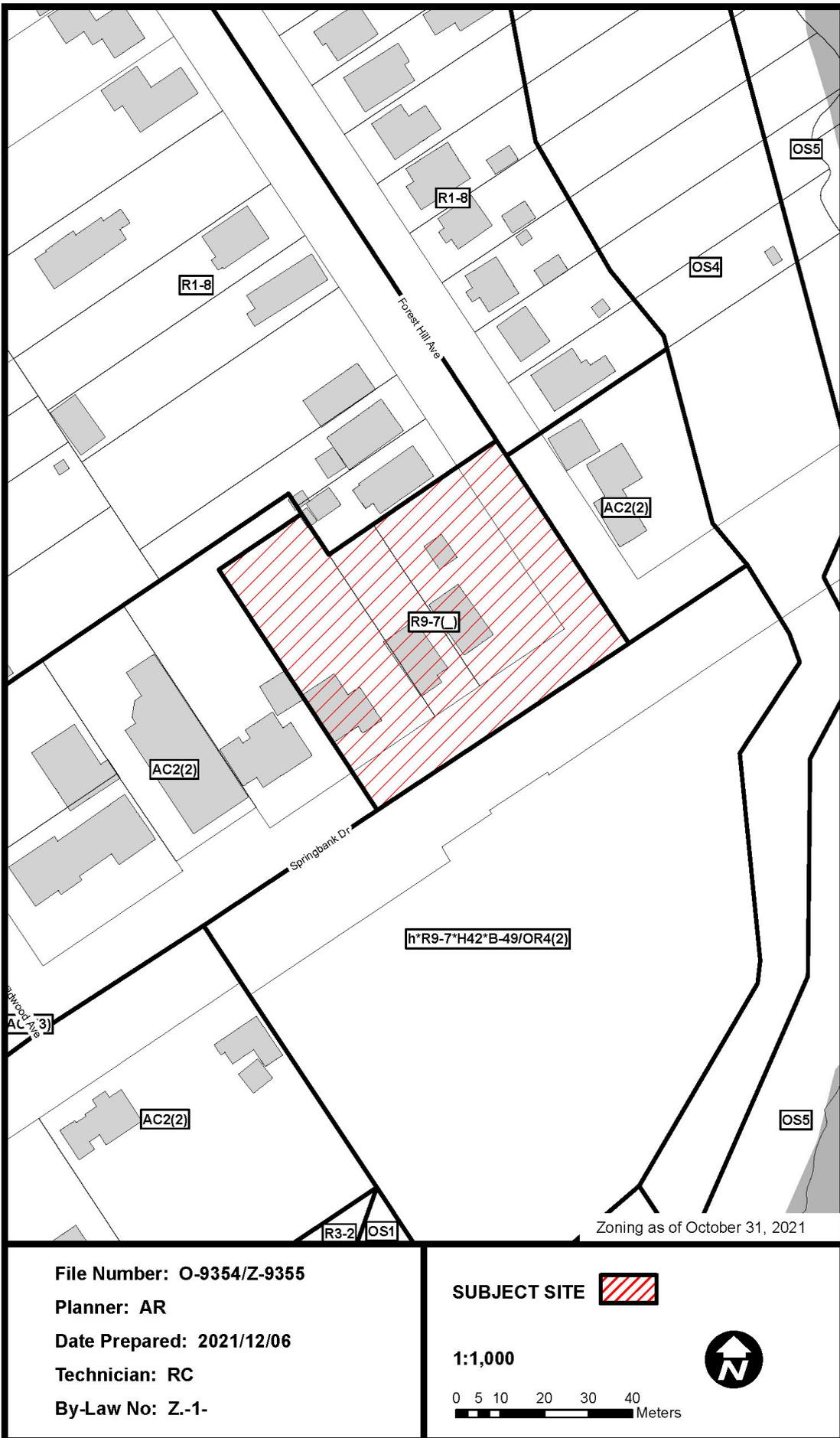
PASSED in Open Council on January 25, 2022.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

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



Appendix B – Public Engagement

Community Engagement

Notice of Application (May 20, 2021):

On May 20, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 20, 2021. A “Planning Application” sign was also posted on the site.

12 replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit a 6-storey apartment building with 38 units with a density of 136 units per hectare

Notice of Revised Application (December 2, 2021):

On December 2, 2021, Notice of Revised Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 2, 2021.

Nature of Liaison: The purpose and effect of this zoning change is to permit a cluster townhouse/stacked townhouse development with 13 cluster townhouses and 8 a 5-storey(northerly half) and 6-storey(southerly half) apartment building with 38 units with a density of 136 units per hectare.

Community Meeting: The applicant also hosted a virtual community meeting November 10, 2022. The purpose of the meeting was to provide the community with information with respect to this application. Six members of the community attended the meeting. The applicant provided a presentation on the proposed development and answered questions relating to the proposal.

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

Concern for:

Over Intensification:

Concern that too many units are being proposed for the site in relation to the intensity of surrounding development.

Concern about the cumulative impact of ongoing and planned residential intensification in the vicinity of the subject property.

Traffic

Concern about the cumulative impact on the transportation system for volume and safety of existing, ongoing and planned residential intensification in the vicinity of the subject property.

Privacy

Concern that the development will create privacy issues and will negatively impact the enjoyment of neighbouring properties.

Parking

Concern that insufficient parking is being provided for the site.

Wildlife

Concern this will destroy the wildlife in the area

Trees

Concern about the existing trees

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

Dear Alanna Riley and Stephen Turner,

The proposed plan to build a 38 unit, six-story apartment building at 257-263 Springbank Drive will significantly impact the general livability conditions of our small, quiet neighbourhood on Forest Hill Ave. After meeting with several neighbours, I have created a list of significant and genuine concerns.

1. Residential properties immediately abutting a six-story apartment building and parking lot will decrease in property value.
2. The scale of a six-story apartment building and parking space spilling over onto Forest Hill Ave, is not compatible with a quiet, side-street neighbourhood of single-family dwellings which are mostly one-story homes.
3. As proposed, the six-story building will absolutely overshadow and intrude on private outdoor spaces.
4. The proposed plan of a six-story building and parking space will create a negative visual impact in the neighbourhood.
5. The proposed plan will negatively affect the natural habitat and biodiversity of the area as numerous old, healthy trees will need to be removed. As well, noise and light pollution will negatively affect the wildlife in the area including deer, fox, birds, chipmunks, geese, wild turkey, ducks and rabbits.
6. The proposed plan will create substantial shading of existing ground-related residences. Since the proposed building will be built south of residential homes, it will create shade during the critical mid-day period during which many plants need direct sunlight and outdoor activities are most common.
7. A significant increase in noise pollution from traffic, air conditioning units, neighbours on balconies as well as mechanical equipment.
8. A significant increase in vehicle traffic on our short, narrow, side-street neighbourhood will lead to traffic congestion and an increase in air pollution. As well, there will already be a substantial increase in traffic on Springbank Drive as a 15-storey apartment building is being built directly across the street (250-270 Springbank Drive) from the proposed plan for 257-263 Springbank Drive. Many homeowners on Forest Hill Ave are concerned about the challenge of turning left onto Springbank Drive, which will be exacerbated by the increase of vehicles from the apartment buildings.
9. As visitor parking to the building will be extremely limited, there will be an increase of people parking on Forest Hill Ave in front of residential homes.
10. A significant increase in foot traffic directly on Forest Hill Ave of people wanting to access Greenway Park at the end of our street.
11. Ongoing construction headaches including noise and air pollution and debris will disrupt the wildlife in the area and the daily life of many homeowners.
12. A proposal for renovation of the existing homes would be more reasonable.

We appreciate your attention to the legitimate and serious concerns of our neighbourhood community.

Claudine St. Pierre

Ray Smith

Greetings,

Background

Currently Springbank Drive is a high traffic, 4 lane arterial road serving the west end of London, south of the Thames. The speed limit is commonly exceeded and is really just a number on a post. As a long-time resident of Forest Hill Avenue, I find it increasingly difficult to enter or exit Springbank because of the increase in the volume and speed of traffic. As the west end of the city develops, so does the traffic on Springbank.

My street, Forest Hill Avenue, is on the hillside off Springbank Drive just above the Coves. There is no alternative to this intersection as Forest Hill ends at Springbank Park where it joins the next residential street - Wildwood Avenue. Both streets are a kilometer or so long and together form a U - ending at Springbank Drive. There are no parking restrictions posted on Forest Hill. Despite a lack of sidewalks, there is also a considerable volume of foot/bike/dog walker traffic from Springbank Drive using Forest Hill for access to the park. The street is also on a school bus route. Forest Hill predates amalgamation by many years.

I should add that shopping and services are in very short supply within walking distance of Forest Hill. Particularly for those of us with age and physical limitations. Private cars and taxis are considered essential. LTC provides bus service on Springbank Drive but not to any convenient supermarket, full service drug store or hardware shopping. The closest plaza on Springbank is anchored by Giant Tiger and a tombstone dealer.

The Proposed Amendment

To add an entry/exit for 38 parking spaces with no visitor parking within a few meters of the Springbank/Forest Hill intersection is untenable and will further increase the access problem. Compounding this problem will be the proposed large development at 250 on the south side of Springbank Drive. That will be adding an even greater number of vehicles trying to enter/exit Springbank Drive on the hillside. In addition, that hill puts east-bound traffic on Springbank Drive out of sight until it is quite close - about 50 meters from Forest Hill. Given the traffic's speed, exiting or entering Forest Hill becomes chancy for current residents. Increasing the volume will only increase the risk. The alternative is to exit by the other end of the U on Wildwood Avenue. That of course will only move the problem and antagonize residents of a very quiet street. The used car dealership at the corner of Wildwood and Springbank is probably a more logical apartment building site as it is already cleared and it's not on the hillside.

At the very least, the entrance/exit to 257-263 Springbank Drive should be at the west end of the development site and as far as possible from Forest Hill Ave. Although that may only move the problem, not solve it.

Since I live about 100 meters north of the proposed development, I won't comment on the shade and privacy effects on the existing single family homes north of the site. But that must be a very real concern for those neighbours.

Conclusion

It appears from the official notice that the city's administration is sharing sponsorship of the proposed amendment. That only feeds the common belief that 'you cant fight city hall'. In addition, there is no community organization to lead opposition to the amendment. Still I consider that the installation of an apartment block at the corner of Forest Hill and Springbank Drive will have a very negative effect on this viable but strained neighbourhood. I will join any effort to stop the proposed amendment to the official plan. That includes any action by the Friends of the Coves Association to protect the wetlands from contaminated run-off from the development.

