

# Agenda Including Addeds

## Planning and Environment Committee

4th Meeting of the Planning and Environment Committee

February 7, 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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## 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:** 2021 Annual Development Report  
**Date:** February 7, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the 2021 Annual Development Report **BE RECEIVED** for information.

## Previous Report Pertinent to This Matter

February 8, 2021 “Development Services Annual Development Report”, Planning and Environment Committee

February 3, 2020 “2019 Annual Development Report”, Planning and Environment Committee

June 17, 2019 “Housing Supply: Defining Permit Ready Lots”, Planning and Environment Committee

## Linkage to the Corporate Strategic Plan

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

## Background

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

The first (2019) Annual Development Report and the 2020 Annual Development Report were received by PEC on February 3, 2020 and February 8, 2021, respectively.

Similar to previous years, Staff have compiled the attached 2021 Annual Development Report that provides historic and forecasted near-term growth by development type, 2019-2021 development application activity managed by Planning and Development, an update on Permit Ready Lots, and process-based continuous improvement initiatives that were undertaken in 2021, as well as the percentage of new residential units located within the Built-Area Boundary.

## Key Findings

In 2021, total new residential units were up 4.0% in the City in 2021 over 2020. Of new residential units in 2021, 30% were single/semi-detached dwellings, 20% were rowhouses and townhouses and 50% were apartments. The 2021 intensification rate (meaning new units created within the 2016 Built-Area Boundary as identified in The London Plan) was 46.9%.

For non-residential development, new commercial (retail and office) growth was up

132.1% in 2021 to half of forecasted levels after a very low 2020. Institutional growth decreased 89.2% after an increase in 2020 due to several long-term care, post-secondary, and elementary school projects. New industrial growth in 2021 was up 66.4% in response to new manufacturing projects and additions to existing buildings.

Development approvals in 2019 and 2020 provided the inventory to allow for increased levels of residential permits in 2021. Development application activity levels in 2021 increased 20% from 2020. Overall, a higher volume of applications, staff vacancies and increasingly complex applications impacted application processing times.

The Permit Ready Lot Working Group has established definitions and a process to monitor current permit ready lot supply.

In addition, several continuous improvement initiatives are underway to improve service delivery, submission quality and application processing times.

## **Conclusion**

The attached 2021 Annual Development Report Staff provides a summary of historic and forecasted near-term growth, 2019-2021 development application activity managed by Planning and Development, an update on Permit Ready Lots, and process-based continuous improvement initiatives that were undertaken in 2021.

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

**Prepared by:** Joanne Lee, M. PI  
Planner 1, Long Range Planning and Research

**Reviewed by:** Justin Adema, MCIP, RPP  
Manager, Long Range Planning and Research

**Reviewed by:** Kevin Edwards, MCIP, RPP  
Manager, Long Range Planning, Research and Ecology

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

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



# 2021 Annual Development Report

Planning and Development



February 2022

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# Planning and Development 2021 Annual Development Report

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

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

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

## HIGHLIGHTS

### Residential Development:

- Total new residential units were up 4.0% in the City of London in 2021.
- 30% of London new residential units were single- and semi-detached dwellings.
- 20% of London new residential units were rowhouses and townhouses.
- 50% of London new residential units were apartments.
- The intensification rate (new units within the Built-Area Boundary) was 46.9%.

### Non-Residential Development:

- Commercial growth was up 132.1% in 2021 after a very low 2020. Despite the increase, commercial growth remains less than forecasted levels.
- Institutional growth was down 89.2% over 2021 after a strong 2020 that was boosted by permits for new long-term care facilities and post-secondary and school additions.
- New industrial development was up 66.4% from 2020 primarily due to new manufacturing projects and additions to existing buildings.

### Development Application Activity:

- Development application levels in 2021 increased 20% from 2020. Overall, a higher volume of applications, staff vacancies and more complex applications impacted application processing times.
- Application activity in 2019 and 2020 provided the inventory to allow for increased levels of residential permits in 2021.

### Permit Ready Lots:

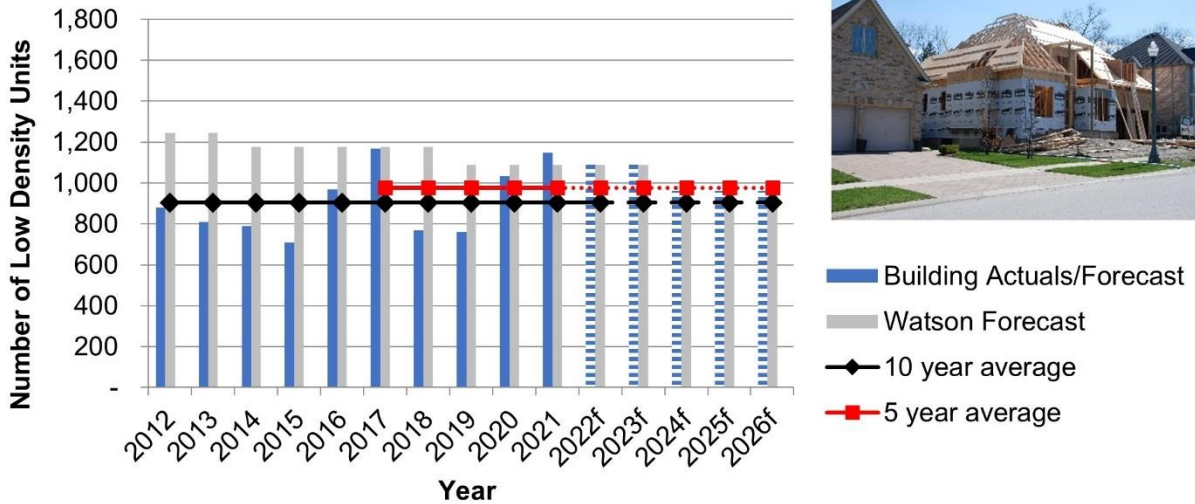
- The working group has established definitions and a process to monitor current permit ready lot supply.

### Continuous Improvement Initiatives:

- Several continuous improvement initiatives are underway to improve service delivery, submission quality and application processing times.

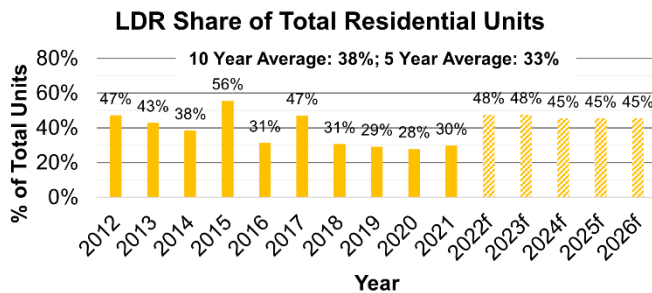
# Building Permit Activity Low Density Residential Development (LDR)

## LDR Projected Growth and Actual Growth: 2012 - 2026

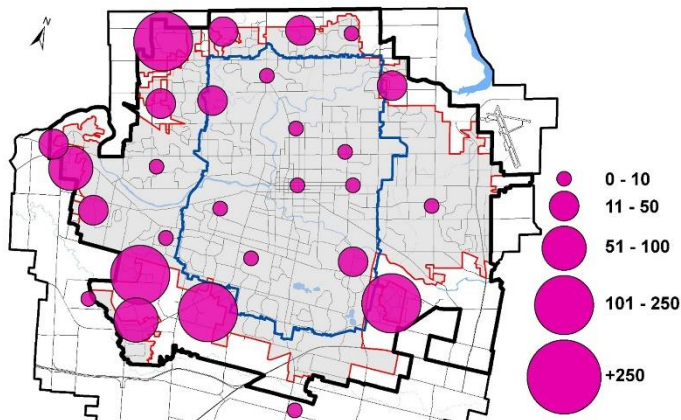


	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022f	2023f	2024f	2025f	2026f
Altus/Watson Forecast	1,244	1,244	1,176	1,176	1,176	1,176	1,176	1,088	1,088	1,088	1,088	1,088	961	961	961
Actual/Forecast	880	809	788	711	970	1,168	768	761	1,034	1,148	1,088	1,088	961	961	961
10 Year Average	904														
5 Year Average	976														

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



### 2021 LDR Units by Location



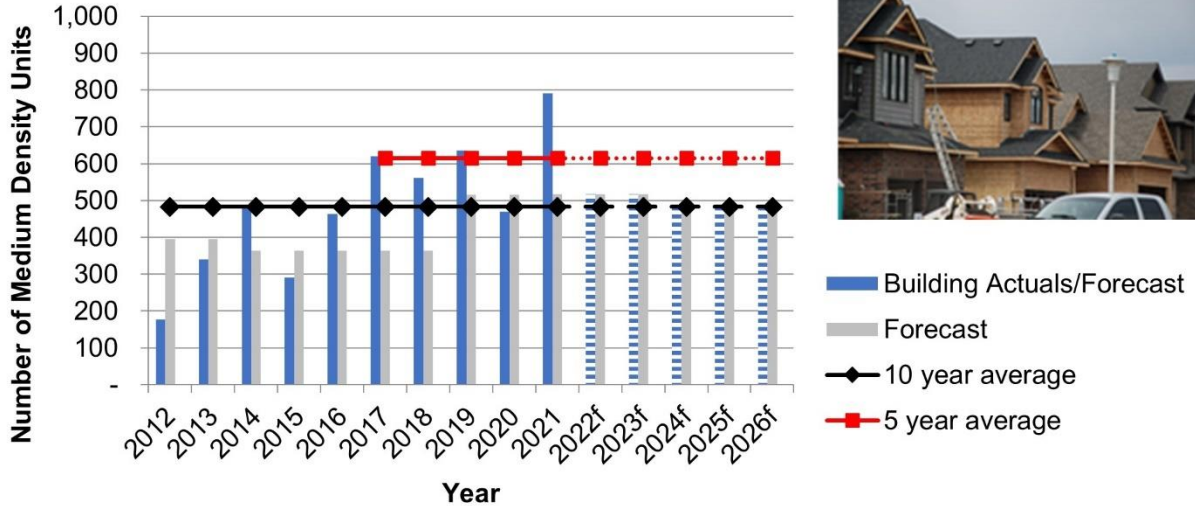
### Observations:

- 2021 saw the second highest number of LDR units over the past 10 years.
- While the number of new LDR units increased over 2021, its proportional share remained stable. This is attributable to high levels of MDR and HDR permits in 2021.
- In 2021, the percentage of LDR units outside the Built-Area Boundary decreased. 85.1% of LDR units were located in the greenfield area in 2021.
- The number of new LDR units is forecasted to remain similar to 2021 levels over the near-term based on the anticipated pace of development and available greenfield land supply.



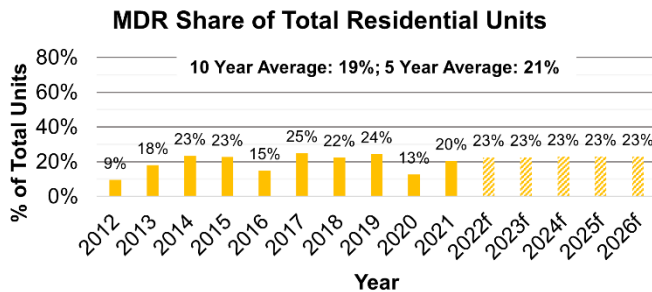
# Building Permit Activity Medium Density Residential Development (MDR)

## MDR Projected Growth and Actual Growth: 2012 - 2026



	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022f	2023f	2024f	2025f	2026f
Altus/Watson Forecast	340	340	364	364	364	364	364	517	517	517	517	517	486	486	486
Actual/Forecast	177	340	480	291	464	620	562	636	469	790	517	517	486	486	486
10 Year Average	483														
5 Year Average	615														

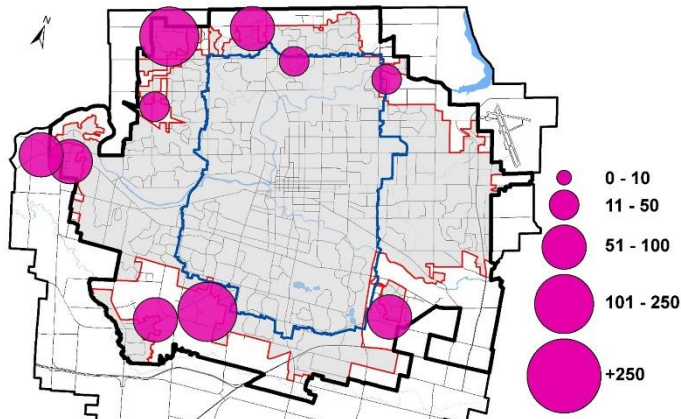
Note: Totals excludes single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.



### Observations:

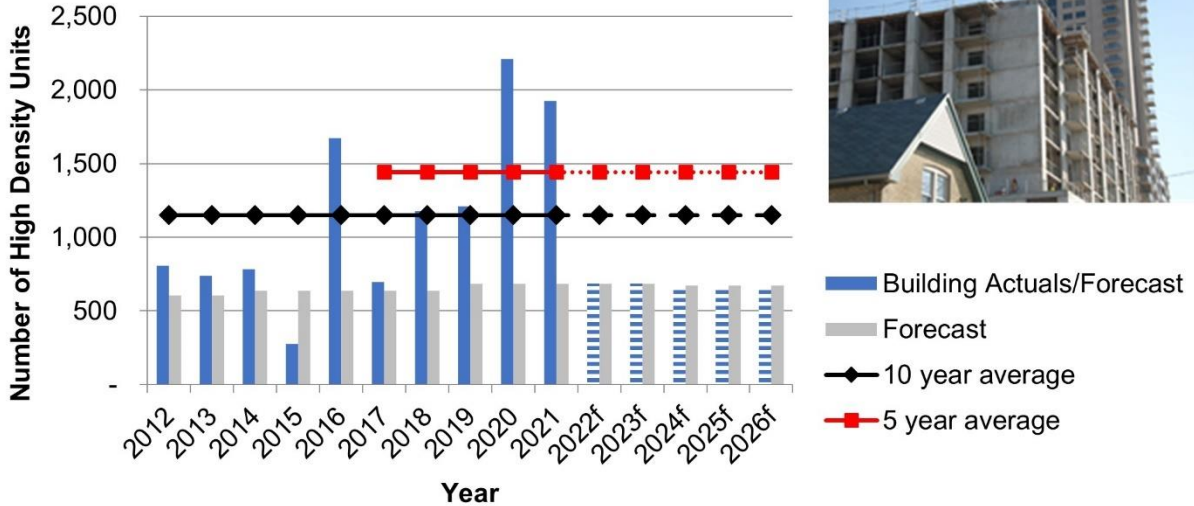
- In 2021, the highest number of new MDR units over the past 10 years was recorded.
- The share of MDR units increased to 20% in 2021 after falling in 2020.
- New MDR units are expected to remain elevated over the near to medium term based on recent and anticipated MDR development approvals.
- Similar to previous years, new MDR units in 2021 were predominantly located in greenfield areas. 7.1% of MDR growth occurred within the Built-Area Boundary.