I am available for questions or discussion at your convenience.

Stewart Malcolm

Owner/Resident,

Councillor Stephen Turner

File: O-9354/z-9355

In looking at the City Building Policies, there are many violations to those policies with the proposal of a 6 story building at the corner of Springbank Dr. and Forest Hill Ave. We are a well established neighbourhood, proud of our green environment next to the Coves and our unique Carolina trees. The proposal to change the current zoning by-laws would open the door for all homes on the north side of Springbank Drive, right up to Wonderland Road, to be demolished and replaced with like apartment buildings. Is that the City's plan? There has been much pride in our neighbourhood that several of our homes around the corner on Springbank have been built by Habitat for Humanity. We are proud of the herons, deer and other wildlife that frequent our quiet neighbourhood that backs on to the Coves. Many articles have been written about the diversity right here. There will be no pride in a building that would overshadow our neighbours, cause street noise and traffic congestion etc., and interrupt the aesthetics of our environmentally friendly neighbourhood. We are also designated under your Urban Design Guidelines as a Low Density area and this proposal goes against the vision of the newly formed London Plan adopted by City Council and approved by the Province in 2016.

I am certainly no expert in interpreting your City Building Policies, but after reading them, the following are just some of the observations I feel Violate those Policies.

202, 204, 210 – These do not meet Character Policy as this building is an entry point into our neighbourhood and does not identify its Character of beautiful tree landscapes and single family dwellings.

213 – It says the “street patterns will be easy and safe to navigate by walking”. The proposed building is too close to the sidewalk for pedestrians to safely walk as the balconies almost hover over the sidewalk.

231 – On the site concept, there is no indication of where the required outside transformer would be located, and for a building this size, it would have to be massive to support enough electricity. There is obviously no room for it.

235, 236, 237, 238, 240 – The conceptual rendering is meant to deceive as the front and side yards are too miniscule to support landscaping, tree canopy or pleasant environment

255 – This item is looking at safe movement. It is already difficult to turn left off Forest Hill because it enters Springbank half way down a hill. Also, when we turn left off Springbank to enter Forest Hill Ave we often have traffic bunched up behind us waiting for us to turn. That traffic does not see us readily because we are half way down the hill. With increased traffic this will be more dangerous.

259 - as 213, the building is so close to the sidewalk, with its minimal setback, to be a comfortable pedestrian environment and allow public right of way.

266 – The Site Concept does not show a loading area or where garbage collection would be. That is likely because there is no room for it on their plan. How is garbage to be collected. Where is the loading place for moving in/out? Which brings up the thought of negative visuals from the street and noise pollution.

270 – Parking. The allotment here for parking spots is against zoning and because previous violation points show space is already compromised, there is not space for residential parking. Visitor parking is not even addressed. Parking on the street in winter is prohibited. Forest Hill is narrow, so even now when meeting another car while driving, and a car is parked on our street, one car waits. It will be hazardous if people park close to Springbank Dr.

277 – Surface parking is to include 30% tree canopy coverage, and this Site Concept is in full violation. No Canopy coverage.

278 - There is only a 1.5m setback from the neighbour's property line.

279 - There is nothing on the site plan that shows how lighting will be achieved in the parking areas without bothering the neighbours. 280, 281 & 282 need to be addressed as well.

284 - a two story building or townhome should be the maximum in relation to all adjacent homes. This north side of Springbank is zoned for residential and small business buildings only. A large building would set a precedent for the future and affect all quiet residential streets off Springbank. It will impact all residents' quality of life.

286 – The scale of this building and the closeness of the building and balconies to the sidewalk is unacceptable, .5m. Not only will it be unsightly, but unsafe to walk by balconies that close.

290 – It is a corner lot and on the Site Plan they are showing the building corner to have a 6m only daylight triangle. I have been told this is ridiculous and very dangerous. This needs to be at least doubled.

291 – The Rendering does not clearly show a designed front entrance.

293 – The height of the building will have Shadowing Impact on neighbouring properties. That is not acceptable. The homeowners have a right to sunlight in their yards.

294&295 – There is nothing green about this proposal. No regard for trees or outdoor enjoyment areas in the Site Concept. The outdoor amenity space is just grass. A poor living environment for any future tenants. The Urban Design Guidelines stipulate that large shade trees be provided along all interior and exterior property lines where hydro lines allow.

I feel the city should not go against policy and stay within the existing zoning bylaws. As per London's Urban Design Guidelines, each site and neighbourhood is unique and any infill development should reflect the betterment of the community. This would not better our community. Based on the "Identified Place Type" of the London Plan, consideration should be given to the intent and possible future development envisioned for this area on the north side of Springbank Drive.

Please do what is right for us and all citizens in London. We appreciate or standard of living here and do not wish to move.

Elaine and Walter Pevcevicius

Hello Alanna Riley and Stephen Turner:

We are homeowners and residents @169 Forest Hill Ave, London, Laszlo & Susanna Rahoii..

We are strongly against the proposed rezoning of our area(File # O-9354/Z-9356Z) .

The construction of the 6 storey substandard building will affect both Forest Hill Ave & Wildwood Ave as well.

The North side of Springbank Drive doesn't have higher than two level buildings: planning to remove the 3 single family homes, the applicant try to squeeze a 6 level building with 38 residential units- which number close to the number of homes on Forest Hill Ave! It will cause traffic and congestion problems in our narrow street beside other problems.

The acceptance of this plant will cause a huge loss in our property values, prices go down, where poorly designed apartment buildings are erected. The Coves are Environmentally significant area, and this type of development will destroy their habitat.

Susanna & Laszlo Raho

REPEAT: WE STRONGLY OPPOSE THE REZONING.

Hi Alanna – I was wondering if you could share more information regarding the proposed 257-263 development. I plan to submit a response by the June 10th deadline, but wanted to see if more information was available first. I missed the public notice period for 250-270 Springbank, but I see you are the planner on that file as well.

I reside on Forest Hill Ave. Specifically my concerns for both developments are around:

- Traffic safety: what are the plans for traffic lights and any traffic control / calming measures for Forest Hill and Wildwood. How are the cars for 38 new residential units going to be handled turning onto Forest Hill?
- Street parking: are there any restrictions planned for parking on Forest Hill and Wildwood. With almost 300 residential units being build, along with medical/dental offices there are definite concerns of overflow onto Forest Hill & Wildwood
- How is garbage/recycling being handled for 257-263 Springbank. I do not see anything addressed on the Site Plan provided.

I am generally supportive of redevelopment, however there are some concerns I have regarding the pressures to be undeniably added to the quiet residential streets of Forest Hill Ave and Wildwood.

I will prepare a much more complete response prior to the deadline, just wanted to see if there was more information you could share first.

I would be happy to chat on the phone if that is easier for you as well.

Thanks you.

Good evening,

I am writing to appeal the proposed building on springbank drive at forest hill ave. This proposed building will have a significant negative impact on the current community with increased traffic and risk to the wild life.

We hope that our community's appeal is brought to the attention of city planners, as this will significantly impact many lives.

Thank you

Emily Corke

Good Morning,

I have received the proposed application O-9354 and Z-9355 in regards to 257-263 Springbank Drive and am writing to share my opposition to this development and zoning amendment.

1. There is a complete contrast from this proposed 6 storey apartment building in relation to the single story homes throughout the neighbourhood, it is not a fit

for the area and to be frank will be an eyesore and a devastating addition to our neighbourhood.

2. Privacy for neighbours in the area from the proximity and height of the building along with the shade that would be created on their properties.
3. Negative effect to the natural habitat and biodiversity in the area especially the bird population which is very dense, as well as the mature trees on the current properties that would be removed for this building.
4. Significant increase in noise and light pollution to the area.
5. Increase in vehicle traffic and parking issues on our very small narrow road not only from this building but already is a concern for the "twin towers" proposed for the adjacent lot on Springbank.
6. This building does not have enough proposed parking, nor can the size of these properties allow for as many parking spots as are needed for 38 units.
7. Increase to foot traffic directly on Forest Hill, again affecting the neighbourhood given the narrow street that does not have sidewalks.
8. Traffic on Springbank, with this proposal as well as the proposed "twin towers" it would be near impossible for anyone on Forest Hill or Wildwood to turn left onto Springbank, There is already concern and frankly fear of being hit from behind when turning left onto Forest Hill as we are on a Hill/blindspot coming down Springbank where people are often exceeding the speed limit as it moves from 50 to 60 within this location.
9. These proposed buildings are not inline with the London Plan, 257-263 Springbank Dr. proposal is asking for MANY changes to the minimum requirements in the plan and each of these changes will create a building that completely imposes on the neighbourhood.

The entire neighbourhood is incredibly concerned that this proposal has been created and are in complete opposition of this proposal. We strongly believe this building - especially along with the "twin towers" will ruin what this neighbourhood is: It's a piece of country within the city, quiet, small and filled with wildlife. We love where we live and want to do whatever we can to protect it, as we believe it truly is an amazing example of what we are "the Forest City". I bought a house in this neighbourhood because of all those reasons and would feel forced to move if this goes forward, and at a loss given the decrease in property value I believe this will put on the neighbourhood. Please let me know if there is anything more we can do to protect our homes.

We have created an online and paper petition to allow for the neighbourhood to have their voices heard as some do not feel comfortable writing or calling. I have linked it here <http://chnng.it/2BRgchj6dN>

Thank you for your time and listening to our concerns.

Sabrina Tomaszewski

Alanna Riley and Stephen Turner:

I own my house on Wildwood Avenue, not far from the [proposed development](#) which would be right next to the Coves at the top of a small hill overlooking the Coves. I frequently walk in the Coves and photograph the wildlife in this protected, environmentally sensitive area. The proposed towers will literally tower over the neighbourhood. Construction will surely have a negative impact on the Coves. When hundreds of new residents live in the towers the number of people walking in the Coves will increase and cause damage to the habitat and wildlife that live there. I also see an increased risk of traffic accidents on Springbank as residents of the development exit onto Springbank at a location where visibility is poor and where drivers already tend to drive faster than the posted limit.

While I agree that we need more housing and especially affordable housing in London, I think that this is not a good location for two high rise towers. I am opposed to the development and absolutely opposed to changing the zoning to allow for higher towers with more units, increasing the percentage of lot coverage, and not meeting the requirements for LEED certification.

Sincerely,

Norah Fraser
150 Wildwood Ave

Hello Alanna Riley and Stephen Turner:

We are homeowners and residents @169 Forest Hill Ave, London, Laszlo & Susanna Rahoi..