### 2021 MDR Units by Location

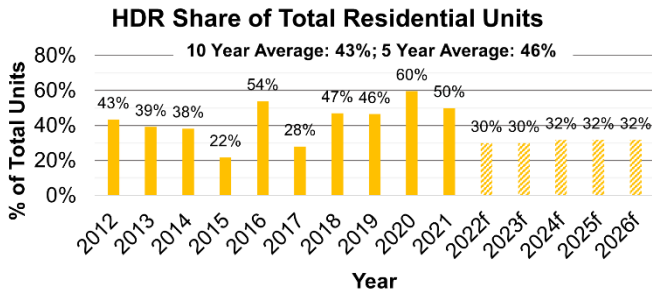


# Building Permit Activity High Density Residential Development (HDR)

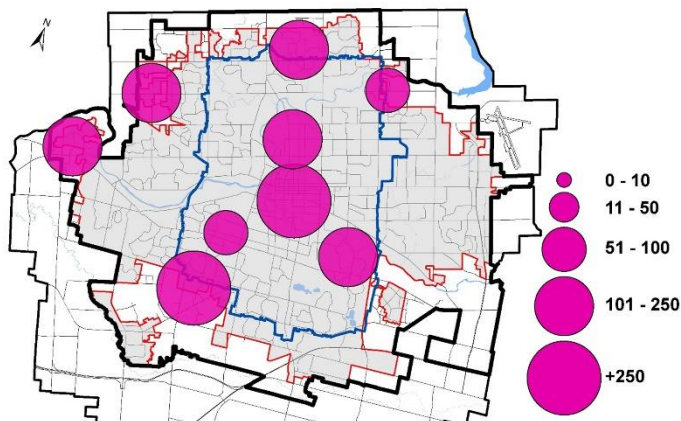
HDR Projected Growth and Actual Growth: 2012 - 2026



	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022f	2023f	2024f	2025f	2026f
Altus/Watson Forecast	716	716	636	636	636	636	636	684	684	684	684	684	670	670	670
Actual/Forecast	808	738	783	278	1,671	694	1,177	1,209	2,210	1,924	684	684	670	670	670
10 Year Average											1,149				
5 Year Average											1,443				



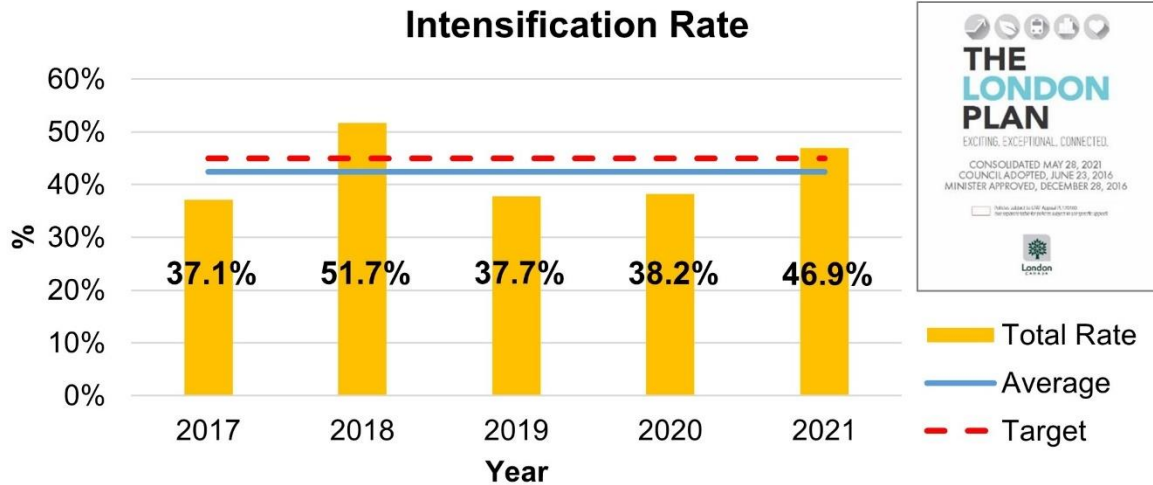
2021 HDR Units by Location



## Observations:

- New HDR units decreased slightly in 2021, but the second highest number of new HDR units over the past 10 years was recorded. Permits were issued for 17 apartment buildings ranging in size from 39 units to 560 units.
- New HDR units are forecasted to remain stable over the near to mid term, given recent and anticipated HDR development approvals. These forecasts are being monitored.
- In 2021, 82.3% of new HDR units were located within the Built-Area Boundary. However with recent HDR greenfield applications, HDR intensification levels are anticipated to decrease in future years.

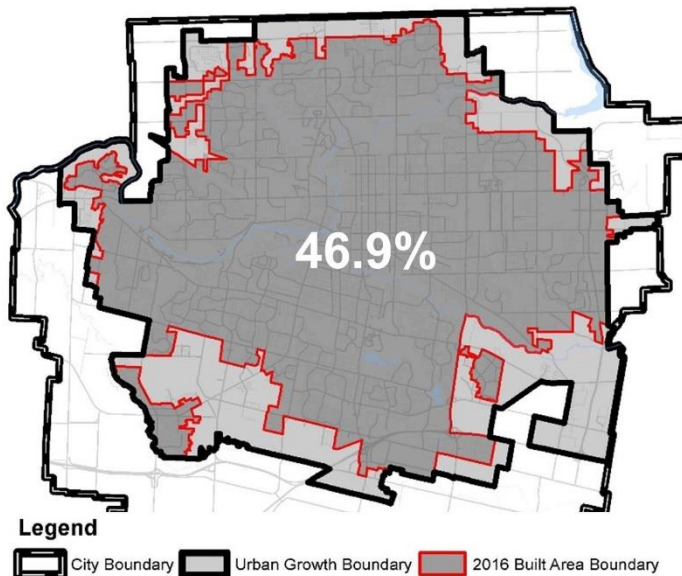
# Residential Intensification Rate



## Built-Area Boundary

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

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

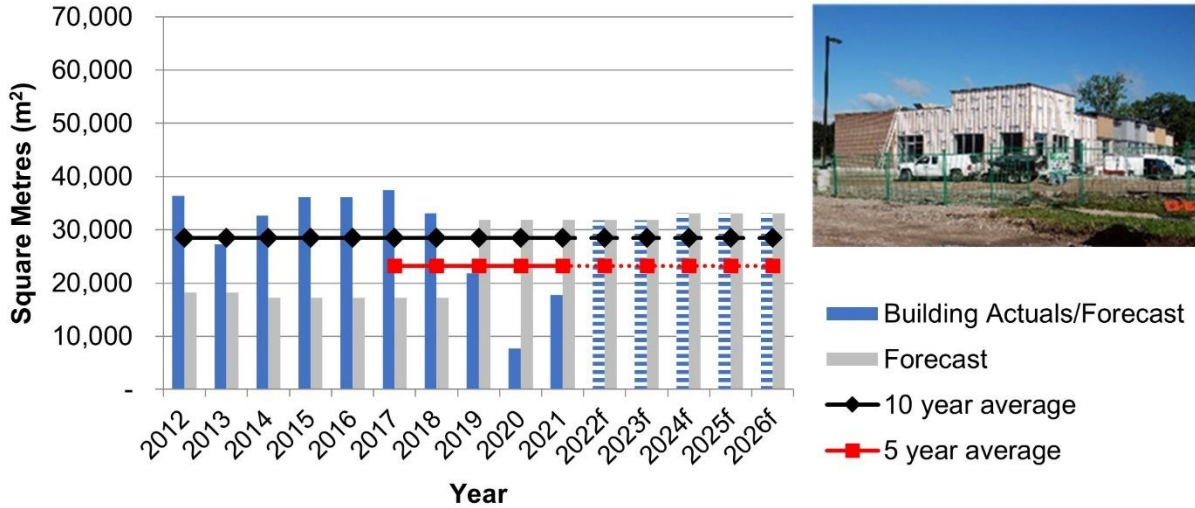


## Observations:

- The average intensification rate since 2016 is 42.4%.
- The intensification rate in 2021 was 46.9% which exceeded the 45% target in The London Plan.
- Due to an increased number of LDR and HDR units in the Built-Area Boundary in 2021, the intensification rate in 2021 increased from 2020.

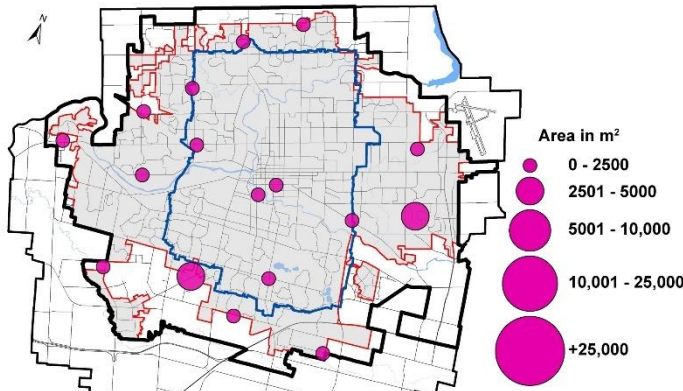
# Building Permit Activity Commercial Development

Commercial Projected Growth and Actual Growth: 2012 - 2026



(m <sup>2</sup> )	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022f	2023f	2024f	2025f	2026f
Altus/Watson Forecast	18,208	18,208	17,242	17,242	17,242	17,242	17,242	31,829	31,829	31,829	31,829	31,829	33,051	33,051	33,051
Actual/Forecast	36,353	27,253	32,612	36,104	36,125	37,430	33,059	21,846	7,672	17,809	31,829	31,829	33,051	33,051	33,051
10 Year Average	28,444														
5 Year Average	23,199														

2021 Commercial Permits by Location

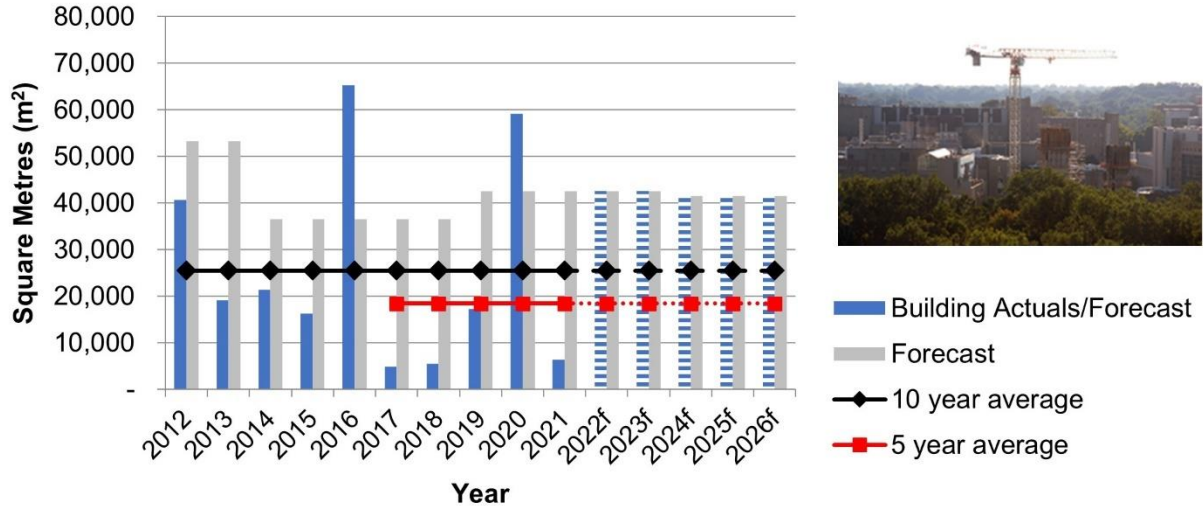


## Observations:

- New commercial gross floor area increased 132.1% in 2021 after a significant decline in 2020, however it is still at half of forecasted levels.
- Changes to the retail market have been highlighted through the pandemic. It is anticipated that the commercial sector will continue to be challenged over the near to medium term in relation to pandemic recovery.
- Near to medium commercial demand forecasted by Watson is anticipated to return to 5- and 10-year historical averages. These forecasts are being monitored.

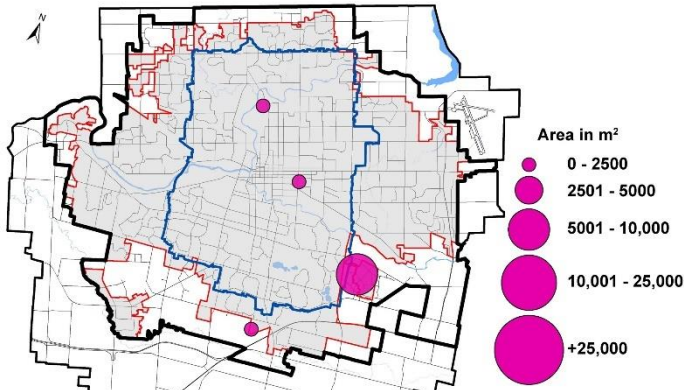
# Building Permit Activity Institutional Development

## Institutional Projected Growth and Actual Growth: 2012 - 2026



(m <sup>2</sup> )	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022f	2023f	2024f	2025f	2026f
Altus/Watson Forecast	53,325	53,325	36,491	36,491	36,491	36,491	36,491	36,491	42,512	42,512	42,512	42,512	41,565	41,565	41,565
Actual/Forecast	40,587	19,121	21,374	16,232	65,245	4,871	5,514	17,232	59,204	6,379	42,512	42,512	41,565	41,565	41,565
10 Year Average	25,472														
5 Year Average	18,432														

### 2021 Institutional Permits by Location

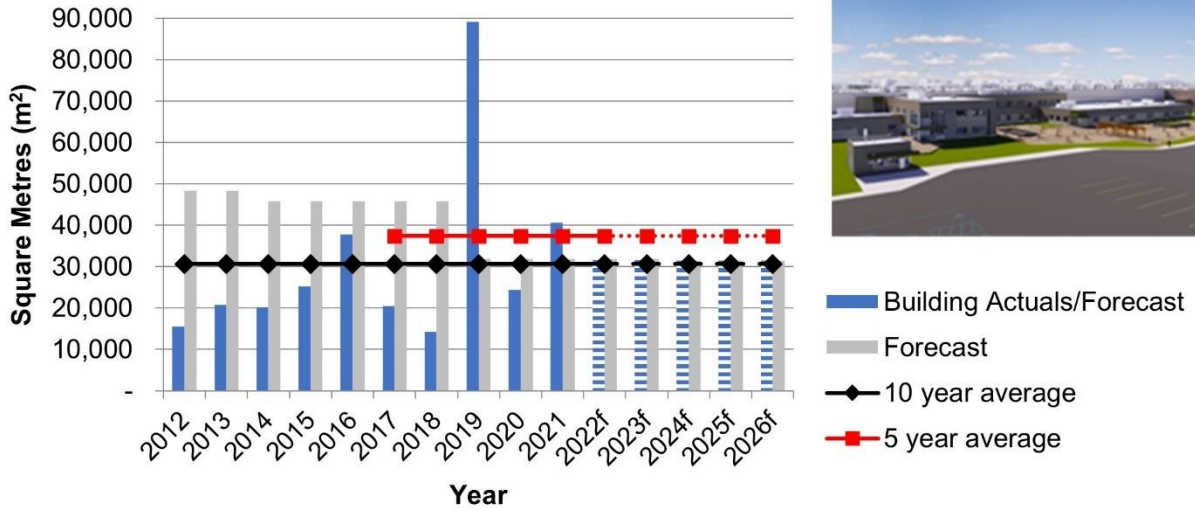


### Observations:

- Institutional growth has a cyclical pattern related to funding from higher orders of government.
- Institutional development was lower in 2021 after a significant increase in 2020 due to new long-term care facilities and additions to school buildings.
- An 89% decline in new gross floor area was reported in 2021, less than 40% of the 5-year historic average and 30% of the 10-year historic average.
- Demand for Institutional uses is forecast to increase over the medium term. This is dependent on investments by higher orders of government.

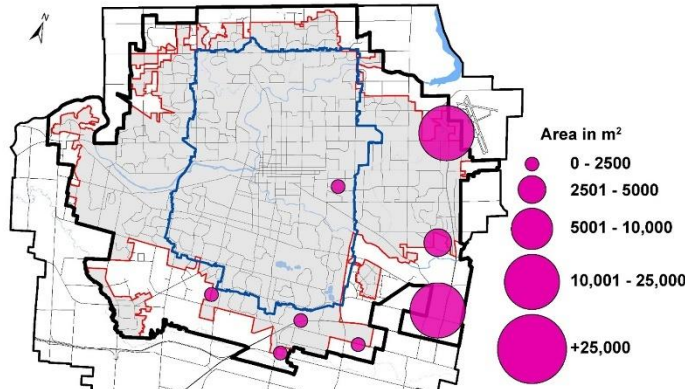
# Building Permit Activity Industrial Development

Industrial Projected Growth and Actual Growth: 2012 - 2026



(m <sup>2</sup> )	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022f	2023f	2024f	2025f	2026f
Altus/Watson Forecast	48,308	48,308	45,855	45,855	45,855	45,855	45,855	31,894	31,894	31,894	31,894	31,894	31,448	31,448	31,448
Actual/Forecast	15,482	20,806	20,171	25,270	37,780	20,433	14,216	89,142	24,393	40,578	31,894	31,894	31,448	31,448	31,448
10 Year Average	30,646														
5 Year Average	37,390														

2021 Industrial Permits by Location



## Observations:

- Permits for new manufacturing plants and additions to food processing facilities resulted in industrial development in 2021 increasing 66.4% from 2020.
- New Industrial gross floor area is forecasted to remain similar to 2021 levels due to recent industrial development application activity.

# Planning and Development 2021 Development Application Activity

## 2019-2021 Applications Received and Processed within Planning Act Timeframes

Application Type	2019			2020			2021		
	Applications Received	Statutory Period (Days)**	%*	Applications Received	Statutory Period (Days)	%*	Applications Received	Statutory Period (Days)	%*
OPA and ZBA	19	210/120	89%	16	120	56%	24	120	58%
Zoning By-law Amendment (ZBA)	41	150/90	88%	27	90	56%	38	90	24%
Temporary Use	3	150/90	100%	2	90	100%	3	90	33%
Removal of Holding Provision	36	150/90	94%	31	90	58%	37	90	78%
Draft Plan of Subdivision	2	180/120	0%	3	120	33%	8	120	50%
Draft Plan of Condominium	17	180/120	88%	14	120	93%	21	120	67%
Condominium Conversion Plans	2	180/120	100%	0	120	0%	1	120	100%
Consent	58	90	53%	38	90	61%	43	90	74%
Minor Variance	143	30	5%	142	30	24%	170	30	12%
Site Plan	117	30	71%	113	30	86%	120	30	65%
<b>TOTAL APPLICATIONS</b>	<b>438</b>	-	-	<b>386</b>	-	-	<b>465</b>	-	-
Pre-Application Consultations	124	n/a	n/a	118	n/a	n/a	138	n/a	n/a
Site Plan Consultations	192	n/a	n/a	162	n/a	n/a	212	n/a	n/a
<b>GRAND TOTAL</b>	<b>754</b>	-	-	<b>666</b>	-	-	<b>815</b>	-	-

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

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

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

### Recent and Anticipated Trends

- Total application activity in 2021 increased 20% from 2020. The total number of applications increased in every category over 2020.
- It is anticipated that 2021 application levels will continue through 2022 based on the number of pre-consultations that were completed. The number of pre-application consultations and site plan consultations increased 25% from 2020.
- Official Plan (OPA) and Zoning By-law (ZBA) amendment applications increased to 62 in 2021 from 43 in 2020.
- The number of Site Plan applications in 2021 was similar to 2020, of which 62% were approved within 30 days and 85% within 35 days.
- Consent applications meeting timelines have improved. The number of Consents which were granted with or without conditions within 90 days increased from 53% in 2019 to 74% in 2021.
- Minor Variance applications increased 20% over 2020. Timelines met have

decreased from 24% in 2020 to 12% in 2021.

- However timelines markedly improved after July. 57% of Minor Variance applications after July were heard within 35 days, 80% within 40 days, and 88% within 50 days.

### Observations

- A higher volume of applications, staff vacancies and increasingly complex applications impacted the ability of various application types to meet the *Planning Act* timeframes in 2021.
- Time for resubmissions and applications put on hold at the request of an applicant are counted within timelines. Time associated with these are beyond the City's control but still impact timeframes.
- *Planning Act* timeframes are measured in calendar days, which is not consistent with actual working days. This has an impact mainly on application types with short timeframes like Site Plans and Minor Variances.

# Permit Ready Lots

Permit-ready lots are tracked to support the local development industry (developers, home builders, contractors and suppliers) in making business decisions associated with new residential construction. The City tracks these numbers based on unit type, development application status and building permit activity. As applications work their way through the approvals process, the number of associated low-density and medium-density units are reported and tracked.

The permit-ready lot strategy anticipates a 1- to 3-year supply that is contingent on all parties involved in the approval process working together to bring units to market. Developers, consultants, contractors, suppliers and the City all have a significant role to play in building new homes in an affordable way.

For more information, a report was presented to Planning and Environment Committee on June 17, 2019 that outlines working group’s process and provides an overview of Permit Ready Lots.

### Working Group Categories, Timing and Definitions

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

<sup>1</sup> “Time in Years” reflects the amount of time anticipated before Permit Ready Lots are available.

### Historic Permit Statistics

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

#### LDR Lots (Single/Detached) by Category

	2017	2018	2019	2020	2021
Future Opportunity	5,062	5,116	4,647	4,631	4,237
On The Market	950	965	1,013	243	289
Permit Ready Lot	1,046	803	1,043	1,364	1,001

As of January 1 for each year.

#### MDR Lots (Rowhouse/Townhouse) by Category

	2017	2018	2019	2020	2021
Future Opportunity	5,062	5,116	4,647	9,048	9,092
On The Market	950	965	1,013	1,264	2,233
Permit Ready Lot	1,046	803	1,043	838	455

As of January 1 for each year.



## Process-Based Continuous Improvement Initiatives

A key principle of Council's Strategic Plan is to increase the efficiency and effectiveness of service delivery by promoting and strengthening continuous improvement practices. Throughout 2021, Planning and Development has continued to move forward on measures to improve service delivery, submission quality and application processing times. The following are some on-going projects that are being undertaken.

**Realignment of Corporate Resources and Staff** – In May 2021, as part of the broader city-wide restructuring, Staff from Planning Services and Development Services came together as the new Planning and Development Department. This restructuring has enabled the integration of the former Current Planning and Site Plan sections into a new consolidated Current Development section that allows for better continuity and knowledge transfer through the application process from amendments to the Zoning By-law through to detailed site plan review and development agreements. Ecology, urban design and heritage staff from different divisions were also brought together to establish a one-window resource for expertise and professional advice in these specialized areas. These realignments create a more efficient and responsive approach to address planning and development issues.

**Digital Application Tracking** – Planning and Development is currently reviewing organizational impacts associated with project delivery, including the retention of an implementation and change management partner. All business processes associated with *Planning Act* applications will be reviewed for efficiencies and overall effectiveness as part of the new system.

**Committee of Adjustment** – The Committee of Adjustment meeting structure was reformatted to increase the number of applications considered by the Committee. This resulted in clearing the backlog of Consent and Minor Variances applications and improved meeting flow.

**Site Plan Continuous Improvement Initiatives** – In 2021, the Development and Business Portal began receiving digital submissions for Site Plan Consultation applications. The e-portal allows for Site Plan Consultation application submissions, including all documents and payment of fees to be submitted under one process.

**Ontario Heritage Act Regulation and Process Changes** – In June 2021, changes to the *Ontario Heritage Act* and regulations came into effect. The new requirements and timelines for various heritage applications have been integrated into existing processes and materials, including the creation of a new *Ontario Heritage Act* timeline waiver form to address the new heritage processing timelines related to *Planning Act* applications.

**Review and Release of Development Securities** – In 2021, development security implementation was moved from Financial Planning and Policy to Planning and Development. Over 2022, development security tracking and release processes will be reviewed and activities will be integrated within the Development Inspections team.

**From:** Chris Butler

**Sent:** Thursday, February 3, 2022 5:57 PM

**To:** PEC <pec@london.ca>

**Subject:** [EXTERNAL] Added Agenda - PEC MTG - Feb 7 - 2.1 Agenda Item - Annual Development Report

Please consider this an added agenda submission with respect to item 2.1 on the PEC agenda for Feb 7<sup>th</sup> – Annual Development Report offered up by George Kotsifas Deputy City MGR – PED .

### **Chair Hopkins – Council Members**

Mainstream Londoners & returning young Londoners have and are facing their worst crisis ever @ respect to both housing availability & affordability for their choice of saleable units in especially the LDR & MDR categories which has driven actual sales prices up approximately 30 % in less than a year. As a City , we also continue to face Educational Institution foreign student growth now over 20 K students per year continuously driving pressure on available rental units in both these categories all while these same institutions get a “ bye “ on municipal tax rates . These institutions should be enlisted as partners in fixing this problem . This is a beyond a perfect storm – it’s a Cyclone!

This Annual Development Report offers the following opportunities if actioned @ this meeting which is offered only this PEC MTG for “ Consent “ ;

1. As a professional involved in both CI & Project MGMT for years , let me assure this PEC there is “ NO Continuous Improvement Process “ without specific goals and targets and that is sadly lacking in this report to drive improvements in the approval timeframes especially from the “ FO “ to “ MO “ categories for both the LDR / MDR units . We are talking about a 1.5 – 2.0 year average gap between draft agreements and approved saleable approved plan for new units. That’s a huge opportunity !

2. Like other Cities & Communities there is a huge & growing gap between LDR & MDR units forecast / lagging approvals and actual market demand. Many recent housing reports offer growth in immigration & foreign students as a huge source in this gap and highlighting continuous forecasting errors as the cause . It’s not about C – 19 family transitions. How do we fix this in the forecasting models for the City of LDN right NOW ?

I offer this “ forecast “ to this PEC MTG as follows , unless you drive significant “ Action Items “ as a follow- up to this report ASAP , the best I can see is you will only be transferring about 10 K Londoners per year going forward to our every growing subsidized affordable housing as clients & customers. It’s as plain as day in the numbers you are looking at in this report .

THXS Big Time – Chris Butler

## 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 Drewlo Holdings Inc.  
2624 Jackson Road and 1635 Commissioners Road East  
Parker Jackson Subdivision - Phase 1  
Removal of Holding Provisions

**Date:** February 7, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Drewlo Holdings Inc., relating to lands located at 2624 Jackson Road and 1635 Commissioners Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on February 15, 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 Holding Residential R1 (h•h-100•R1-4) Zone and a Holding Residential R1 Special Provision (h•h-100•R1-13(8)) Zone **TO** a Residential R1 (R1-4) Zone and a Residential R1 Special Provision (R1-13(8)) Zone to remove the h and h-100 holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h and h-100 holding symbols to permit the development of 230 single detached lots within a residential plan of subdivision (Parker Jackson – Phase 1).

### Rationale of Recommended Action

1. The conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow development of single detached dwellings in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for Phase 1 has been executed by the applicant and the City.
3. Provision has been made for a looped watermain system to ensure adequate water service, as well as provision for a second public road access to the satisfaction of 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

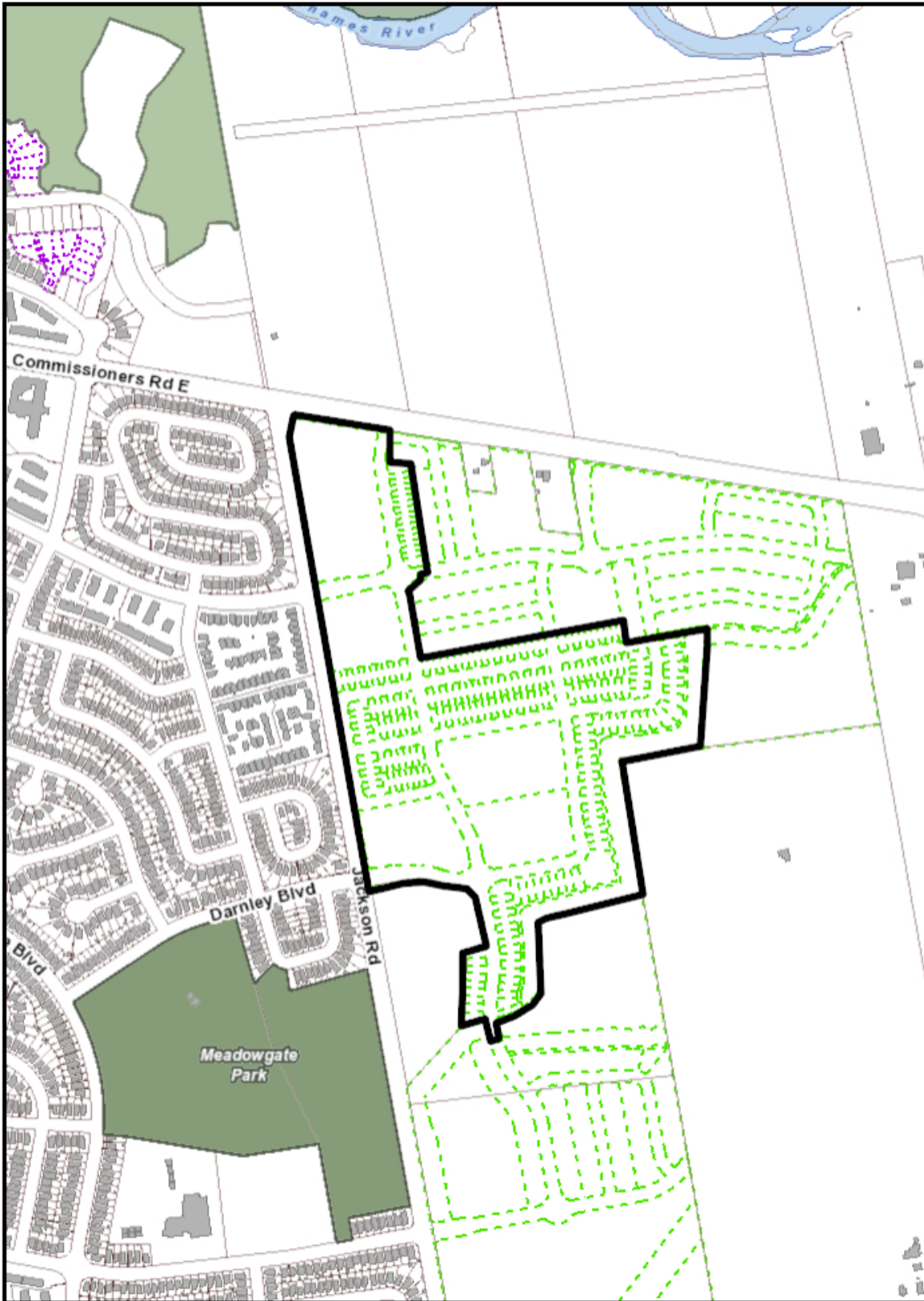
### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

June 21, 2021 – Report to Planning and Environment Committee - 1635 Commissioners Road East and 2624 Jackson Road – Parker Jackson Subdivision Phase 1 – Special Provisions – Drewlo Holdings Inc. (File No. 39T-06507\_1).

## 2.0 Discussion and Considerations






### 2.1 Location Map



#### Location Map

Project Title: H-9445  
Description: 2624 Jackson Road and 1635 Commissioners Road East  
Created By: Larry Mottram  
Date: 12/2/2021  
Scale: 1:8000

#### Legend

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

Corporation of the City of London



## **2.2 Description of Proposal**

This proposal is for consideration of a request to remove the holding provisions from Lots 1 to 230 within the Parker Jackson Subdivision (Phase 1) to permit development of single detached dwellings.

## **2.3 Planning History**

On November 28, 2017, Municipal Council adopted Official Plan and Zoning By-law Amendments in conjunction with a proposed Draft Plan of Subdivision for what are referred to as the Parker-Jackson lands consisting of approximately 81 hectares on the east side of Jackson Road, between Commissioners Road East and Bradley Avenue. On March 14, 2018 the City of London Approval Authority issued draft plan approval of the subdivision with a three year lapse date. The lapsing period has now been extended to September 14, 2024. Engineering design and servicing drawings for Phase 1 have been accepted and a Subdivision Agreement for this phase was recently entered into.

## **2.4 Community Engagement (see more detail in Appendix B)**

There were no responses received to the Notice of Application.

## **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 Conclusions**

### **4.1 Have the conditions for removal of the holding (h & h-100) provision been met?**

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, two holding provisions were added to the subject site to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and to ensure that there is adequate water service and appropriate access. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

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

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

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

A Subdivision Agreement has been executed between Drewlo Holdings Inc. and the City of London. Drewlo Holdings Inc. has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the h provision.

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

*Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must*

*be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.*

*Permitted Interim Uses: A maximum of 80 residential units.*

The subdivision servicing drawings have been accepted by the City, and Drewlo Holdings Inc. has commenced with the installation of services, including the watermains and water looping of the subdivision with connections to the existing 900 mm diameter watermain on Jackson Road at Darnley Boulevard, and existing 600 mm diameter watermain on Commissioners Road East at the northerly end of Gerrits Crescent. Notes have been added to the drawings indicating that water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply before looping is established. Public road accesses are also provided to the subdivision street network with connections to Jackson Road via the easterly extensions of Reardon Boulevard and Darnley Boulevard. Therefore, the condition has been satisfied for removal of the h-100 provision.

## **Conclusion**

The requirements for two holding provisions on the subject lands have been addressed which will allow the issuance of residential building permits for 230 single detached lots in Phase 1. Holding provisions will continue to remain in place on the multi-family residential development blocks (Blocks 231, 232 & 233) and the school block (Block 234) until such time as site plan and development applications have been submitted and approved. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbols from the zoning map.

**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, Subdivisions and Development Inspections

January 31, 2022  
GK/GB/BP/LM/lm

## 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 provisions from the  
zoning for lands located at 2624  
Jackson Road and 1635 Commissioners  
Road East.