We are strongly against the proposed rezoning of our area(File # O-9354/Z-9356Z) .

The construction of the 6 storey substandard building will affect both Forest Hill Ave & Wildwood Ave as well.

The North side of Springbank Drive doesn't have higher than two level buildings: planning to remove the 3 single family homes, the applicant try to squeeze a 6 level building with 38 residential units- which number close to the number of homes on Forest Hill Ave! It will cause traffic and congestion problems in our narrow street beside other problems.

The acceptance of this plant will cause a huge loss in our property values, prices go down, where poorly designed apartment buildings are erected.

The Coves are Environmentally significant area, and this type of development will destroy their habitat.

Susanna & Laszlo Rahoi

REPEAT: WE STRONGLY OPPOSE THE REZONING.

Dear Alanna Riley and Stephen Turner,

The proposed plan to build a 38 unit, six-story apartment building at 257-263 Springbank Drive will significantly impact the general livability conditions of our small, quiet neighbourhood on Forest Hill Ave. After meeting with several neighbours, I have created a list of significant and genuine concerns.

1. Residential properties immediately abutting a six-story apartment building and parking lot will decrease in property value.
2. The scale of a six-story apartment building and parking space spilling over onto Forest Hill Ave, is not compatible with a quiet, side-street neighbourhood of single-family dwellings which are mostly one-story homes.
3. As proposed, the six-story building will absolutely overshadow and intrude on private outdoor spaces.
4. The proposed plan of a six-story building and parking space will create a negative visual impact in the neighbourhood.
5. The proposed plan will negatively affect the natural habitat and biodiversity of the area as numerous old, healthy trees will need to be removed. As well, noise and light pollution will negatively affect the wildlife in the area including deer, fox, birds, chipmunks, geese, wild turkey, ducks and rabbits.
6. The proposed plan will create substantial shading of existing ground-related residences. Since the proposed building will be built south of residential homes, it will create shade during the critical mid-day period during which many plants need direct sunlight and outdoor activities are most common.

7. A significant increase in noise pollution from traffic, air conditioning units, neighbours on balconies as well as mechanical equipment.
8. A significant increase in vehicle traffic on our short, narrow, side-street neighbourhood will lead to traffic congestion and an increase in air pollution. As well, there will already be a substantial increase in traffic on Springbank Drive as a 15-storey apartment building is being built directly across the street (250-270 Springbank Drive) from the proposed plan for 257-263 Springbank Drive. Many homeowners on Forest Hill Ave are concerned about the challenge of turning left onto Springbank Drive, which will be exacerbated by the increase of vehicles from the apartment buildings.
9. As visitor parking to the building will be extremely limited, there will be an increase of people parking on Forest Hill Ave in front of residential homes.
10. A significant increase in foot traffic directly on Forest Hill Ave of people wanting to access Greenway Park at the end of our street.
11. Ongoing construction headaches including noise and air pollution and debris will disrupt the wildlife in the area and the daily life of many homeowners.
12. A proposal for renovation of the existing homes would be more reasonable.

We appreciate your attention to the legitimate and serious concerns of our neighbourhood community.

Claudine St. Pierre

Ray Smith

Homeowners

187 Forest Hill Ave

Dear Mr Turner

First off I hope you are staying safe. Thank you for your assistance last summer in getting the grass cut on the boulevard at the end of Forest Hill Ave at Wildwood and for getting the city to maintain the two pathways into the park. Though the grass paths are not ideal they are still nicer than having the neighbours maintain it.

I am writing for four reasons

1. It has been brought to our attention by the neighborhood about the proposed development at the end of forest hill and springbank. I myself feel these run down properties are a bit of an eyesore and agree that redevelopment is a good idea. I just do not think that a 6 story building is ideal for these properties. It does not fit in with the aesthetics of the area. Something shorter or townhomes/condos would perhaps be better. The larger problem would be parking. The ratio of spots to units will mean increased parking on forest hill and that is already a problem.
2. Parking on Forest Hill. I know it was voted on a couple years ago and the responses did not have enough to pass a motion. With the possibility of this development I think this may need to be revisited. Parking on the East side should be prohibited as it already is on Wildwood (which will also be affected)
3. Why the East side. Because as Forest hill turns into wildwood parking is already prohibited on that side of the street. But here are my concerns about that. At the end of Forest Hill on Wildwood there is a no parking sign some distance from the road and quite high up with arrows pointing both ways. There is no end point on the right so technically where is one able to park again. The next sign to the left is old faded and dirty and almost impossible to see from a vehicle. I have included pictures.
- 4 I have also included a picture of a broken fence post near the no parking sign. Could we get it fixed or the wire fence removed.

Sincerely Mike Laur

Comments on Proposals O-9354 and Z-9355

Brenda Palmer Tyson Whitehead

In accordance with Section 24 of the Planning Act, R.S.O. 1990, c. P. 13, no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform with this [The London] Plan. . . . some examples . . . include: Approvals of planning and development applications such as official plan amendments, zoning by-law amendments, . . . [32]

The decisions City Council makes will conform with The London Plan . . . Being open and transparent in its decision making will allow all Londoners to see that the values, vision, and priorities of the Plan are being adhered to in every decision City Council makes.[52]

Summary

We are the couple who own and live at 185 Forest Hill Ave. In reviewing the proposed official plan and zoning amendment O-9354/Z-9355 (257-263 Springbank Dr.), the associated site plan, the London Plan, and Zoning By-law No. Z.-1, we have come to the conclusion that the proposed 6-story, 38-unit, mid-rise, apartment complex is simply too big for these lots and not a good fit for the character of the area.

On the first point, it runs contrary to the vision and balance expressed in the London Plan, other mid-rise sites in the area, and the standard yard depths for the proposed R9-Residential zone. The raw unbuffered intensification and deforestation this would force on the adjoining neighbours' lots is entirely out of the character of the neighbourhood, and frankly lacks basic decency (who would want this done to them?).

On the second point, the other side of the street is slated for a massive 51m high-density twin-tower apartment building due to an OMB ruling when the city only wanted a 6 story mid-rise. The Forest Hill Ave./Wildwood Ave. loop has approximately 70 homes on it. The towers will add on the order of 270 units. This is significantly more intensification than the area was supposed to see. This proposal would then add another 38 units.

The official plan amendment is also troublesome. It would be enacting specific bits of the London Plan that are not yet settled (or in force) without also enacting all their context, such as the many items speaking to mitigating impact on adjacent neighbourhood areas and encouraging underground parking.

Introduction

Forest Hill Ave connects at the back with Wildwood Ave to form a "U" shaped loop off the north side of Springbank Dr. immediately west of the coves. There are no other entrances or exits to this area. Our house is the second along the interior on the Forest Hill Ave. side of the loop. Due to the way the lots are laid out, a significant portion of our backyard runs adjacent to the extended north-west part of the proposal, so we will be considerably affected by this development.

We have been spending significant time and effort to attempt to educate ourselves on the London Plan and how municipal zoning works. We ask the city to keep in mind though that neither we, nor our neighbours, will be able to match the depth of knowledge, prior experience, or resources that the developer will be able to marshal to their case. Our arguments to the finer points of the process will necessarily be less complete and less effective than those of the developer. We will also undoubtedly fail entirely to represent our interests in areas of importance that we will not even be aware exist until we find ourselves experiencing them, at which point it will be too late.

1

Issues with the Official Plan Amended

One of the effects of the London Plan will be to redesignate the area of Springbank Dr. west of The Coves that is Auto-Oriented Commercial Corridor to be Urban Corridor. While currently under LPAT appeal (our understanding is these issues are likely to be taken up in 2022) it would seem likely that this will make a broader range of developments, including mid-rise residential, part of the plan. The city official plan amendment that is part of this proposal is to essentially jump the gun on this process by creating a Specific Policy Area in the old designation to enact the likely inclusion of mid-rise residential units for the sake of this proposed re-zoning.

It seems reasonable that the Ministry of Municipal Affairs and Housing and the Local Planning Appeal Tribunal (LPAT) will take a dim view of a selective circumvention of the Planning Act's approval process. This would also set a precedent for cherry-picking bits from parts of the London Plan that are still under review and bringing them into force without their broader context (e.g., the Urban Corridor type place encourages underground or structured parking integrated into the building, tree canopy cover targets are to be set in the Zoning By-law, etc.).[395,841] The London Plan explicitly states that it is to be considered in its entirety.[36] It also explicitly forbids creating Specific Policy Areas that set general precedences.[1730,1731]

Failure to Mitigate Impacts on the Neighbourhood and Fit into and Retain its Character



Figure 1: Entrance to Forest Hill Ave./Wildwood Ave. loop as currently is.



Figure 2: Entrance to Forest Hill Ave./Wildwood Ave. after developments (this and the towers).

2

The London Plan has an entire chapter dedicated to the fact that London is the Forest City. How our urban forest transcends public and private ownership (over three-quarters of it is on private property).[382,383] How it is critically important to the structure and ecological function of much of our Natural Heritage system, how it improves watershed health, controlling water movement above and below the ground, and how it reduces erosion and surface runoff (the plan identifies the loop as a Significant Groundwater Recharge Area and a Highly Vulnerable Aquifer), how it helps mitigate the impacts of climate change, how it gives us shade, spiritual well-being, and an overall higher quality and longevity of life, how it increases the value of our properties, and how it is critical to London's overall identity and prosperity.[382,383,386-388]

One of the key characteristics of the Forest Hill Ave./Wildwood Ave. loop, as implied in both names, is the captured forest in its interior. Composed of an interlocking canopy of massive mature trees, it towers over the (many single-story) houses on the loop, forms a highly visible omnipresent treescape at all points in the neighbourhood, and blocks out the city. Talking to the residents quickly reveals that it is this which makes the neighbourhood and the individual lots so special. A little piece of paradise in a big city.