WHEREAS Drewlo Holdings Inc. has applied to remove the holding provisions from the zoning on lands located at 2624 Jackson Road and 1635 Commissioners 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 2624 Jackson Road and 1635 Commissioners Road East, as shown on the attached map, to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R1 (R1-4) Zone and a Residential R1 Special Provision (R1-13(8)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

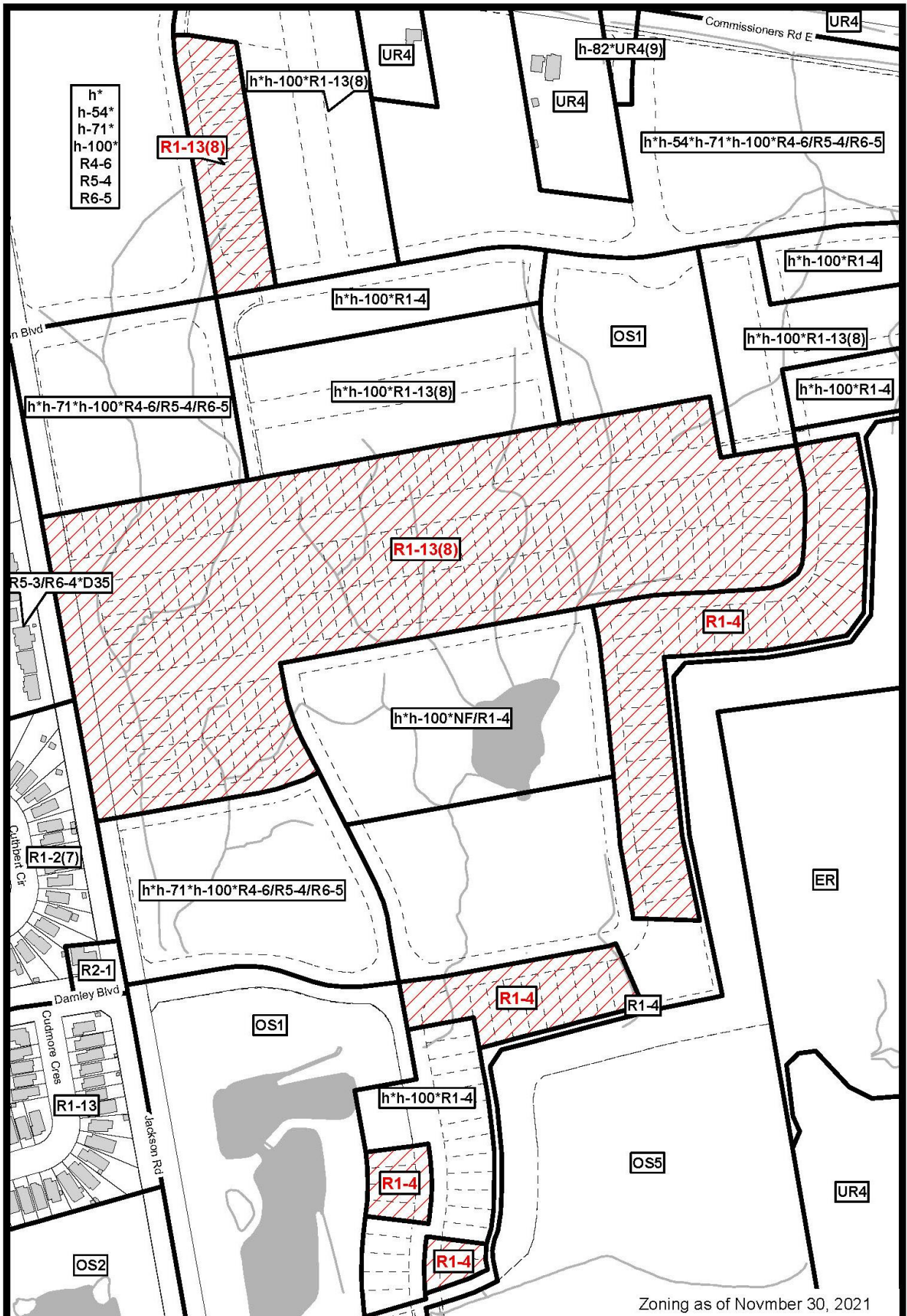
PASSED in Open Council on February 15, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 2022

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



Zoning as of November 30, 2021

File Number: H-9445

Planner: LM

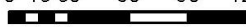
Date Prepared: 2022/01/4

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:3,250

0 15 30 60 90 120 Meters 





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on December 16, 2021.

**Responses:** No replies

**Nature of Liaison: 2624 Jackson Road and 1635 Commissioners Road East; located on the east side of Jackson Road, south of Commissioners Road East –** City Council intends to consider removing the Holding (“h” and “h-100”) Provisions from the zoning of the subject lands to allow development of a residential plan of subdivision (Parker-Jackson Subdivision - Phase 1). The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The purpose of the h-100 symbol is to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer. Interim uses may be permitted up to 80 units maximum. Council will consider removing the holding provision as it applies to these lands no earlier than **February 15, 2022**

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

**Telephone:**  
None

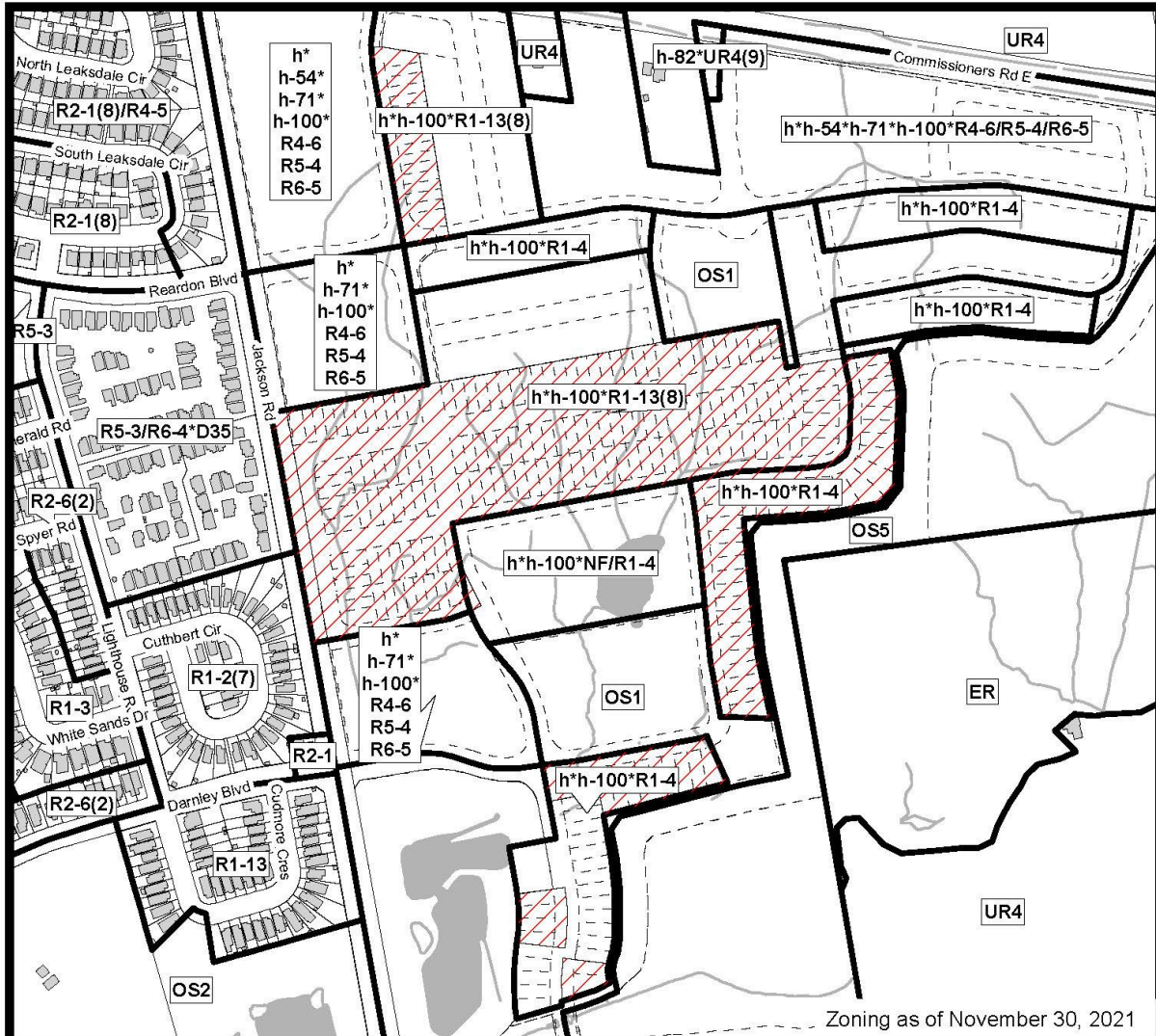
**Written:**  
None

### Significant Agency/Departmental Comments:

None

# Appendix C – Relevant Background

## Existing Zoning Map



### COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

### 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-9449

LM

MAP PREPARED:

2021/12/23

rc

1:5,500

0 25 50 100 150 200

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 Vista Wood Estates Limited c/o MTE  
Consultants Inc.  
Vista Wood Estates – Phase 3, S/W Sunningdale Road West  
and Wonderland Road North  
Removal of Holding Provisions

**Date:** February 7, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by MTE Consultants Inc., relating to portion of lands located southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West), the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting to be held on February 15, 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 Holding Residential R1 (h•R1-4) Zone, a Holding Residential R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) Zone **TO** a Residential R1 (R1-4) Zone, Holding Residential R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) Zone to remove the h holding provision.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the (h) holding symbol to permit the development of 33 single detached lots within a residential plan of subdivision (Vista Wood Estates – Phase 3).

### Rationale of Recommended Action

1. The conditions for removing the holding (h) provision have been met and the recommended amendment will allow development of single detached dwellings in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for Phase 3 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

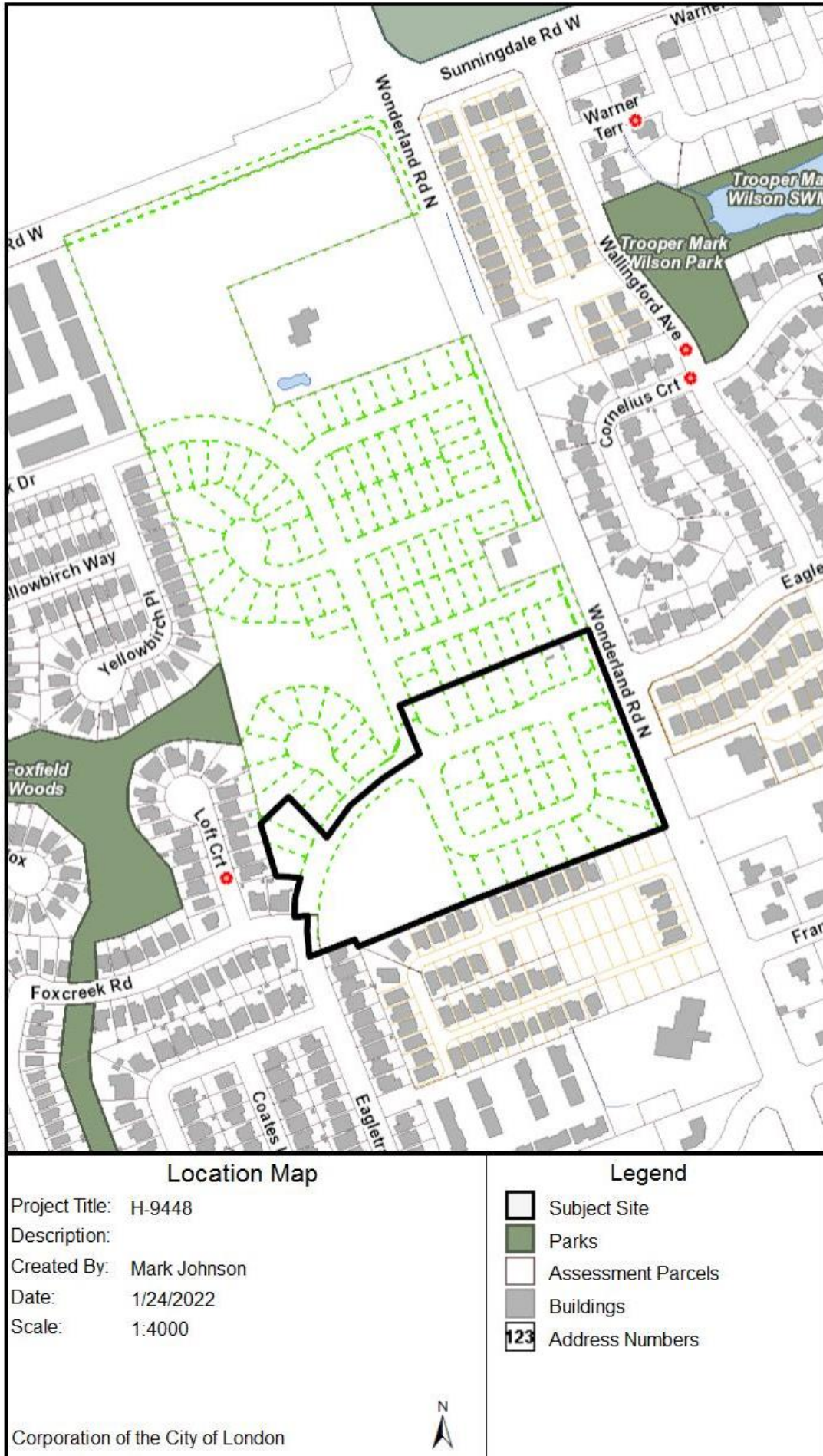
### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

39T-03505/Z-6463 Draft Approval report to Planning Committee - November 2004  
39T-03505/Z-6463 Amend zoning report to Planning Committee – January 2005  
39T-03505 Draft Approval extension report to Planning Committee - June 2009  
39T-03505 Draft Approval extension report to Planning Committee - March 2014  
39T-03505 Draft Approval extension report to Planning Committee - December 2016

## 2.0 Discussion and Considerations

### 2.1 Location Map



## **2.2 Description of Proposal**

This proposal is for consideration of a request to remove the holding provision from lots 1 to 33 within the Vista Wood Estates Subdivision (Phase 3) to permit development of single detached dwellings.

## **2.3 Planning History**

The plan of subdivision was draft approved in 2004 and since that time the applicant has requested several draft approval extensions. Phase 1 of this draft plan was registered on December 12, 2011 (33M-639) and Phase 2 of this draft plan was registered on November 5, 2015 (33M-687). The owner requested a 3 year extension of draft approval in 2019. At its meeting on November 12, 2019, City Council requested that the Approval Authority approve the three year extension. The new draft approval expiry date is December 23, 2022 (three years after the last extension of draft approval).

The holding “h” provision was applied in November 2004 at the time the Draft Plan of Subdivision was approved.

## **2.4 Community Engagement (see more detail in Appendix B)**

There were no responses received to the Notice of Application.

## **3.0 Financial Impact/Considerations**

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

## **4.0 Key Issues and Considerations**

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

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, one holding provision was added to the subject site to ensure the orderly development of lands and the adequate provision of municipal services. The holding provision, and confirmation as to how each requirement has been satisfied, are noted below:

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

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

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

A Subdivision Agreement has been executed between Vista Wood Estates Limited and the City of London. Vista Wood Estates Limited has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the h provision.

## **Conclusion**

The requirements for holding provision on the subject lands have been addressed which will allow the issuance of residential building permits for 33 single detached lots in Phase 3. A holding provision will continue to remain in place on the multi-family residential development blocks (Block 34) until such time as site plan and development applications have been submitted and approved. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to remove the holding provisions from the zoning for the lands.

**Prepared by:** Mark Johnson, MCIP, RPP  
Senior Planner, Planning and Development

**Reviewed by:** Bruce Page  
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

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, Subdivisions and Development Inspections

## 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 provisions from the  
zoning for lands located at southwest of  
corner of Sunningdale Road West and  
Wonderland Road North (formerly  
known as 751 Fanshawe Park Road  
West).

WHEREAS Vista Wood Estates Limited has applied to remove the holding provisions from the zoning on lands located at southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West), as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding 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 southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West), as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-4) Zone, Holding Residential R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

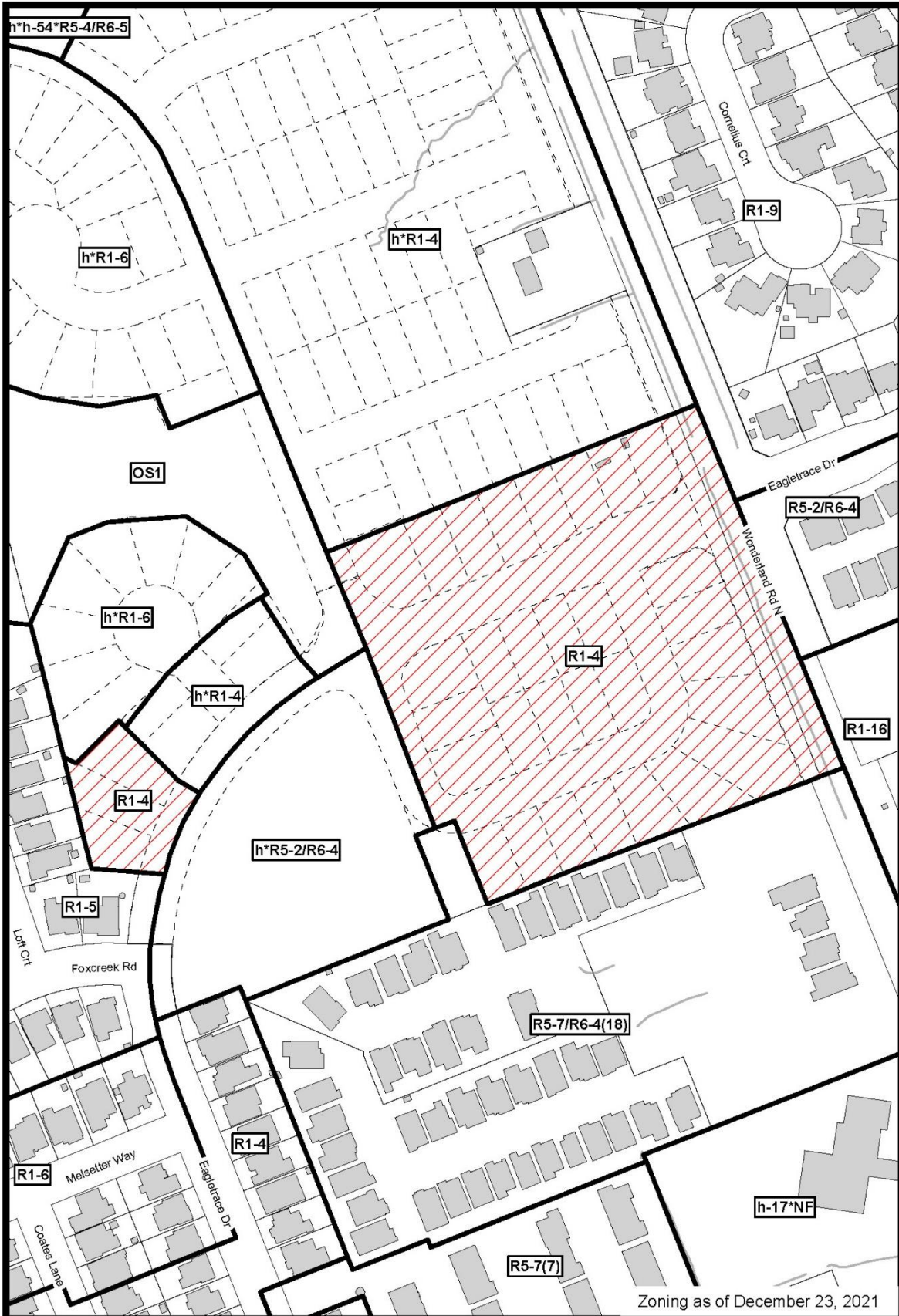
PASSED in Open Council on February 15, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 2022

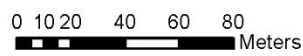
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9448  
 Planner: MJ  
 Date Prepared: 2022/01/21  
 Technician: RC  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,250



Geodatabase



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 23, 2021.

**Responses:** No replies

**Nature of Liaison: 751 Fanshawe Park Road West** – City Council intends to consider removing the Holding (“h”) Provision from the zoning of the subject lands to allow development of a residential plan of subdivision (Vista Wood Subdivision - Phase 3). The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Council will consider removing the holding provision as it applies to these lands no earlier than **February 15, 2022**.

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

**Telephone:**  
None

**Written:**  
None

### Significant Agency/Departmental Comments:

None

# Appendix C – Relevant Background

## Existing Zoning Map



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

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
  
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

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

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

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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

H-9448

MJ

MAP PREPARED:

2022/1/21

RC

1:2,250

0 10 20 40 60 80  
Meters

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

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning and Economic Development  
**Subject:** Exemption from Part-Lot Control  
Application By: Kenmore Homes (London) Inc. c/o Ric Knutson  
Address: 1750 Finley Crescent  
**Meeting on:** February 7, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application by Kenmore Homes (London) Inc., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on February 15, 2022 to exempt Block 101, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

## Executive Summary

### Summary of Request

Request for approval to exempt Block 101, Plan 33M-733 from the Part Lot Control provisions of the *Planning Act*.

### Purpose and Effect of Recommended Action

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

### Rationale for Recommended Action

The conditions for passing the Part-Lot Control By-law have been satisfied and it is appropriate to allow the exemption from Part-Lot Control. The cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution.

## 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

On December 20, 2017, the City of London Approval Authority granted final approval to the phase 2 of draft plan 39T-08502. This phase contained ninety-seven (97) single detached residential lots, eight (8) multi-family residential blocks, served by four (4) new local streets. The subject lands were part of this phase being one of the multi-family residential blocks. The draft plan of subdivision 39T-08502 was registered in February 2018 as plan 33M-733.

### 1.1 Previous Reports Related to this Matter

**January 2011** – Report to Built and Natural Environment Committee relating to the Subdivision, Official Plan amendment and Zoning By-law amendment applications by Kenmore Homes (London) Inc.

**March 26, 2012** - Report to Built and Natural Environment Committee relating to the revised Subdivision, Official Plan amendment and Zoning By-law amendment applications by Kenmore Homes (London) Inc.

**November 5, 2012**- Report to Planning and Environment Committee relating to the appeal of to the Ontario Municipal Board.

**February 4, 2014**- Report to Planning and Environment Committee relating to the withdrawal of the appeal to the Ontario Municipal Board.

**March 2016** - Report on Special Provisions for Phase I.

**February 20, 2018** - Report to Planning and Environment Committee relating to the Zoning By-law amendment applications by Kenmore Homes (London) Inc., to allow for the subject lands to be developed for street townhouse uses with 45% coverage.

## 1.2 Previous Meeting

At its meeting held on July 26, 2021 Municipal Council resolved:

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Kenmore Homes (London) Inc. to exempt Block 101, Plan 33M-733 from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 101, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 101, Plan 33M-733 as noted in clause (a) above:
  - i. The applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
  - ii. The applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
  - iii. The applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
  - iv. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
  - v. The applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
  - vi. The applicant shall enter into any amending subdivision agreement with the City, if necessary;

- vii. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii. The applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi. The applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii. The applicant shall provide a draft transfer of the easements to be registered on title;
- xiii. That on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question; and
- xiv. In accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1750 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict.

### **1.3 Property Description**

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

### **1.4 Current Planning Information**

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

### **1.5 Site Characteristics**

- Current Land Use – vacant
- Frontage – ~65.0 metres
- Area – 0.21 hectares
- Shape – rectangular

### **1.6 Surrounding Land Uses**

- North – future residential
- East – residential
- South – open space
- West – commercial

# 1.7 Location Map



## Location Map

Subject Property: 1750 Finley Cres  
 Applicant: KENMORE HOMES INC.  
 File Number: P-9369  
 Created By: Sean Meksula  
 Date: 6/9/2021  
 Scale: 1:2000

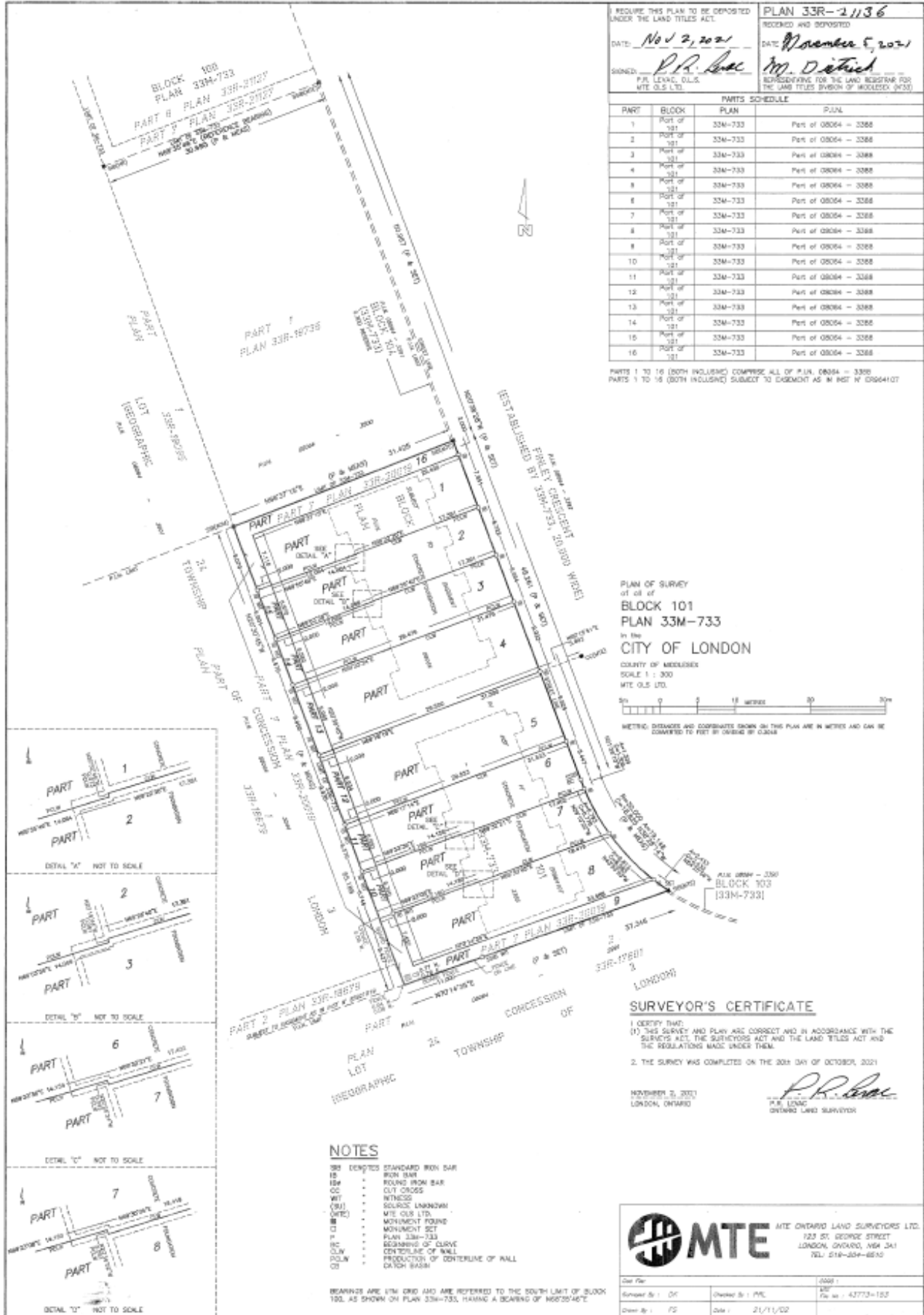
## Legend

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



Corporation of the City of London

1.8 Reference Plan 33R-21136







## **2.0 Discussion and Considerations**

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

### **2.1 Community Engagement**

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

### **2.2 Policy Context**

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

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

## **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 Exemption from Part-Lot Control**

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

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

*Acknowledged by the applicant on January 18, 2022.*

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

*Satisfied by registration of reference plan 33R-21136 as the draft reference plan complies with the Zoning on the lands.*

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

*Satisfied by submission on January 24, 2022 and confirmed by the GIS Data Technician on January 25, 2022.*

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

*The applicant has indicated this condition was satisfied by approval from London Hydro through the subdivision process.*

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

*Satisfied by the acceptance of Lot Grading and Servicing Plans submitted as per Site Plan Application SPA18-049.*

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

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

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

*The applicant agrees to fulfil this condition in its entirety related to the construction of all services and will be completed in accordance with the approved final designs of the lots through site plan approval.*

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

*Satisfied by municipal numbering assigned on August 12, 2019.*

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

*Satisfied by reference plan 33R-21136.*

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

*Satisfied by reference plan 33R-21136.*

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

*Building permits have been issued for this block as permit number 21002685 and 2100109.*

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

*Satisfied by the applicant's Solicitor.*

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

*Acknowledged by applicant on January 18, 2022.*

- xiv. In accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1750 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict.

*Engineering has confirmed October 22, 2021 this condition has been satisfied through the acceptance of lot grading and servicing plans submitted through Site Plan Approval.*

## **Conclusion**

The recommended exemption from Part-Lot Control is considered appropriate and in keeping with the planned intent of the Beirens (Westfield) Subdivision. In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part-Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant.

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

**Reviewed by:** Bruce Page,  
Manager, Planning & Development

**Recommended by:** Gregg Barrett, RPP, PLE  
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, Subdivisions  
cc: Michael Pease, Manager, Site Plan  
cc: Matt Davenport, Manager, Subdivisions

SM/

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## Appendix A

Bill No. (*Number inserted by Clerk's Office*)  
2022

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

A by-law to exempt from Part-Lot Control, lands located at 1750 Finley Crescent, legally described as Block 101 in Registered Plan 33M-733.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Kenmore Homes (London) Inc., it is expedient to exempt lands located at, legally described as Block 101 in Registered Plan 33M-733, from Part Lot Control;

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

1. Block 101 in Registered Plan 33M-733, located at 1750 Finley Crescent, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse units in conformity with the Residential R4 Special Provision (R4-4(4)) Zone of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on February 15, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 2022

## 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 Drewlo Holdings Inc.  
Parker Jackson Subdivision – Phase 1  
2624 Jackson Road and 1635 Commissioners Road East  
Public Participation Meeting

**Date:** February 7, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application by Drewlo Holdings Inc. relating to lands located within the Parker Jackson Subdivision – Phase 1, known municipally as 2624 Jackson Road and 1635 Commissioners Road East, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on February 15, 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 Holding Residential R1 (h•h-100•R1-4) Zone **TO** a Residential R1 (R1-3) Zone.

## Executive Summary

### Summary of Request

Application request to change the zoning of Lots 46 to 58 and Lots 61 to 65 within a draft-approved plan of subdivision (Parker Jackson - Phase 1) from a Residential R1 (R1-4) Zone to a Residential R1 (R1-3) Zone.

### Purpose and the Effect of Recommended Action

The purpose and effect is to correct the zoning to permit these lots to have frontages ranging from 11.49 metres to 11.87 metres as shown on the accepted subdivision servicing drawings.

### 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 future surrounding land uses, and consistent with the planned vision of the Neighbourhoods Place Type.
5. The holding (h & h-100) provisions can be removed as the conditions requiring execution of a Subdivision Agreement, provision of a looped watermain system and a second public road access for Phase 1 have been satisfied.

## 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 – 1635 Commissioners Road East and 2624 Jackson Road – Parker Jackson Subdivision Phase 1 – Drewlo Holdings Inc. - Special Provisions for Subdivision Agreement (File No. 39T-06507\_1).

April 26, 2021 – Report to Planning and Environment Committee – 1635 Commissioners Road East and 2624 Jackson Road – Request for Extension of Draft Plan Approval – Drewlo Holdings Inc. (File No. 39T-06507).

November 20, 2017 – Report to Planning and Environment Committee – Application by 748094 Ontario Ltd. & 2624 Jackson Road Inc. for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 1635 Commissioners Road East and 2624 Jackson Road; and Application by the City of London for Official Plan Amendment – 1663 & 1685 Commissioners Road East and 2652 Jackson Road (File No. 39T-06507 / OZ-7176 / O-7178).