The London Plan speaks to the criticality of actively protecting and planting the trees in order to reverse the decline in canopy that has been occurring and eventually return us to a 34% coverage.[389,391,393,394] It specifies that all trees are to be inventoried, that large mature shade trees (trees of distinction) on sites should be preserved, that new ones are to be planted, that the site needs to be planned so these trees have long-term viability, and that parking lots need to have significant tree canopy coverage.[399,401]

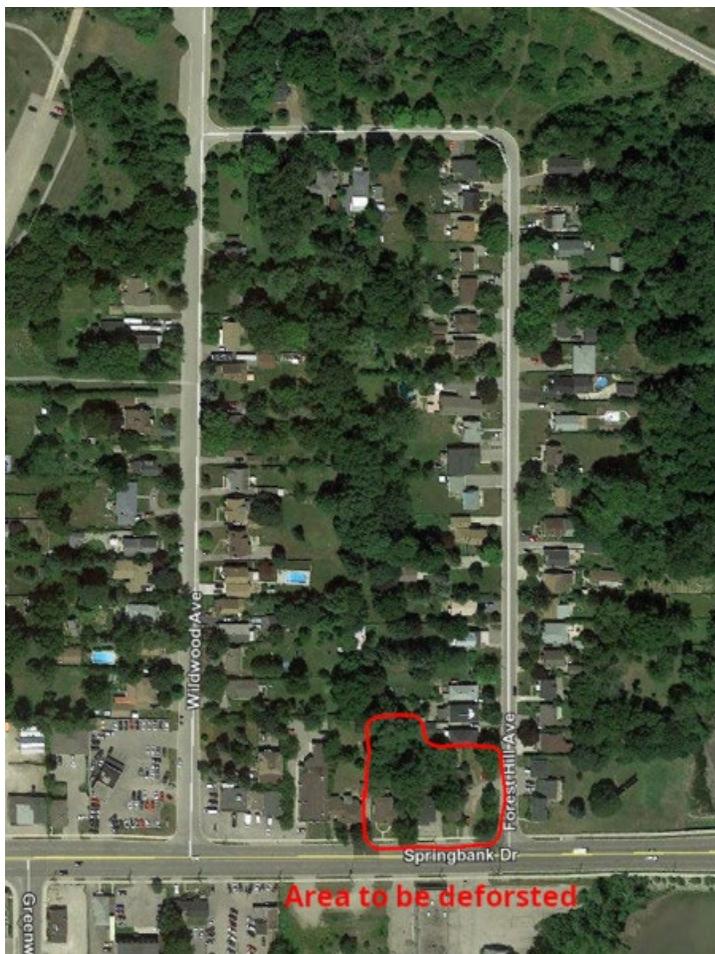


Figure 3: Area of loop to be deforsted under plan.

In contrast to this, the proposed plan is to destroy all the mature interior trees and replace them with a small-shrub delimited parking lot that extends right up to the adjacent residential units on all sides. As seen in the figures, this will deforest the south-east chunk of the loop. The only tree to be preserved is one city tree on the north-east corner of the far east lot, and the only replacement trees are to be a few city trees on the perimeter road allowances. At some point, with road expansions (Springbank Dr. will require significant widening to bring it in line with Urban Corridor street's vision in the Mobility Section), these trees will likely go too.

3

Intensification is supposed to be done in a way that is sensitive to existing neighbourhoods, represents a good fit, and retains both public and private existing trees.[83,160] Buildings, and especially those at key entry points into neighbourhoods, are to be designed to articulate and to help establish the character, identity, and sense of place.[199,202,210,284] The site layout is to fit in the context of the existing character of the surrounding area, to minimize impact on adjacent properties, incorporate desirable trees, and parking lots are to be designed to include a sustainable tree canopy and landscape area.[252,253,258,277,282]

While the plan allows for access to developments along Urban Corridor using side-streets, it stipulates that such access must be done in a way that minimizes the impact on internal portions of the adjacent neighbourhoods.[841] It stipulates proposals are to be evaluated on, among other things, their potential impact for traffic and access management and causing parking on the street and adjacent properties.[1578] Given that the proposal asks for a 20% reduction in the standard parking allotment (1.3 per units down to 1.0 per unit), it seems safe to assume that there are going to be parking issues (e.g., where is the visitor parking, what about two-vehicle households?).

Exiting towards downtown (to the left/east) out of the Forest Hill Ave. is already tricky due to the limited uphill visibility (to the right/west). When Springbank Dr. is busy, people already drive around the loop and exit via Wildwood Ave. There are only around 70 homes in the loop. The twin towers that OMB has forced through immediately across from the loop will add around 270 units worth of people entering and exiting this same area of Springbank Dr. It is safe to assume that Forest Hill Ave. will go from difficult, to almost impossible to exit during key hours and all the traffic from these additional 38 units, plus existing 70 homes already on the loop, will instead circulating around the entire loop and exit on the Wildwood Ave. side. This will be a major impact on the entire neighbourhood which is currently quiet, has no sidewalks, and people stroll along on their way to the Greenway and Kensal parks.

Failure to Manage and Mitigate Impact on Adjacent Lots

A growing city needs intensification. While the details are not fully worked out yet due to appeals, the London Plan lays out that Springbank Dr. between The Coves and Wonderland Rd. is to be an Urban Corridor place type, and Urban Corridor places types are to target a moderate level of intensity (less than the Rapid Transit Corridor place type) that would eventually see mid-rise residential and mixed-use development. On the surface, this proposal would appear to fit well into this plan. As intensification can both create and destroy value, however, the plan does not just seek to promote intensification, but also to protect the existing value in order to manage and direct it to the greatest effect.

To this end, it speaks a great deal to the character of neighbourhoods and places, and how development proposals, and especially those at key entry points into neighbourhoods, need to fit with the character.[199,202,284] It sets out how intensification along the Urban Corridor place type needs to manage the interface, be sensitive to adjacent land use, and provide transitioning heights or sufficient buffers.[298,830,832,840] It speaks to lots having to be of sufficient size, how lots further into the neighbourhood may need to be consolidated to provide sufficient transitioning and buffers, and that the Urban Corridor designation is not a blanket approval for the full extent of intensity everywhere.[826,834,840] It notes that there are primarily residential segments, without large amounts of commercial floor space, that will only allow for small-scale commercial uses.[826] Everyone on the Forest Hill Ave./Wildwood Ave loop will tell you that the urban forest is a key characteristic, if not *the* characteristic, of the neighbourhood (the other is the camaraderie of the neighbours). This is fully in line with The London Plan, which states that trees are part of a neighbourhood's character and treescapes should be recognized as so too.[210,237] Nowhere is this more apparent than in our backyards. The trees and treescape blots out the city and it is replaced by the hush of a forest and the chirp of birds. It is hard to describe the immersiveness of it unless you have ever walked the trails of places like Reservoir Park and Medway Creek. Then you know. It is the reason we bought our property. Contrary to all the aforementioned bits of the London Plan, the proposed development will not preserve and enhance the character of the neighbourhood and buffer and mitigate its impact on those of us with adjacent lots. Rather it will strip us of the very thing we cherish. Our privacy and the complete nature immersion will be gone if much of the treescape that towers over our single-story home to the south is replaced with six

4



Figure 4: Our backyard looking north near the entrance.



Figure 5: Our backyard looking north deeper into the yard.
5

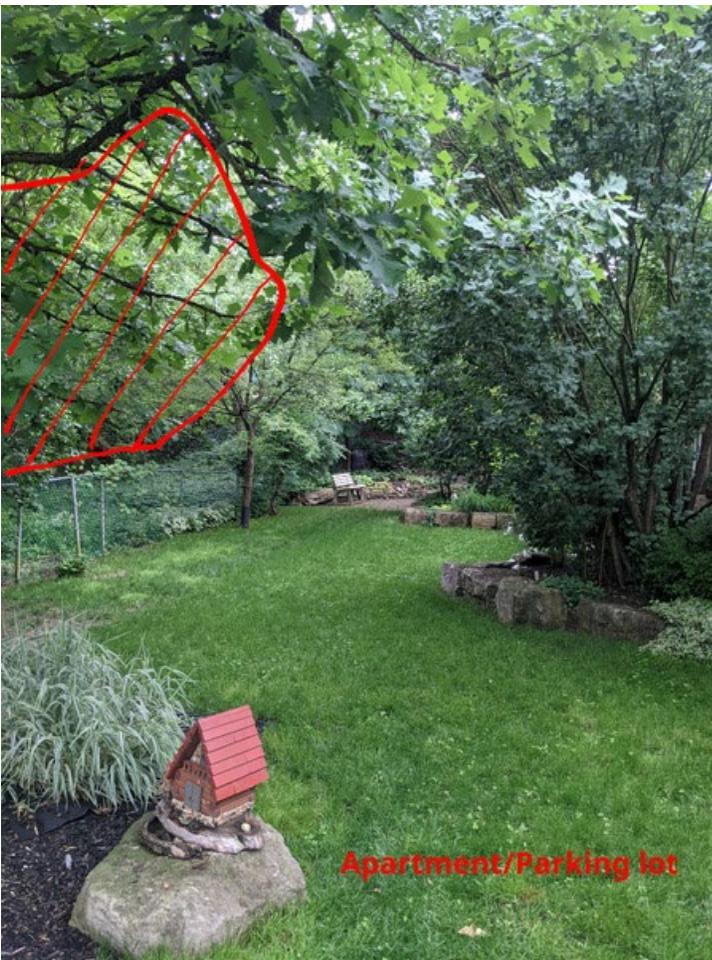


Figure 6: Our backyard looking west partway into the yard will be exposed.



Figure 7: Our backyard looking south deeper into the yard will be exposed.
6



Figure 8: Our backyard looking south near the entrance will be exposed.



Figure 9: Our southern neighbour's backyard will be entirely exposed. 7 stories of apartment building staring down on us. The south ground view in the back half of our yard will be the extended north-west portion of the parking lot. The same will be true on the residential property to the west of the sites. Our neighbours, whose property forms the north-east corner cut out of the amalgamated lots, will be entirely surrounded on side and back by apartment and parking lot.