### 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 – holding Residential R1 (h•h-100•R1-4)

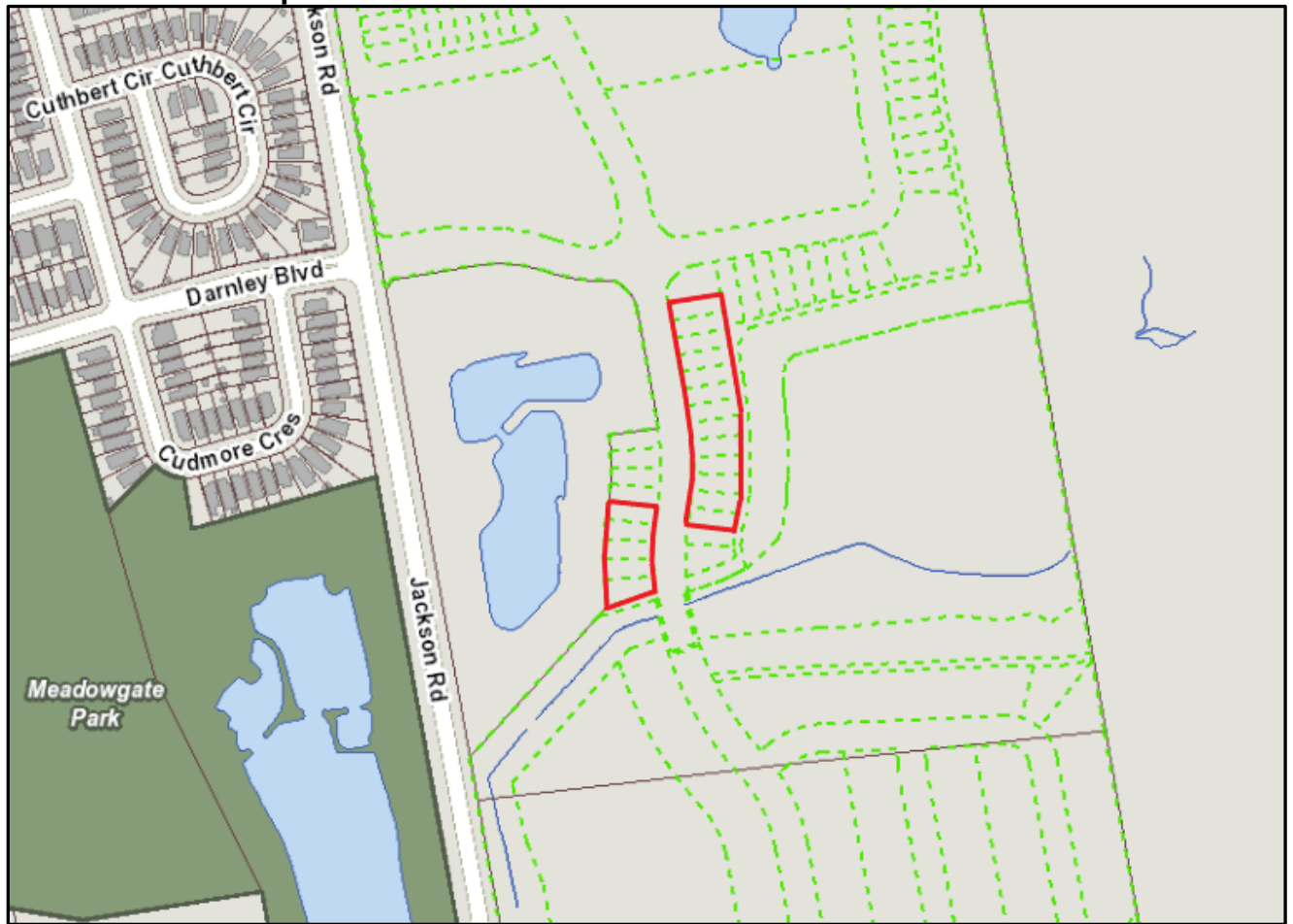
#### 2.3 Site Characteristics

- Current Land Use – vacant
- Frontage – lot frontages range from 11.49 metres to 11.87 metres
- Depth – lot depths vary from 31.9 metres to 35.4 metres
- Area – lot areas range from 368.1 sq.m. to 462.5 sq.m. (7,268.6 sq.m. combined area of all 18 lots)
- Shape – irregular

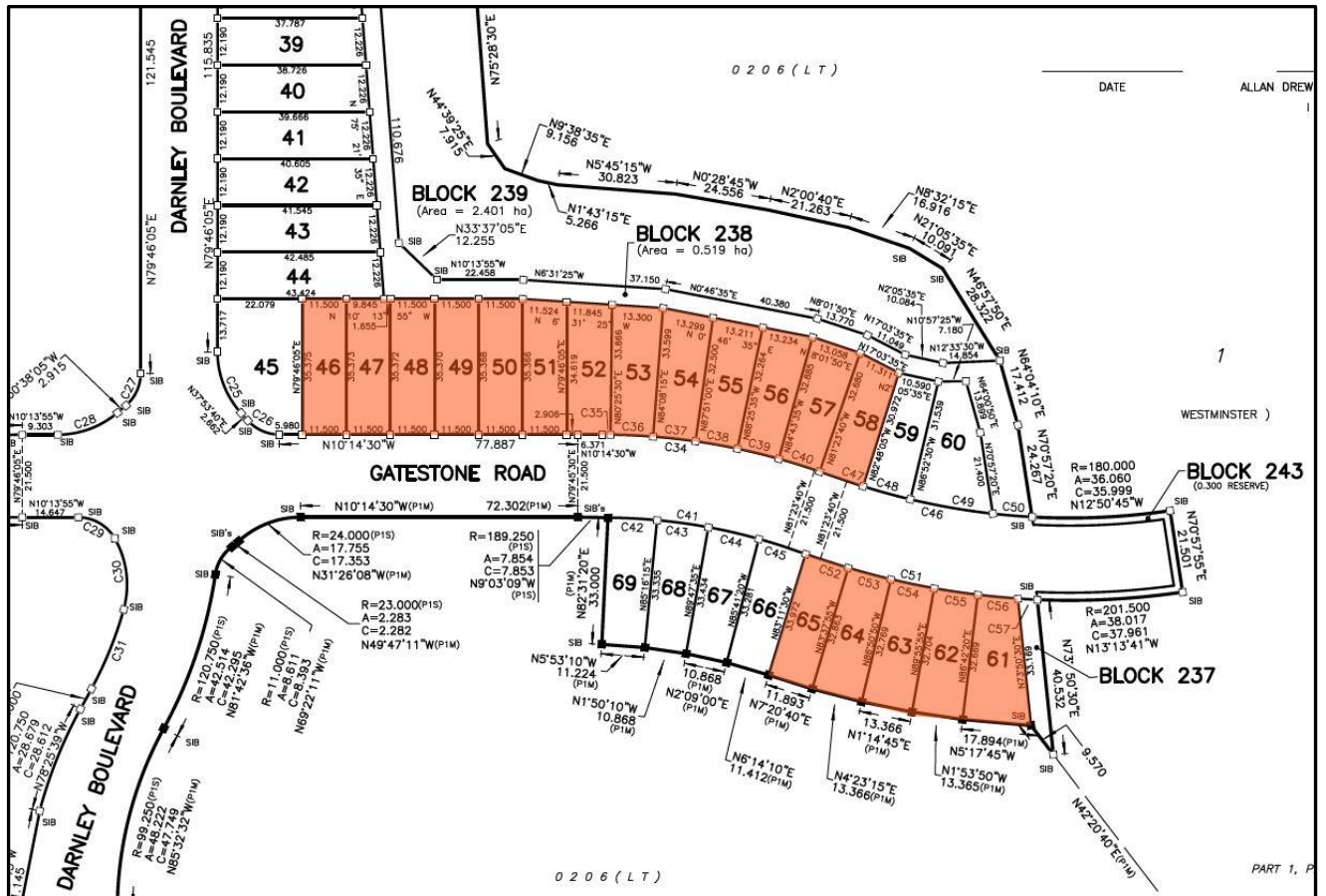
#### 2.4 Surrounding Land Uses

- North – vacant lands for future residential development
- East – open space
- South – multi-use pathway and lands for future residential development
- West – stormwater management facility

## 2.5 Location Map



## 2.6 Lots 46 to 58 and Lots 61 to 65







east side of Jackson Road, between Commissioners Road East and Bradley Avenue. On March 14, 2018 the City of London Approval Authority issued draft plan approval of the subdivision with a three year lapse date. The lapsing period has been extended to September 14, 2024. Engineering design and servicing drawings for Phase 1 have been accepted and a Subdivision Agreement for this phase was recently entered into.

## **2.9 Requested Amendment**

Request for consideration of an amendment to the zoning by-law to change the zoning of proposed Lots 46 to 58 and Lots 61 to 65 from a Residential R1 (R1-4) Zone, which permits single detached dwellings on lots having a minimum lot area of 360 square metres and minimum lot frontage of 12 metres, to a Residential R1 (R1-3) Zone to permit single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres.

The request is to permit reduced frontages for 18 lots within Phase 1. The proposed lots are shown on engineering design drawings having frontages ranging from 11.49m - 11.87m. The existing R1-4 zone regulation requires a minimum frontage of 12.0m. The applicant has stated that servicing has already been installed for the affected lots and it is not practical to shift lot lines to conform to the existing zone. R1-3 zoning is being requested as it permits a minimum frontage of 10.0m; all other permissions with the zone remain the same, with the exception of lot area which is reduced reflecting the reduced frontage.

**NOTE:** This zoning review will also consider the appropriateness of removing the existing holding (h and h-100) provisions applied to these lots. An application has been submitted concurrently by Drewlo Holdings Inc. to remove the holding provisions on the balance of the lands in Phase 1 (File No. H-9445).

## **2.10 Community Engagement (see more detail in Appendix B)**

There were no responses received to the Notice of Application.

## **2.11 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 Holding Residential R1 (h•h-100•R1-4). 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**

There is no change in use as the recommended zoning will continue to permit only single detached dwellings. The Residential R1 (R1-4) Zone currently permits single detached dwellings on lots having a minimum lot area of 360 square metres and minimum lot frontage of 12 metres. The recommended Residential R1 (R1-3) Zone would permit dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10.0 metres. This change represents a zoning correction in order for the 18 single detached lots which are the subject of this application to comply with minimum lot frontage requirements.

### **4.2 Intensity**

The proposed zoning will continue to maintain a diverse mix of lot patterns and sizes for construction of single detached homes. Lot sizes generally ranging in width from 9.0 to 11.0 metres are proposed for the interior subdivision streets, and lot frontages ranging from 11.0 to 12.0+ metres are proposed along Gatestone Road and Darnley Boulevard consisting of slightly larger lots adjacent open space lands.

Permitted building heights in accordance with Table 11\* of The London Plan provide for a minimum 1 storey to maximum 2.5 storeys at this location. 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 R1-4 Zone variation). As this represents a greenfields development, the proposed lots are considered appropriate and compatible in terms of scale and intensity with future development planned for the immediate surrounding area.

### **4.3 Form**

The proposed lot pattern along the Gatestone Road and Darnley Boulevard will maintain building alignment and continuity of the streetscape. The building setback requirements are governed by the zoning by-law. Both the R1-3 and R1-4 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 as shown on the engineering design drawings having frontages ranging from 11.49 to 11.87 metres, and lot depths ranging from 31.9 to 35.4 metres. It should be noted the lot areas ranging from 368.1 to 462.5 square metres continue to meet and exceed both the R1-3 and R1-4 minimum lot area regulations. 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 the same. The proposed lots maintain sufficient area and depth and continue to provide for appropriate building coverage, rear yard amenity space, and landscaped open space.

#### **4.4 Holding Provisions**

Through the previous Zoning By-law Amendment and Draft Plan of Subdivision application, two holding provisions were applied to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and to ensure that there is adequate water service and appropriate access. A Subdivision Agreement has been executed between Drewlo Holdings Inc. and the City of London. Drewlo Holdings Inc. has also posted security as required by City policy and the Subdivision Agreement.

The subdivision servicing drawings have been accepted by the City, and Drewlo Holdings Inc. has commenced with the installation of services, including the watermains and water looping of the subdivision. Notes have been added to the drawings indicating that water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply before looping is established. Public road accesses are also provided to the subdivision street network with connections to Jackson Road via the easterly extensions of Reardon Boulevard and Darnley Boulevard. Therefore, the conditions have been satisfied for removal of the h and h-100 provisions.

#### **4.5 Request for Application Fee Reduction**

Attached to this report is a letter from Drewlo Holdings Inc. which accompanied their Zoning By-law Amendment application requesting that Council consider a fee reduction of 50% of the normal application fee. Regardless of the reason for the request, where an application fee has been paid in accordance with the City of London's Fees and Charges By-law it is not the City's practice to provide a full or partial refund of fees if the application has been accepted and processed as is the case here.

## **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 future land uses planned for 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, MCIP, RPP  
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, Subdivisions and Development Inspections

January 31, 2022  
GK/GB/BP/LM/lm

**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 2624 Jackson  
Road and 1635 Commissioners Road  
East (Parker Jackson Subdivision –  
Phase 1).

WHEREAS Drewlo Holdings Inc. has applied to rezone lands located at  
2624 Jackson Road and 1635 Commissioners Road East (Parker Jackson Subdivision –  
Phase 1), 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 2624 Jackson Road and 1635 Commissioners Road East (Parker  
Jackson Subdivision – Phase 1), as shown on the attached map, FROM a Holding  
Residential R1 (h•h-100•R1-4) Zone TO a Residential R1 (R1-3) 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.

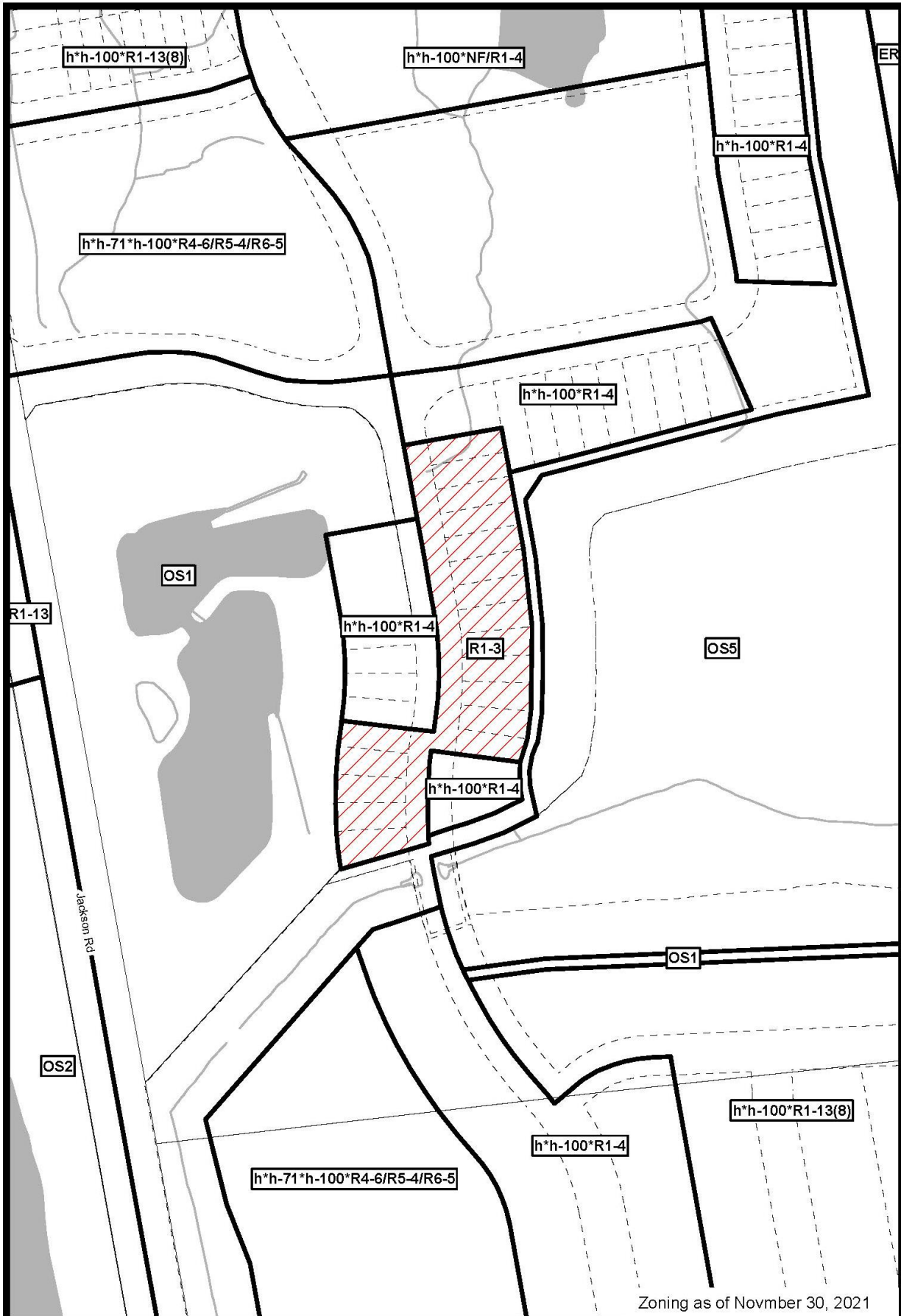
PASSED in Open Council on February 15, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 2022

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



File Number: Z-9449

Planner: LM

Date Prepared: 2021/12/24

Technician: LM

By-Law No: Z.-1-

SUBJECT SITE 

1:2,206

0 10 20 40 60 80  
Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On December 7, 2021, Notice of Application was sent to 1 property owner 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 January 20, 2022.

**Responses:** No replies received

**Nature of Liaison:** The purpose and effect of this application to change the zoning of Lots 46 to 58 and Lots 61 to 65 within a draft-approved plan of subdivision (Parker Jackson - Phase 1) from a Residential R1 (R1-4) Zone, which permits single detached dwellings on lots having a minimum lot area of 360 square metres and minimum lot frontage of 12 metres, to a Residential R1 (R1-3) Zone, which permits single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10 metres. The purpose and effect of this zone change is to correct the zoning to permit these lots to have frontages ranging from 11.49 metres to 11.87 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 provides a high degree of community connectivity, supports the use of public transit, promotes cycling and pedestrian movement, and provides opportunities for active transportation.

Provincial concerns for natural heritage resources, archaeological resource assessment and cultural heritage have been addressed through the previous subdivision planning and approval process. 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 of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk\* throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex 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 #4 – Become one of the greenest cities in Canada***

*4. Protect and enhance the health of our Natural Heritage System.*

*9. Strengthen our urban forest by monitoring its condition, planting more, protecting more, and better maintaining trees and woodlands.*

*11. Implement green infrastructure and low impact development strategies.*

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

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

*7. Build quality public spaces and pedestrian environments that support walking.*

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



1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.

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 zoning and overall design of the subdivision plan. Adjacent natural heritage features are protected within public open space, incorporating substantial open space buffers that will be renaturalized with native vegetative plantings. A third pipe stormwater drainage system has been incorporated into the subdivision engineering design in order to maintain clean water flows to the wetland feature. The neighbourhood has been planned for a range and mix of low and medium density housing types to accommodate people at various stages of life and supports the concept of aging in place. The subdivision design features a continuous multi-use pathway and a street pattern oriented towards a modified grid system with multiple connections resulting in ease of mobility and a neighbourhood that is more walkable, healthy, and connected.

**City Building and Design Policies**

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

The proposed zoning will continue to permit single detached dwellings on lots which are compatible with future residential uses, consistent with the planned vision of the Neighbourhood Place Type, and a built form that contributes to a sense of place and character.

*204\_ Natural heritage is an important contributor to the character of an area and influences the overall street network. Neighbourhoods should be designed to preserve or create views to natural heritage features and landmarks through lotting patterns, street patterns, or building placement.*

*242\_ Public spaces will be designed to support the planned vision of the place type by enhancing views and vistas, providing places to meet and gather, and establishing connections.*

The street and lotting pattern in this subdivision phase has been designed to preserve views to the adjacent woodland/wetland feature by incorporating open space blocks which provides public access to the multi-use pathway, and establishes connections to the neighbourhood, neighbourhood park and school blocks.

*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 generally ranging in widths from 9.0 to

11.0 metres are proposed for the interior subdivision streets, and lot frontages ranging from 11.0 to 12.0+ metres are proposed along Gatestone Road and Darnley Boulevard consisting of slightly larger (or premium) lots backing onto open space lands. 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 Gatestone Road and Darnley Boulevard will maintain building alignment and continuity of the streetscape. The building setback requirements are governed by the zoning by-law. Both the R1-3 and R1-4 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 and neighbourhood connectors, and 2 to 3 storeys at the intersection of two neighbourhood connectors (bonus up to 4).

*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.*

*916\_4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*

*916\_8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

As noted above, the proposed zoning is consistent with the planned vision of the Neighbourhood Place Type. 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. The draft plan also incorporates a high degree of neighbourhood connectivity and a multi-use walking and cycling pathway system identified on the Active Mobility Network mapping. In accordance with City Building policies, neighbourhood parks have been located and designed within the neighbourhood to achieve a minimum of 50% of their perimeter bounded by a public street.

*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 R1-3 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, 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 1.

*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 neighbourhood. Traffic calming measures will also be implemented to calm traffic and slow vehicle speeds, particularly around the neighbourhood park and school blocks.
- 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.
- 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 (Stages 1, 2, & 3) for the Parker Jackson Subdivision were previously undertaken and a clearance letter from Ministry of Tourism, Culture and Recreation - Heritage & Libraries Branch was issued in August 2005.
- The “Green Space” and “Environmental Review” Place Types have been applied to adjacent lands to recognize the presence of significant natural heritage features, watercourses, and hazard lands. Open Space zoning has been applied to existing natural features and to a 30 metre wide buffer (25 metres plus five (5) metre wide multi-use pathway block) adjacent the woodland/wetland feature as part of the planning review and approvals process. Natural areas containing existing woodland and wetland, the Hampton-Scott Drain, associated buffers and restoration/renaturalization areas, are to be preserved and protected as Open Space.

*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.*

This rezoning is considered minor in nature and for the purpose adjusting the minimum lot frontage regulations. As such, the single detached dwelling lots which are the subject of this zoning change continue to maintain a reasonable level of compatibility and fit within the context of the proposed Parker Jackson subdivision, as well as with the existing Summerside Subdivision to the west. The neighbourhood context outside of the subdivision draft plan to the north, east and south consists of existing rural agricultural lands that have not yet been planned for urban development.

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 1 of the draft plan of subdivision. The lots are proposed to be rezoned from a Residential R1 (R1-4) Zone, which permits single detached dwellings on lots having a minimum lot area of 360 square metres and minimum lot frontage of 12 metres, to a Residential R1 (R1-3) Zone,

which permits single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage of 10.0 metres. The lots as shown on the engineering design drawings having frontages ranging from 11.49 to 11.87 metres, and lot depths ranging from 31.9 to 35.4 metres. It should be noted the lot areas ranging from 368.1 to 462.5 square metres continue to meet and exceed both the R1-3 and R1-4 minimum lot area regulations.

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>R1-3</u>	<u>R1-4</u>
Lot Area Minimum (m <sup>2</sup> )	300	360
Lot Frontage Minimum (m)	10.0	12.0
Landscaped Open Space Minimum	35%	35%
Lot Coverage Maximum	40%	40%
Rear Yard Depth Minimum (m)	6.0	6.0

In terms of the lot coverage, landscaped open space and rear yard setback regulations, the zone standards remain the same. Therefore, the proposed lots maintain sufficient area and depth and continue to provide for appropriate building coverage, rear yard amenity space, and landscaped open space.

### **Holding Provisions**

Through the Zoning By-law amendment and Draft Plan of Subdivision application process, two holding provisions were added to the subject lots to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, and to ensure that there is adequate water service and appropriate access. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

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

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

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

A Subdivision Agreement has been executed between Drewlo Holdings Inc. and the City of London. Drewlo Holdings Inc. has also posted security as required by City policy and the Subdivision Agreement. Therefore, the condition has been met for removal of the h provision.

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

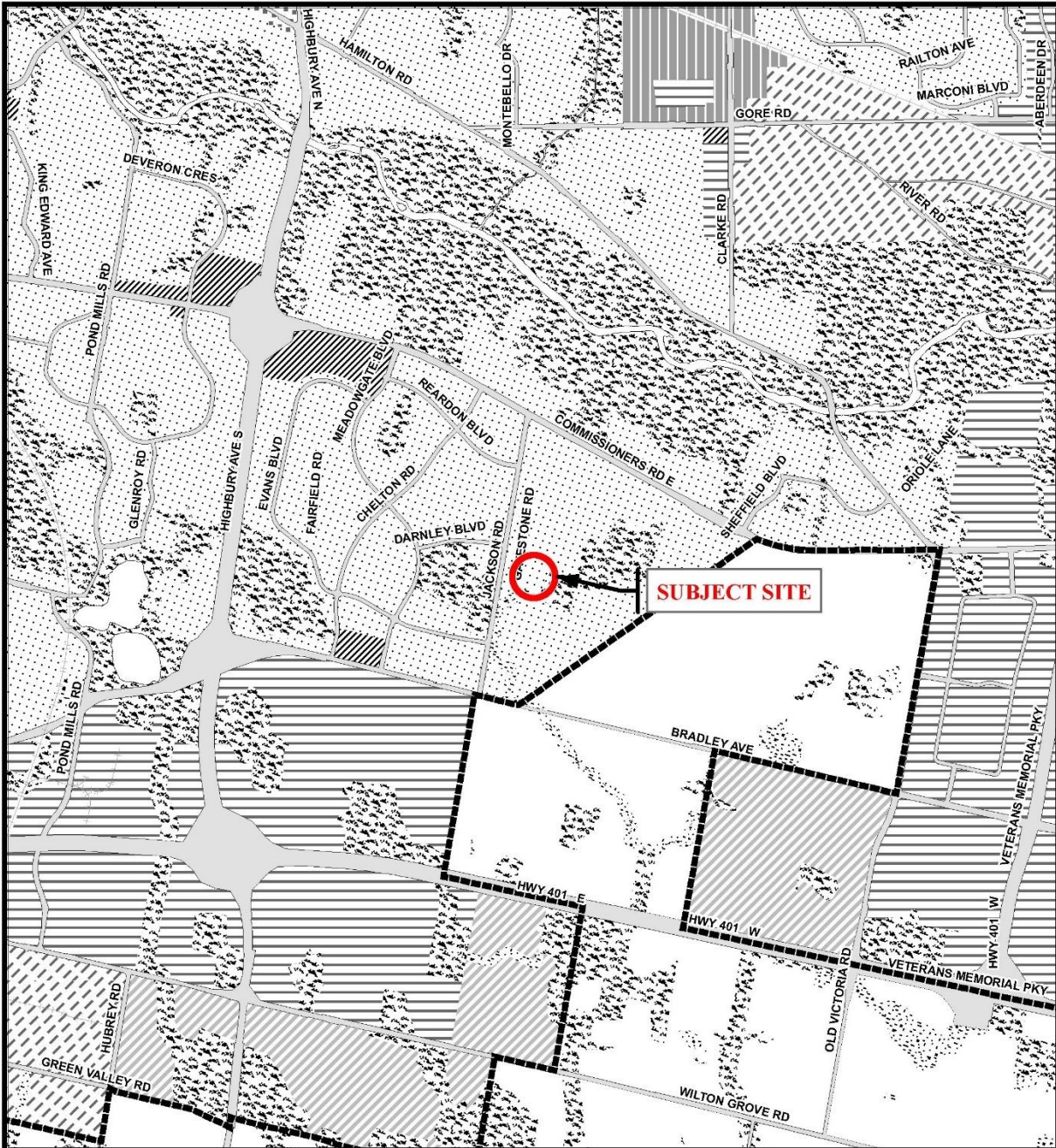
*Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.*

*Permitted Interim Uses: A maximum of 80 residential units.*

The subdivision servicing drawings have been accepted by the City, and Drewlo Holdings Inc. has commenced with the installation of services, including the watermains and water looping of the subdivision with connections to the existing 900 mm diameter watermain on Jackson Road at Darnley Boulevard, and existing 600 mm diameter watermain on Commissioners Road East at the northerly end of Gerrits Crescent. Notes have been added to the drawings indicating that water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply before looping is established. Public road accesses are also provided to the subdivision street network with connections to Jackson Road via the easterly extensions of Reardon Boulevard and Darnley Boulevard. Therefore, the condition has been satisfied for removal of the h-100 provision.

# Appendix D – Relevant Background

## The London Plan Map Excerpt



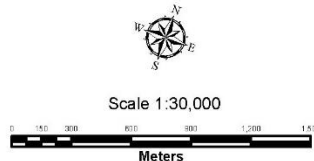
### Legend

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.

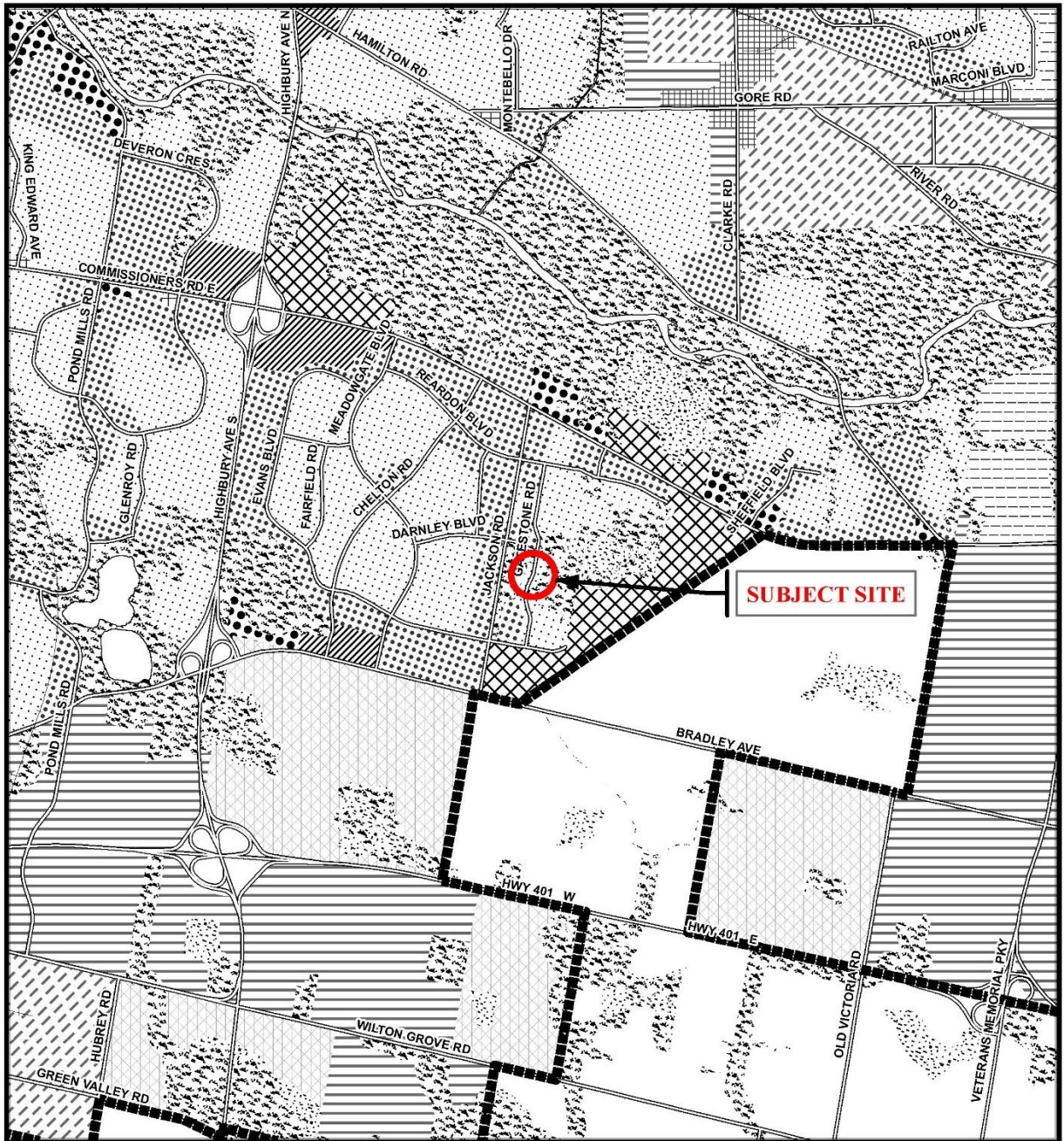
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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