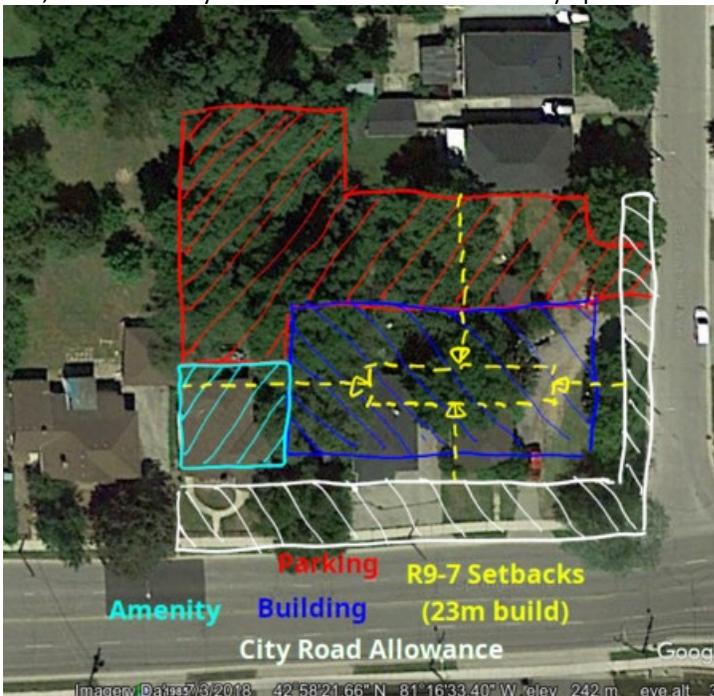


Figure 10: Site plan overlay with R9-7 setback regulations (Zoning By-law Table 13.3)

While it isn't yet clear how the Urban Corridor type place will be recognized with respect to zoning requirements (part of why approving this now under the Urban Corridor vision is jumping the gun), the proposal is to for the current R9-7 designation. R9-7 is the highest density form of the R9 medium and higher density designations. This is to be contrasted with the aforementioned Urban Corridor vision of place appropriate moderate levels of intensity, with lesser levels along the primarily residential segments lacking large floor space.[826,840] Nonetheless, we have tabulated the setback requirements given in Table 13.3 of the city's Zoning By-law for an R9-7 zoning abutting a R1 or R2 residential zone in the following table and overlaid them with the site plan onto satellite imagery.

- yard depth minimum proposed
- front 10m 0.5m
- exterior side 10m 2.3m
- rear 23m 15.0m

interior side 23m 13.8m

Clearly, there are significant issues. Even with the proposed extremely reduced front and exterior side setbacks, the 1:1 height to setback ratio required on the rear and interior sides does not leave enough space for the building. Further, while the Urban Corridor place type does specify that buildings are to be situated close to the front lot to assist with rear setback, accepting the level of reduction proposed in this case will create future issues. If the Urban Corridor street vision for Springbank Dr. is to be realized (it has been classified for widening), the city will need its full road allowance, and this will result in six stories of balconies with virtually no setback over the future pedestrian zone.[371,372,841,1737] It also seems doubtful that the R9 requirement for 30% landscaped open space is being met.

In addition to the loss of privacy and neighbourhood character, the building shadowing needs to be addressed.[1578,1681] The [online shadow calculator](#) shows the building would cast significant shadows over our lot, and, even at high noon, have our neighbour's lot (the north-east corner cut out of the amalgamated lots) under almost complete shadow from early September to July. The high-level of visibility and the negative

lighting impacts of the parking lot also needs addressing.[278,279,745] The parking precludes on-site garbage pickup under the Site Plan Control By-law (garbage trucks have a 12m centreline turning radius and they are not to have to back up), so large bins will have to be wheeled out to the curb for collection once or twice a week, negatively impacting the adjacent lots and neighbourhood character. Nor is it clear how snow removal will work with no free space (e.g., where will it be piled, where will residents park while it is being cleared)?

Conclusion

Everything about this simply says the proposal is too large for the size of the acquired lots. Much of the raised issues can be avoided by proper sizing and following the plan. Underground and structured parking integrated within the building design is encouraged for the Urban Corridor place type.[270,841] Reducing the height of the building and integrating the parking into/under it would allow for the preservation of the distinct trees and associated urban forest at the back of the lots. This would help maintain the character of the neighbourhood, be beneficial to the residents of the building, be consistent with the directives regarding trees of distinction and preservation and enhancement of the urban forest, meet the required setbacks, and go a long way to mitigating and buffering the impact on the adjacent residential lots.[252,253,258,270,277-279,282,284,298,386-389,391,393-395,399,401,745,830,832,840,841,1578,1681]

Another option is that the lots could be used for small-scale commercial as suggested in the plan for parts of Urban Corridor that are primarily residential areas.[826] Many people we have talked to have expressed how nice it would be to have some small-scale coffee shops and restaurants like those found on the corners of Wortley Village. Business would likely be very good given they would be situated immediately across, and the closest amenities to, the twin high-density towers the OMB has forced through. Yet another option would be for the developer to invest in upgrading and restoring the properties as the residential lots they are. This has been done elsewhere on the Forest Hill Ave./Wildwood Ave. loop and, from talking to the developer, in the current market it is a very profitable, immediate option.

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

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

1.1.1 b)

1.1.1 e)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

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

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

Policy 54_ Our Strategy, Key Directions

Policy 59_ 1, 2, 4, 5, and 8 Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_ 10 Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 66_ Our City, Planning for Growth and Change

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

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

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

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

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

*Policy 837 Permitted Uses

*Table 9 Range of Permitted Heights

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

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

Official Plan (1989)

Auto-Oriented Commercial Corridor Policies

11.1. Urban Design Policies

19.4.4. Bonus Zoning

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use contributes to the housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site is able to accommodate the intensity of the proposed use. Special provisions have been recommended where appropriate setbacks have been proposed.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located close to office and commercial uses, elementary schools, numerous parks, and bus service in the area.

<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>There is no bonusing required and therefore the applicant did not propose any affordable housing.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The height, location and spacing as proposed are all considered appropriate with mitigation measures available.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Transportation Division has no concerns.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The applicant is commended for incorporating the following into the design of the site and buildings. Providing a well-defined built edge at street level; Well-defined principal entrances to all of residential units; A variety of building materials and articulation break up the massing of the buildings; and Purpose-designed amenity space on top of the roof and on site.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>Not applicable.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>There is not a presence of naturally occurring methane gas on site.</p>
<p>Compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the recommended Official Plan Amendment and the in-force policies of The London Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process.</p>

<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Enhanced, robust tree planting and landscaping in combination with privacy fencing, and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.</p>

1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a compact City and strong, healthy and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the site plan approval stage.
Conformity with the policies of the place type in which they are located.	The proposed development provides for the use and intensity of development contemplated within the Urban Corridor Place Type.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water and sanitary sewers. Additional evaluation of the capacity of the stormwater management system is to occur at the site plan approval stage.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Transportation Division has no concerns.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was submitted to be reviewed at the site plan stage to address the mitigation of impacts of road noise on the new development.
Parking on streets or adjacent properties.	The proposal includes the provision of on-site parking at a reduced rate of 1 space per residential unit where 1.25 spaces are required for apartment buildings at this location. The reduced parking rate is a common and acceptable modern standard for sites located on streets that support a good level of public transportation, such as Springbank Drive.

Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. The applicant indicates that exterior lighting will be located near building entrances, along pedestrian walkways, and parking areas. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Garbage facilities should be screened, storage inside the building is a standard requirement for apartment forms, with garbage to be placed outside on collection day.
Privacy	The proposed development situates the buildings as far from abutting residential properties as possible. An adequate separation is provided between the proposed building and the residential properties to the east. In addition to the spatial separation between the buildings and the lot lines, the provision of a combination of privacy fencing and enhanced, robust landscaping to soften the property boundaries and provide screening to neighbouring single detached lots will help screen views from the proposed building to neighbouring properties.
Shadowing	Minor shadowing may impact adjacent properties in the early morning or late afternoon, depending on the season.
Visual Impact.	Enhanced landscaping, articulated building design, and architectural details and materials to be finalized at the site plan approval stage are expected to have a positive visual impact on the area. The proposed development is consistent with the character of the area, which includes several low, mid and high-rise apartment buildings and commercial.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	The development will result in the loss of some trees and canopy cover in order to achieve more compact forms of development within the built-up part of the City. At the site plan stage, consideration should be given to the removal of some or all of the existing trees in favour of the provision of privacy fencing in combination with new enhanced landscaping to provide screening for neighbouring properties.

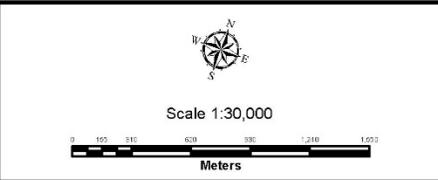
Cultural heritage resources.	Not applicable.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

1989 Official Plan – Schedule A – Land Use



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

CITY OF LONDON
 Planning Services /
 Development Services
 OFFICIAL PLAN SCHEDULE A
 - LAND USE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: O-9354/Z-9355
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2021/12/03

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

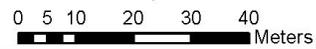
FILE NO:

O-9354/Z-9355 AR

MAP PREPARED:

2021/12/03 RC

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Slide One

257-263 Springbank Road



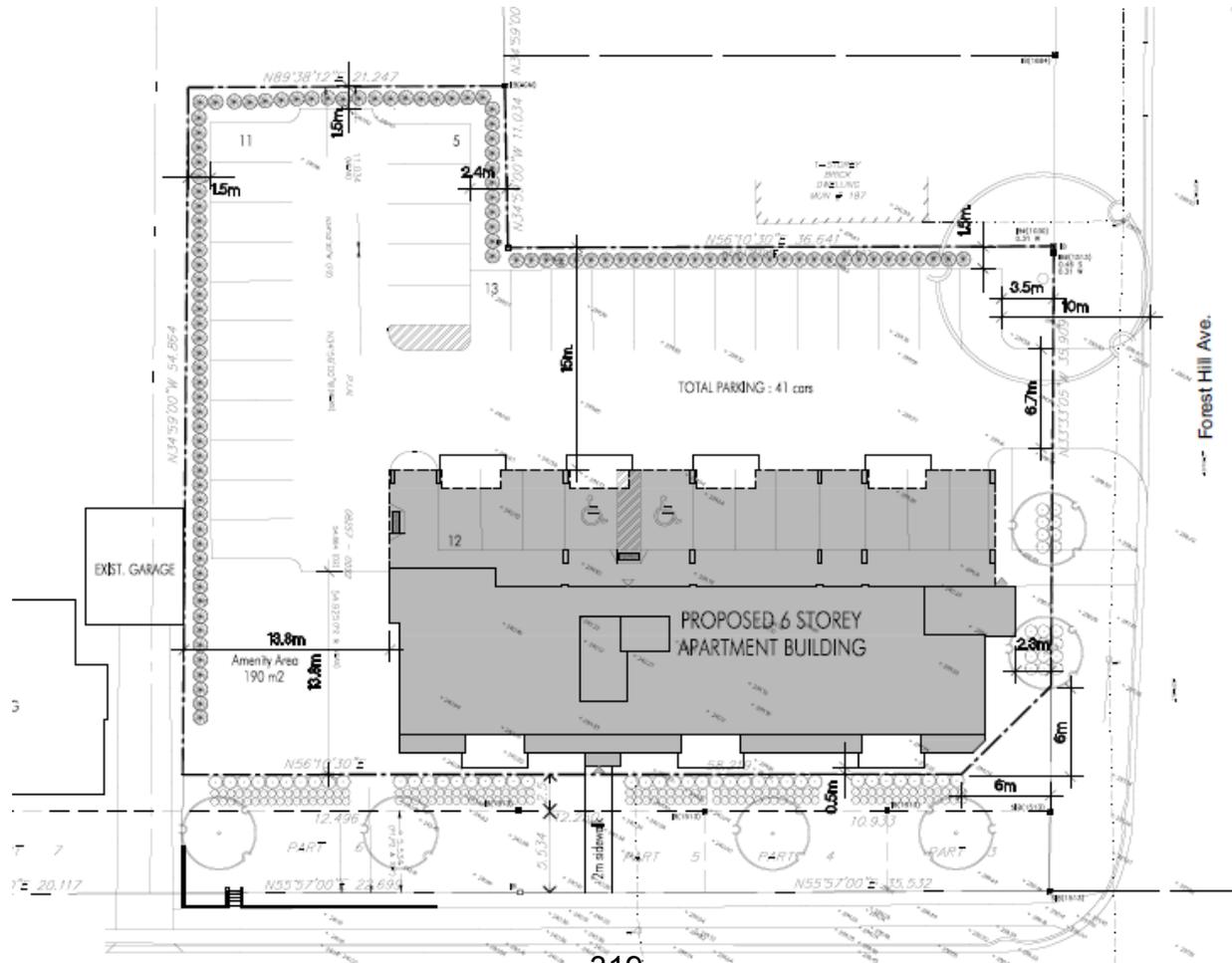
City of London
January 10, 2022



Slide Two Subject Site



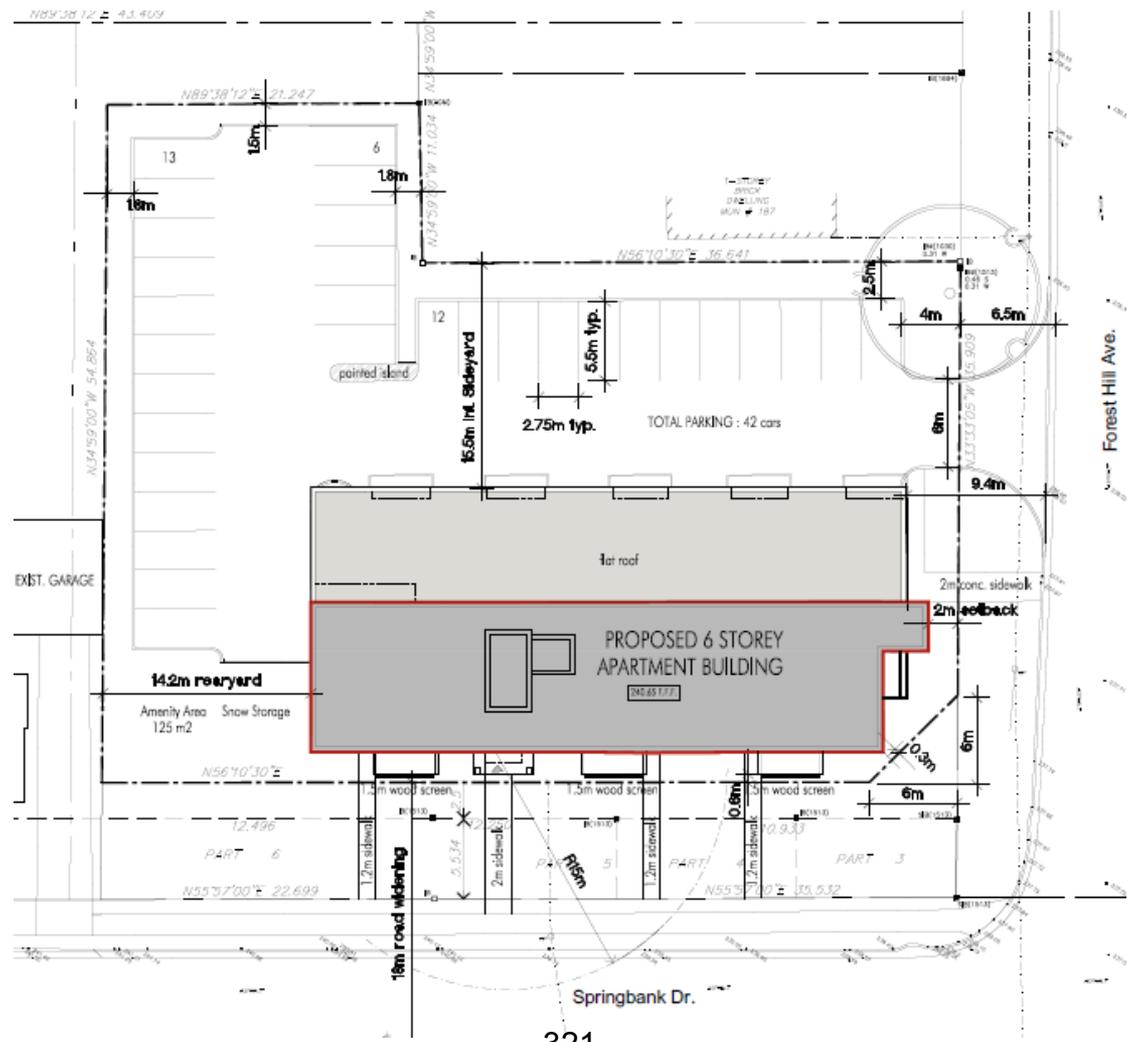
Slide Three Original Proposal



Slide Four Original Proposal



Slide Five Revised Proposal





Slide Six Revised Proposal





Slide Seven

Use

- The subject site is located along an Urban Corridor Place Type which permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. The proposed apartment building is in keeping with the permitted uses of The London Plan. (Permitted Uses, *837_).
- While the recommended development has a different intensity and built form than some of the existing surrounding development, the analysis in the report that this apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.
- The proposed residential development is not contemplated within the *Auto-Oriented Commercial Corridor* land use designation in the 1989 Official Plan. Since this designation does not allow for residential uses, an amendment to the 1989 Official Plan is required to align the 1989 Official Plan policy framework with the Urban Corridor Place Type of The London Plan. Therefore, staff's recommendation includes a site-specific policy to permit a residential development within the 1989 Official Plan.

Slide Eight Intensity

- The London Plan uses height as a measure of intensity. In the Urban Corridor Place Type a minimum height of 2 storeys and a maximum height of 6 storeys, with bonusing up to 8 storeys is contemplated (*Table 9). The proposed 5-storey/6-storey apartment building is in keeping with the permissions of the place type and considered appropriate for the subject site. The development is sensitive to the adjacent land uses as a result of the building orientation, landscaping, and proposed setbacks/stepbacks from the sensitive residential land uses. This helps create a compatible development at a human scale along both Springbank Drive and Forest Hill Ave resulting in a comfortable pedestrian environment.
- The proposal will help to implement the vision of the Urban Corridor Place Type policies of The London Plan with respect to creating additional intensity in these areas and is consistent with the desired development pattern of a compact and transit-oriented mixed-use corridor (Policy 855).



Slide Nine

Form

- The proposed building is oriented along and located close to the Springbank Road and Forest Hill Ave. streetscapes. Particular emphasis is placed on the lot's corner location, as the building is situated close to the intersection of Springbank Road and Forest Hill Ave helping define the street edge and encourage a street-oriented design with ground floor entrances facing the streets. The preliminary building design includes appropriate building articulation, rhythm, materials, fenestration, and balconies. The differing setbacks of the building improves sightlines for residents and adds an appropriate architectural rhythm along the Springbank Road and Forest Hill Ave streetscapes.
- the proposed building placement and reduction in height to the northerly elevation (5 storeys) combined with the large setback from the existing residential development provides a suitable relationship between the proposed development and existing homes, helping to mitigate compatibility concerns. Additional buffering will be provided through appropriate fencing and/or vegetative screening along the west and north property boundaries adjacent to existing development.
- The proposed development meets the urban design goals of The London Plan and will result in a development that is compatible with, and a good fit, within the existing and planned context of the area.



Slide Ten

Neighbourhood Concerns

- The proposed built form/density are not in keeping with the area
- Compatibility
- Increase in traffic
- Parking
- Perceived decrease in property value
- Lighting, privacy, noise
- Parking
- Access
- Wildlife



Slide Eleven Recommendation

The purpose and effect of the recommended amendments to permit the development of the development of a 5-storey(northerly half)/6-storey(southerly half) apartment building with a total of 38 dwelling units and maximum density of 137 units per hectare be approved.

Recommendation - Approval

Environmental and Ecological Planning Advisory Committee

Report

The 1st Meeting of the Environmental and Ecological Planning Advisory Committee
December 16, 2021
2021 Meeting - Virtual Meeting during the COVID-19 Emergency

Attendance PRESENT: S. Levin (Chair), I. Arturo, A. Boyer, S. Esan, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Committee Clerk)

ABSENT: L. Banks, A. Bilson Darko, J. Khan, B. Krichker and I. Mohamed

ALSO PRESENT: G. Barrett, S. Butnari, C. Creighton, K. Edwards, B. Page and E. Williamson

The meeting was called to order at 5:00 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that M. Wallace disclosed a pecuniary interest in clauses 2.3 and 3.1, having to do with the Notices of Planning Applications relating to the properties located at 1013, 1027, 1250 and 1346 Meadowlark Ridge and 952 Southdale Road West, by indicating that the proponents of the above-noted applications are members of the London Development Institute, his employer.

2. Consent

2.1 8th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 8th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on November 18, 2021, was received.

2.2 Municipal Council Resolution - 8th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on December 7, 2021, with respect to the 8th Report of the Environmental and Ecological Planning Advisory Committee, was received.

2.3 Notice of Planning Application - 1013, 1027, 1250 and 1346 Meadowlark Ridge

That it BE NOTED that a Notice of Planning Application for a Zoning By-law Amendment dated November 17, 2021, relating to the properties located at 1013, 1027, 1250 and 1346 Meadowlark Ridge, was received.

2.4 Notice of Planning Application - 520 Sarnia Road

That it BE NOTED that a Notice of Planning Application for Official Plan and Zoning By-law Amendments dated November 15, 2021, relating to the property located at 520 Sarnia Road, was received.

3. Sub-Committees and Working Groups

3.1 Working Group Report - 952 Southdale Road West

That the Working Group report relating to the property located at 520 Southdale Road West BE FORWARDED to the Civic Administration for consideration.

4. Items for Discussion

4.1 Notice of Planning Application - 4519, 4535, 4557 Colonel Talbot Road

That a Working Group BE ESTABLISHED consisting of S. Levin, B. Krichker and R. Trudeau, to review and report back at the next meeting with respect to the Notice of Planning Application for a Zoning By-law Amendment dated November 15, 2021, relating to the properties located at 4519, 4535 and 4557 Colonel Talbot Road.

4.2 Bird Friendly Brochure

That the proposed "London's Bird-Friendly Skies" brochure BE AMENDED to include images of bird friendly residential windows and an explanation of why the markers are important; it being noted that the Environmental and Ecological Advisory Committee held a general discussion with respect to this matter.

5. Adjournment

The meeting adjourned at 5:23 PM.

Trees and Forests Advisory Committee

Report

1st Meeting of the Trees and Forests Advisory Committee

December 22, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

Attendance PRESENT: A. Morrison (Chair), A. Cantell, J. Kogelheide, P. Nicholson, and A. Valastro; A. Pascual (Committee Clerk)

ABSENT: A. Hames

ALSO PRESENT: T. Arnos, G. Barrett, A. Beaton, K. Hodgins, M. Hooydonk, and J.A. Spence

The meeting was called to order at 12:15 PM; it being noted that the following Members were in remote attendance: A. Cantell, J. Kogelheide, A. Morrison, P. Nicholson, and A. Valastro.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

A. Cantell discloses a pecuniary interest with respect to Item 3.1, having to do with the TFAC - Tree Planting Recommendations, by indicating that she is an employee of ReForest London and recommendation 18 from TFAC relates to the ReForest London Million Tree Challenge.

2. Consent

2.1 10th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 10th Report of the Trees and Forests Advisory Committee, from its meeting held on November 24, 2021, was received.

2.2 Municipal Council Resolution with respect to the 8th Report of the Trees and Forests Advisory Committee

That it BE NOTED that the Municipal Council Resolution from its meeting held on December 7, 2021, with respect to the 8th Report of the Trees and Forests Advisory Committee, was received.

3. Items for Discussion

3.1 Green Roofs Update

That the following actions be taken with respect to the Green Roofs Update:

- a) the Civic Administration BE REQUESTED to include a discussion paper, as a part of the ReThink Zoning process, that is dedicated to the issues of environmental sustainability and climate change; and,
- b) the Civic Administration BE REQUESTED to provide a clear definition of Green Roofs for the ReThink Zoning process;

it being noted that G. Barrett, Director, Planning and Development, provided a verbal update with respect to this matter;

it being further noted that the Civic Administration will engage with the Trees and Forests Advisory Committee as part of the consultation process for ReThink Zoning.

3.2 TFAC - Tree Planting Strategy Recommendations

That the attached amended document, with respect to the Trees and Forests Advisory Committee (TFAC) Draft Comments Regarding the Tree Planting Strategy Update, BE REFERRED to Civic Administration for their consideration;

it being noted that A. Valastro will submit an additional recommendation, with respect to this matter, at the next TFAC meeting.

4. **Adjournment**

The meeting adjourned at 2:49 PM.

Trees & Forests Advisory Committee

Draft Comments Regarding the Tree Planting Strategy Update

Committee members contributing to draft: Amber Cantell, Alex Hames, Jim Kogelheide, Paul Nicholson, Anna Maria Valastro

Draft date: Dec. 20, 2021

1.0 Preamble

The first municipal Tree Planting Strategy, a sub-strategy of the 2014 Urban Forest Strategy, ran from 2017 – 2021. The next strategy is now being planned, and TFAC members have been asked to provide some initial comment to help guide the development of the next strategy.

Broadly speaking, we believe the City should leverage and build on successes it has had so far with the Tree Planting Strategy 2017-2021.

However, multiple committee members felt that there was a need for a more detailed summary of what had been accomplished with the Tree Planting Strategy to date, including, for example, total trees planted relative to target on both public and private lands, in order to provide effective recommendations.

2.0 Background Information Required

- 1) It would be helpful for the background report to include a table showing how many trees were expected to be planted in each type of space between 2017 – 2021 (e.g., street trees, other city trees, private land trees, etc.), and the totals that were actually achieved.
- 2) A summary (perhaps, again, a table) of anticipated challenges during the next strategy period would be beneficial.
- 3) More information about how much space is believed to be left on City land. For instance, the staff report notes that the City is running out of space for street trees (p.7) but does not explain how many spots in the inventory are left or how long it is expected to last. Is the street tree “plantable spots” inventory sufficient to cover the next strategy period, or not?

- 4) Greater discussion around the implications of the shortfall on private land planting targets to date (p. 6 of the Nov. TFAC package), and what options are available to mitigate this. (E.g., could more trees be planted on City-owned land to compensate, or is that not expected to be possible?)
- 5) More information about how tree planting is covered in the climate emergency action plan, and how the TPS and CEAP will be linked. Is tree planting for carbon sequestration expected to be a part of the City's response to climate change? If so, are there details somewhere about how much carbon the City wishes to sequester to reach its 2050 net zero goal (vs. doing emissions reductions), the number of additional trees that will require, and when those trees must be planted? (p. 8) If the Tree Planting Strategy must achieve even higher levels of planting than previously planned in order to achieve municipal carbon sequestration (as opposed to just "canopy cover") goals, that is something we will all need to know.
- 6) On p. 7 of the TFAC package it says: "Due to the challenge of competing uses for our open spaces, the City will revisit the opportunity to plant more trees in many of its parks". What does this mean? That staff think they might be able to plant more in open spaces, or that they think they will have to plant less? If the latter, the combination of planting shortfalls on both public and private land would seem to present serious challenges for the next strategy.
- 7) TFAC had an earlier recommendation around starting tree planting in new subdivisions earlier (e.g., if subdivision was half-complete, planting trees in the half that was complete rather than waiting for the entire subdivision to be completed to begin). Has any progress been made with this item, and if not, could it become a part of the Tree Planting Strategy?
- 8) Generally speaking, we could use more detail in the staff progress updates on various specific action items from the first TPS (pages 28 - 32 of the November TFAC package). Items of particular interest to TFAC members include:
 - Action Item 1.1: "Reduce new tree mortality in year 1 to 4% or less, and no more than 3% mortality in year 2 and 2% mortality in year 3." What success has been made with respect to reducing tree mortality?

The status update in given to TFAC for this item was "giveaways continue to provide opportunity to discuss planting techniques with recipients. Recommend carrying over into next Tree Planting Strategy." But that's not really a specific number, and not enough to evaluate success so far on this

specific item. A table of survival rates by type of planting location may be helpful.

- How is the City achieving Action 2.1: “Naturalize wherever possible”? What systems are in place to assess naturalizable space? This item is described as “Substantially complete”. Does that mean there is no space left to naturalize, or just that there is a system in place to identify them?
- For Item 2.3: “Assess encroachments of City lands and implement restoration or licensing; allocate realized fees to tree planting and tree maintenance program” Would it be possible (allowable) to have a formal, pro-active encroachment-combatting program rather than just a complaint-driven one? Since tree planting is a public good, it seems likely that few people would actually complain about such encroachments, for fear of upsetting their neighbours, if nothing else. The City should not have to depend on private citizens to enforce its own policies.

2.1 Other Challenges in Measuring Success

Multiple TFAC members continued to stress the difficulties in assessing progress with both the Tree Planting Strategy and the Urban Forest Strategy.

In particular, it is difficult to understand:

- Where trees are being gained vs. lost (on private land, public land, in ESAs, in certain target neighbourhoods, during the development process, etc.)
- If the 1.9% increase in canopy cover is the product of better tree protection of existing trees, reduced cutting, or new plantings.

It could well be that the gains would be much more significant, but that many trees were lost during this period that might otherwise have been protected. Perhaps all the gains are the result of tree growth (protection & maintenance), and very little is coming from planting... or vice versa! We need to understand the forces working for *and against* increased canopy cover. Too much emphasis is put on understanding planting and not enough on understanding loss.

Without tools to understand the changes in canopy cover that we are seeing, it is hard to know what policies or programs are being most effective in increasing cover, or where we might be falling short.

There should be a comprehensive “State of the Forest” report, as called for in the Urban Forest Strategy’s 2014 Implementation Strategy, that goes into more detailed metrics than just canopy cover totals. This report should collect up all the key forestry-related metrics into one document so they – and their implications - can be considered together. Metrics should include, but not be limited to:

- Total # of trees lost to development each year (so we can see which way it is trending)
- Total # of cutting permits approved vs. rejected through the Tree Protection By-Law
- Total # trees planted on city owned land (street trees, park trees, and other)
- Total # of replacement trees planted (vs. total # of replacement trees that “should” be planted)
- Total # of trees maintained through the Veteran Tree Incentive Program
- Total # of trees planted through TreeMe
- Scope of the watering program each year, and what impacts have been seen on the rate of replacements for newly planted trees under warranty
- Breakdown of City tree planting by size class (small, medium, large) and status (native, continentally native, non-native, invasive)
- Age profile of trees in the City’s “street tree” inventory (to see if trees are living longer or dying sooner)
- # of plantable locations still remaining in the City’s street tree inventory, and how long is this space expected to last
- Cost per tree values for both tree planting and protect
- % change in canopy cover, and a breakdown of where it is occurring (e.g. by land use type, by public vs. private land, etc.)
- % change in woodland cover
- Etc.

This report should be shared with City Council, relevant standing and advisory committees, and any involved or impacted City departments on an annual basis. There needs to be one place to find and understand what is known about changes to London’s urban forests, and the impacts City policies and partnerships are having on it, rather than having to request it piece-meal. Once the template is created, it should be much easier to update over time.

The data in the report should also present tables with results from past years, both to serve as a benchmark and to provide an opportunity for analysis of trends over time. Without those benchmarks, a true picture of the program cannot be given. It also provides a rate of decline because destroying trees and planting trees to maturity occurs at different scales of time. Destroying trees can happen overnight. Reaching maturity takes decades.

3.0 Tree Planting Strategy: Coverage Period & Timing

While we strongly support the idea of aligning the timing and coverage of the Tree Planting Strategy to align with the City's four year budget cycle, we are concerned by the two year gap in Tree Planting Strategy coverage that would be created by delaying the launch of the new strategy until the start of the next budget cycle, which will run 2024 - 2027.

As such, it is recommended that in the two year interim, the City:

- Maintain work and continue to report progress on activities identified in the 2017 -2021 strategy
- Take early steps towards larger project items planned for the 2024-2027 strategy (pilot projects, development of key metric tools and reporting frameworks, etc.)
- Ensure that plantings in this period continue to ramp up in accordance with the annual targets laid out in the initial strategy

Alternatively, civic administration could look at making this strategy a longer strategy so as to coincide with the end of the next four year budget cycle, and then start doing four year strategies after that. The first Tree Planting Strategy spanned five years; going this route would make the second Strategy six years in length.

We would further recommend that staff consider designing future updates to the Urban Forest Strategy's Implementation Plan to align with the four year budget cycle as well. TFAC would also like to request a brief update from staff about the timeline for updating the Implementation Plan, which was originally published in 2014 and is now at the point where all remaining actions should be "long term" actions, which is perhaps not the most useful.

4.0 Specific Recommendations for the Next Tree Planting Strategy:

Generally speaking, we agree with comments from staff about carrying over incomplete items from the first Tree Planting Strategy into the new one.

Additionally, we would recommend that:

- 1) The City continue to work to achieve its tree planting goals, and allocate the funding necessary to do so.
- 2) Given the exceptional inflation over the past year, the City should explore the potential need to actually increase the total funding planned for the strategy.
- 3) The area considered under the Urban Forest and Tree Planting Strategies be expanded to include the full municipality, rather than just the area within the Urban Growth

Boundary. This will allow rural Londoners to participate in programs as well. However, if doing so, the City should be clear about the impact on its targets, and, if applicable, how they were recalculated.

- 4) The Tree Planting Strategy should more clearly identify what the biggest barriers to London's planting goals are. Wherever possible, we would ask that staff be specific and provide examples, as committee members found this helpful in the most recent report (e.g. the examples given around driveways and utilities in front yards).

Actions focused on enhancing the ecological benefits of planting

- 5) Increased emphasis be placed on planting trees to create or expand woodlands and wildlife corridors, rather than just standalone trees which offer less habitat and ecological value.

As was noted many years ago with respect to the Urban Forest Strategy, the Tree Planting Strategy seems to greatly downplay "forests" in favour of "trees". For example, in item 2 of page 9 of the November TFAC package, it seems to be saying that we could increase the net canopy cover if we include orchards and 'barrier' tree plantings on farms. While these trees do provide some ecological value in the absence of native tree canopies, they should not be considered as an appropriate substitute for a 'forested' tree canopy that provides broader habitat and carbon needs especially if the farms are not organic. The same is true for encouraging local fruit and nut tree farms.

- 6) Naturalization projects be planned to incorporate not just trees, but native shrubs, grasses, and wildflowers as well, thereby increasing the ecological benefits they offer, both to the larger community and to the newly planted trees themselves

Actions to increase canopy cover more effectively

- 7) The City eliminate the "opt-out" option for street trees for new home owners. Street trees dramatically improve walking conditions for pedestrians along sidewalks, and those pedestrians should have the right to infrastructure supportive of active transportation, particularly if the City is looking to combat climate change. Home owners should no more be able to opt out of street trees than they should be able to opt out of the sidewalks themselves.
- 8) We strongly support the creation of a Shade Policy for London, which was an earlier recommendation of TFAC's. This sort of initiative could be framed not only in terms of environmental benefits, but also benefits to pedestrians, cyclists, and other users of active transportation (and the climate benefits active transportation brings), reduced energy costs for cooling, as well as to children for outdoor play.

- 9) The strategy should explore ways to enhance opportunities for large species of shade trees, rather than small ornamentals, during the development process.
- 10) There have been several instances over the past few years where there has been significant cutting in recently planted naturalization projects. Obviously, newly planted projects cannot significantly contribute to canopy cover if they never make it to maturity. More needs to be done to prevent plantings where cuttings will take place, or, more preferably, to preserve plantings once they are complete. (E.g. – to reroute some of the pipes, rather than to cut down the trees).

Where trees must be removed, the City should arrange for them to be moved wherever possible, and, where not, for replacement trees to be planted. For community partner projects, this work should be done by contractors, and not asked of the community partners and their volunteers. Volunteers should not be asked to have to do plant rescues after having already donated their time to do the planting in the first place, nor should the community groups who spent their time fundraising to complete them be asked to fundraise again to save them. It is an extremely disheartening experience, and a difficult one for community partners to explain to both their volunteers and their donors. There should be formal policies or guidelines at the City to explain what should happen when these circumstances arise.

Actions to help plant trees where they are most needed

- 11) The Tree Planting Strategy should include mapping to identify where the tree ‘deserts’ are within the city such as the core, and make these communities a priority.

Actions to increase public land planting

- 12) That in light of comments in the November memorandum from staff around the steady loss of available City lands for planting as they get planted up, the next Tree Planting Strategy clearly outline how the City will achieve its own public land planting goals.
- 13) For Item 2.7 “Utilize vacant public lands for tree planting”: we recommend making this a priority, especially as places for street tree plantings are expected to soon (?) run out. (Current status is described as: “Delayed. Will likely be informed and implemented through the Climate Emergency Action Plan. Recommend deferring to Climate Emergency Action Plan”)

Actions to increase private land planting

- 14) Given that there was a shortfall in private land planting during the implementation of the first TPS (as mentioned in the memorandum), it is recommended that funding be increased to existing program or new programs or communication initiatives be explored in order to compensate for this shortfall.

15) TFAC members agreed that the application process for TreeMe and VTIP, and the technical expertise residents may feel is required, may be off-putting and reduce the subscription rate to these valuable programs. As such, we support the staff suggestion for creating a “one stop shop” private land planting initiative.

We would suggest such an initiative include:

- a. Provide for staff to help residents, business owners, community groups, etc. plan and implement their planting or tree care projects (thereby eliminating technical barriers)
- b. Not just offer free or low cost trees, but also a planting service for those who need it
- c. Offer trees in a range of sizes (perhaps dependent on land use)
- d. Include programs or projects that deliberately target the least-tree neighbourhoods in London, and/or participants facing additional barriers to planting
- e. Include a significant advertising and outreach plan to promote the program and how easy it makes contributing to London’s forestry goals
- f. Be multi-year (preferably 4 years) to allow for retention of experienced staff and continuity between years with landowners part-way through planning a planting project

16) We strongly support staff recommendation #3: “Consider developing a policy and/or easement agreement to plant and maintain city trees on private lands, subject to landowner consent, with a focus on trees adjacent to streets.”

17) For “Item 3.4 Create a tool lending library; donate tree care equipment”: The City may wish to explore having additional lending libraries set up with other community partners who already have and sometimes lend out tools (e.g. ReForest London, which has an informal program in place to rent “weed wrenches” to Londoners who wish to borrow them, but potentially other planting organizations like UTRCA, KCCA, Urban Roots or LEN as well)

18) That the City support and, where applicable, renew its commitments to, existing initiatives with community partners aimed at inspiring and driving planting on private land, such as London's Million Tree Challenge (milliontrees.ca) and Depave Paradise (www.londonenvironment.net/depave_paradise), and work with community partners to find new ways to leverage their programs and networks in support of the Tree Planting Strategy.

- 19) That residential planting initiatives target all types of residential, including condominiums.

Actions to reduce impacts from development

- 20) The committee strongly supports exploring opportunities for depaving, as mentioned on p. 9 of the November TFAC package. In addition to depaving, it is recommended that the City explore reducing or even removing minimum parking requirements in order to reduce the amount of land dedicated to asphalt in the first place. Meanwhile, minimum planting requirements should be increased wherever possible.
- 21) It is recommended that the City find ways to preserve more lands for planting throughout the development process (e.g. to prevent loss of planting space through loss of setbacks, positioning of utility lines and driveways, etc.)
- 22) The staff report noted: “The interval between a tree planting plan being approved and implemented exceeds one year for about 90% of all sub-divisions. Most commonly, house designs may be discovered to be flipped over (mirror imaged) and driveways widened, with additional parking, and side-paths to the front door added. This feature is encouraged by continuous or near continuous dropped curbs along the entire lot frontage. Utilities would, in most instances be installed where the driveway was expected to go. As a result, moving the driveway to the other side of the lot, and/or widening it, can leave no room for a large growing or any street tree along that lot frontage.”

TFAC would recommend that that:

- a. It be made a requirement of the development process that all house designs (and accompanying parking and path layouts) must allow room for a street tree each
 - b. Wherever possible, hydrolines should be buried to allow for the planting of larger species of trees along sidewalks (vs. the small ornamentals being planted in many neighbourhoods with overhead wires today)
 - c. If possible, that site plans require planting in yards as a condition of approval. (I.e., that when someone buys a home in a new development, it comes with trees already in the yard).
- 23) More be done to ensure staff in other departments, and especially development services, are familiar with both the Urban Forest Strategy and the Tree Planting Strategy

Actions to explore new opportunities

- 24) The committee strongly supports the recommendation around doing a Request for Information for a community tree nursery.

- 25) With regards to watering, it is recommended the City investigate why Toronto uses gator bags so much (e.g., if they offered significant improvements over watering trucks) and if there would be value in bringing that model to London.
- 26) In addition to exploring more salt tolerant species of trees, it is recommended that the City also explore non-salt options for de-icing, which would be less harmful to trees in the first place, as has been done in Waterloo.
- 27) The City explore developing stronger soil standards for boulevards as well as larger planting beds where appropriate.

Actions to improve data analysis & reporting

- 28) We recommend that the City or a community partner begin collecting contact information at the National Tree Day Giveaways so as to allow follow-up surveys regarding planting locations and survival rates. ReForest London staff note that they have not seen any indication among tree recipients at their own giveaways that the request for contact information is off-putting or likely to diminish uptake for free trees, and that any concerns here are likely outweighed by the benefits that come from being able to follow-up with residents about tree care tips and the like.

Miscellaneous

- 29) It would be helpful if future memoranda could be paginated to improve ease of referencing
- 30) We would recommend there be specific communication & outreach actions included within the next strategy, as this seemed to be one of the more challenging items to complete
- 31) With regards to graphics for the next Tree Planting Strategy, if reusing graphics from the previous strategy, we would suggest:
 - On page 3 of the Tree Planting Strategy doc, add in an element representing “City of London Climate Emergency”
 - On page 9 of the Tree Planting Strategy doc, the graph is too difficult to make sense of. Consider splitting it into two graphs.
 - On page 10 of the Tree Planting Strategy doc, clarify difference between solid line and dotted line on graph.