File Number: Z-9449  
 Planner: LM  
 Technician: RC  
 Date: January 4, 2022

# 1989 Official Plan Map Excerpt



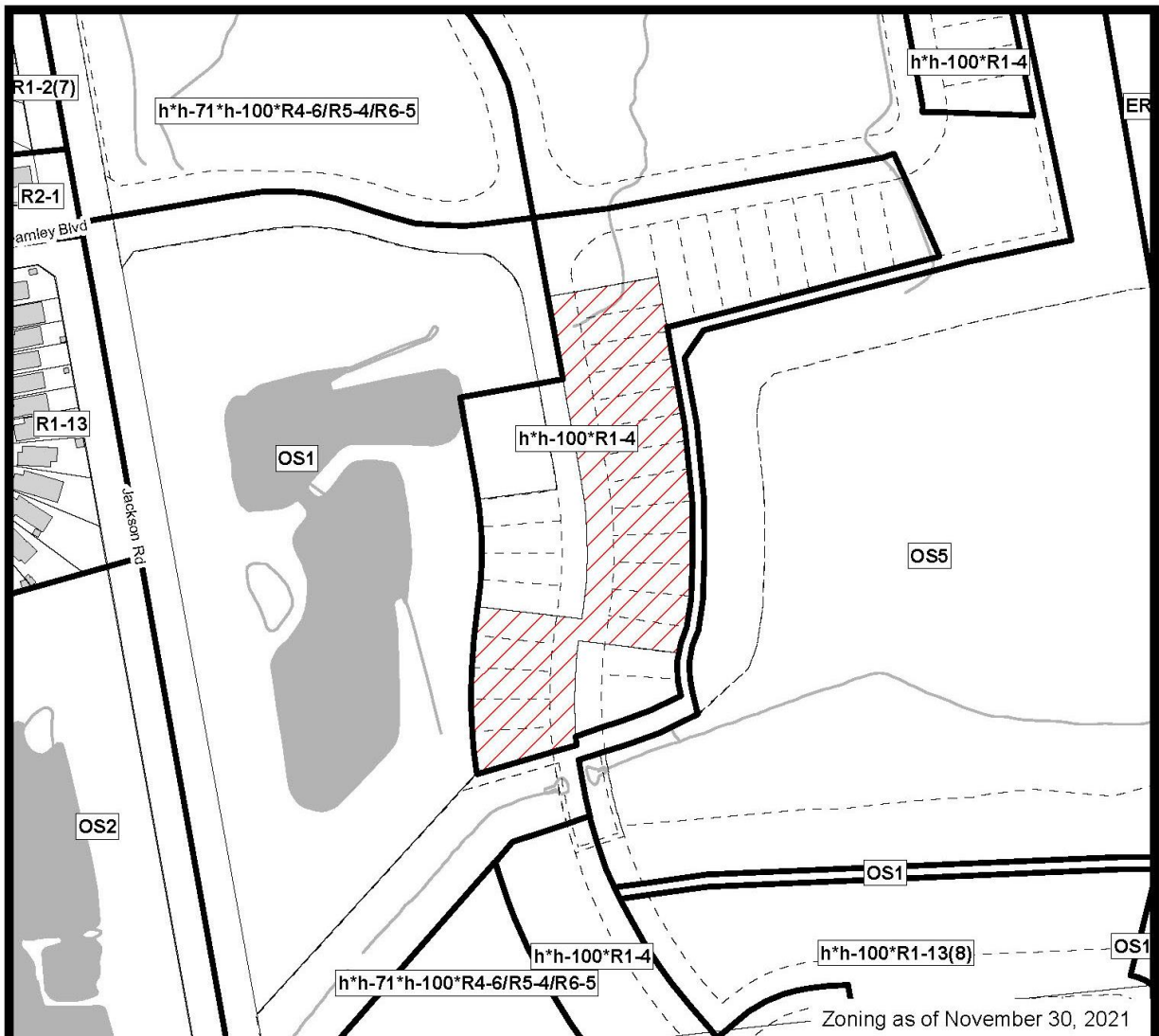
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
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

<p><b>CITY OF LONDON</b></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>0 105 210 420 840 1260 1260</p> <p>Meters</p>	FILE NUMBER: Z-9449
		PLANNER: LM
		TECHNICIAN: RC
		DATE: 2022/01/04



**Zoning By-law Map Excerpt**



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

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

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

**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-9449

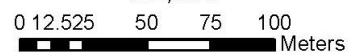
LM

MAP PREPARED:

2021/12/23

rc

1:2,500





"Family Built, Owned and Managed For Over 60 Years"

P.O. BOX 6000, KOMOKA, ON. N0L 1R0

Tel.: 519-472-8200

**December 1, 2021**

**Attn: Larry Mottram**

Senior Planner, Subdivisions and Condominiums  
Planning and Development  
City of London  
300 Dufferin Ave  
London, ON N6A 4L9

**Re: 39T-06507\_1: Jackson Meadows (Phase 1) – Zoning Correction**

---

Dear Mr. Mottram,

On behalf of Drewlo Holdings Inc., please find enclosed a cheque in the amount of \$11,523.07 representing the fee for the requested Zoning Bylaw Amendment (ZBA) for the above-noted file.

In conjunction with this submission, Drewlo Holdings Inc. is requesting that Council consider a fee reduction. For this application, we are requesting that the fee be reduced to \$5,761.54, being 50% of the normal application fee.

Drewlo Holdings Inc. acquired the Property in March 2021 where lot sizing had already been established. At the time of purchase, the property was block plan draft approved and the previous owner was in the middle of engineering review, having just obtained second submission comments.

As the application states, 18 lots within Phase 1 of the Development were designed with frontages of 11.49m – 11.87m which is below the minimum requirement of the current zoning (min. required is 12.0m).

While this was an error on the part of the applicant, the file went through six (6) engineering review submissions with City Staff. Had the issue been noted earlier in the process, drawings could have easily been adjusted to meet the minimum frontage. Unfortunately, at this stage services have already been installed based on the designed lot frontages (of 11.49m – 11.87m).

Given the work load associated with this specific application and that the error was missed by Staff during internal reviews, we feel a reduced fee would be fair and appropriate.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Louise Grier', is written over a faint circular stamp.

## 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:** 2810645 Ontario Inc.  
475 Grey Street  
Public Participation Meeting

**Date:** February 7, 2022

### Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2810645 Ontario Inc. relating to the property located at 475 Grey Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 15, 2022, to amend the 1989 *Official Plan* for the City of London Planning Area by **ADDING** a policy to Chapter 10, Policies for Specific Areas, to permit a maximum residential density of 96 units per hectare (UPH) in the form of stacked townhouses to align the 1989 *Official Plan* policies with the Neighbourhoods 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 February 15, 2022, to amend Zoning By-law No. Z.-1, in conformity with the 1989 *Official Plan* as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R2 Zone **TO** a Residential R8 Special Provision (R8-4(\_)) Zone; and,

### Summary

#### Summary of the Request

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject site from a Residential R2 Zone to a Residential R8 Special Provision (R8-4(\_)) Zone for the purpose of constructing two (2) 2.5-storey (11.0 meter) stacked townhouse buildings three units high with a total of thirty-six (36) residential units (18 units per building). The Residential R8 zone would also permit Apartment buildings, Handicapped person's apartment buildings, Lodging house class 2, Senior citizen apartment buildings, Emergency care establishments, and continuum-of-care facilities as uses on the subject site.

The following zoning special provisions were requested to facilitate the development:

- a parking rate of 0.9 spaces per residential unit for a total of thirty-four (34) on-site parking spaces (minimum) in place of 1.25 space per residential unit (45 spaces);
- stacked townhouses to a maximum of three (3) units high in place of a maximum of two (2) units high;
- a maximum residential density of 96 units per hectare (UPH) in place of a maximum of 75 units per hectare (UPH);
- a minimum exterior side yard setback (Maitland Street) of 3.3 meters in place of 7 meters;
- a minimum rear yard setback of 3.3 meters in place of 4.8 meters; and,
- a minimum front yard setback (Grey Street) of 3.2 meters in place of 7 meters.

The City also initiated an amendment to the 1989 *Official Plan* to add a policy to Chapter 10, Policies for Specific Areas, to permit a maximum residential density of 96 units per hectare (UPH) in the form of stacked townhouses 3 units high to align the 1989 *Official Plan* policies with *The London Plan* policies that apply to the subject site.

## **Purpose and Effect of the Recommended Actions**

The purpose and effect of the recommended Official Plan and Zoning By-law amendments is to recommend the approval of the requested amendments to permit residential infill and intensification in the form of two (2) 2.5-storey (11.0 meter) stacked townhouse buildings three units high for a total of thirty-six (36) residential units with associated special provisions.

## **Rationale for the Recommended Actions**

- i) The recommended amendment is consistent with the *Provincial Policy Statement (PPS)*, 2020, which encourages the regeneration of settlement areas, opportunities for intensification and redevelopment, and higher density residential development within transit supportive areas. The *PPS* directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future.
- ii) The recommended amendment to Zoning By-law Z.-1 conforms to the Residential Intensification policies and the Infill Housing and Conversion of Non-Residential Buildings policies of the 1989 *Official Plan*, and criteria for Policies for Specific Residential Areas which allow Council to address intensification opportunities through specific policies which provide additional guidance to the general Residential policies.
- iii) The recommended amendment to Zoning By-law Z.-1 conforms to the in-force policies of the Neighbourhoods Place Type polices of *The London Plan* and implements Key Directions of *The London Plan*.
- iv) The re-use of the subject land supports Council's commitment to reducing and mitigating climate change by making efficient use of existing infrastructure and focusing intensification and growth in already developed areas.
- v) The subject lands are an appropriate location for residential infill and intensification in a stacked townhouse form. The recommended amendments are consistent with and appropriate for the site and surrounding context.

## **Linkage to the Corporate Strategic Plan**

This application supports the Strengthening our Community and Building a Sustainable City area of focus in the Corporate Strategic Plan by ensuring London's growth and development is well planned and sustainable over the long term.

## **Linkage to Council's Climate Emergency Declaration**

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

# Analysis

## 1.0 Background Information and Context

### 1.1 Previous Reports Related to this Matter

This application is the first application on record of this site.

### 1.2 Property Description

The subject site is comprised of one (1) rectangular-shaped vacant lot located at the southeast corner of the intersection of Grey Street and Maitland Street. In *The London Plan*, Grey Street is categorized as a Neighbourhood Connector and Maitland Street is categorized as a Neighbourhood Street.

The site is flat and there are no trees or significant vegetation on the property. The subject site has been vacant since approximately 2012 when lumber yard buildings were removed. The Owner/Developer is pursuing a Record of Site Condition (RSC) for the property.

The site abuts an active and operational Canadian National (CN) railway spur line to the east and a mixed-use building to the south.

Pedestrian connections to the site are provided by public sidewalks along both sides of Grey Street and both sides of Maitland Street.

The subject site is located within the SoHo Community Improvement Plan (CIP) Area.

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

- 1989 *Official Plan* Designation – Low Density Residential
- *The London Plan* Place Type – Neighbourhoods
- Zoning By-law Z.-1 Existing Zoning – Residential (R2-2)

### 1.4 Site Characteristics

- Current Land Use - vacant
- Frontage – 40.32 meters
- Depth – 86.9 meters
- Area – 0.375 hectares
- Shape – regular (rectangular)

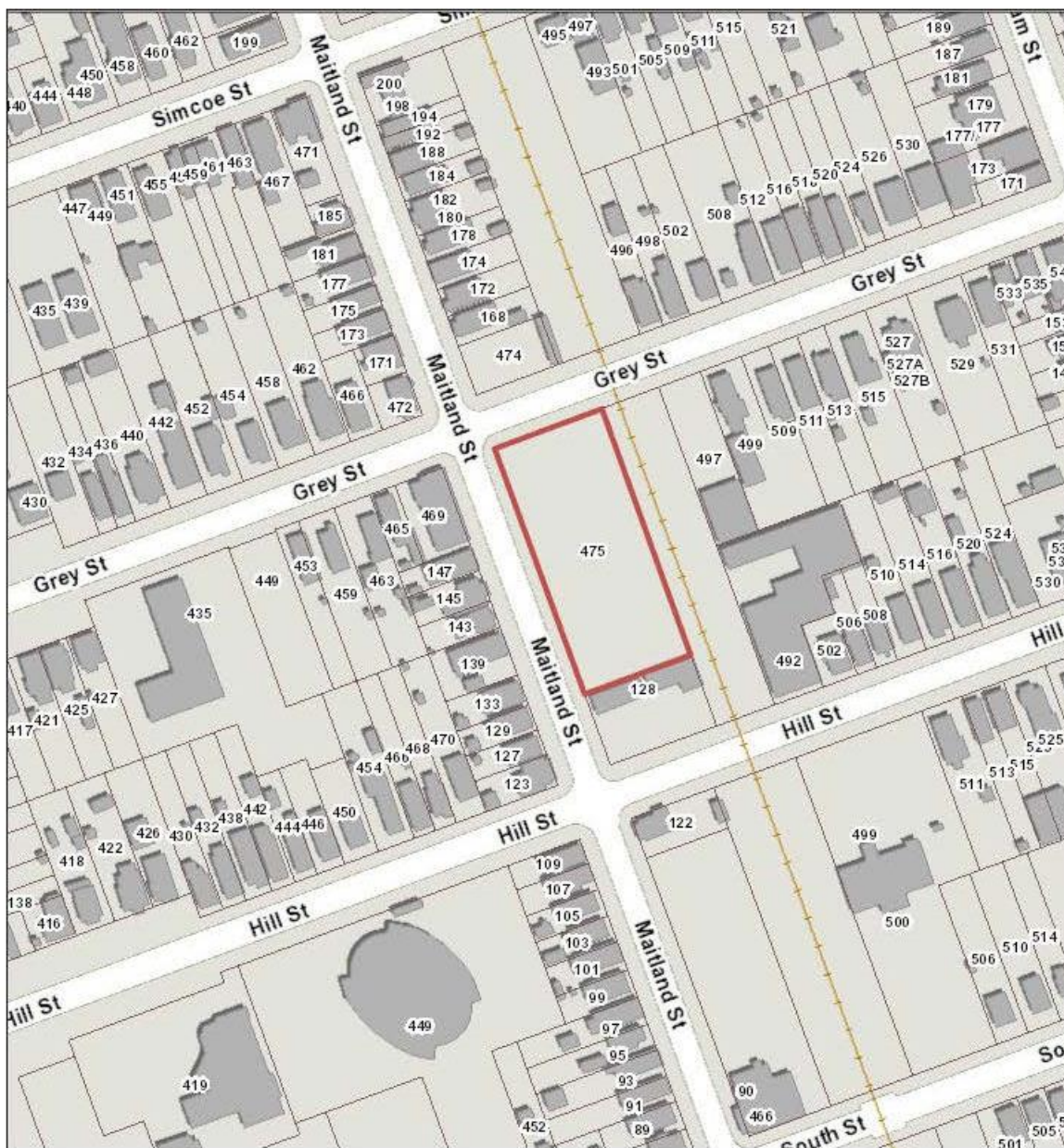
### 1.5 Surrounding Land Uses

- North – fenced-in outdoor storage area
- East – CN railway spur line
- South – Mixed-use multi-tenanted building which contains commercial, light industrial, and residential uses
- West/Northwest/Southwest– Residential uses comprising of single- and multi-unit buildings

### 1.6 Intensification

The proposed new thirty-six (36) residential units represents residential intensification within the Built-Area Boundary.

# 1.7 Location Map



<b>LOCATION MAP</b>		<b>Legend</b>
<p>Subject Site: 475 Grey Street            File Number: OZ-9406            Planner: Laurel Snyder            Created By: AM            Date: 12/16/2021</p>		<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; border: 2px solid red; margin-right: 5px;"></span> Subject Site</li> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: grey; margin-right: 5px;"></span> Buildings</li> <li><span style="display: inline-block; width: 20px; border: 1px solid black; margin-right: 5px;"></span> Roads</li> <li><span style="display: inline-block; width: 20px; border: 1px solid brown; margin-right: 5px;"></span> Lot Parcels</li> </ul>
	<p>Scale 1:2000</p>	
<p>Corporation of the City of London            Prepared By: Planning and Development</p>		

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The property owner is proposing to develop two (2) 2.5 storey stacked townhouse buildings, 3 units high, eighteen (18) units per building (thirty-six (36) units total) with thirty-four (34) on-site surface parking spaces. The height of the buildings will not exceed 11.0 meters. Each residential unit will have an independent, direct exterior access. The fronts of the proposed buildings are oriented to and close to Maitland Street; and the parking will be situated behind the buildings.

The one vehicular access to the site (and on-site parking) will be via Maitland Street and located between the two buildings. New pedestrian connections in the form of sidewalks will connect the residential units to the public sidewalks for the units facing Maitland Street. New sidewalks will also connect residents around the buildings to the rear of the building and to the surface parking area.

Amenity space will be provided primarily in the form of balconies and porches for individual units.

Consistent with applicable CN policies and guidelines, a berm is proposed along the easterly lot line to provide a buffer between the rail line spur and the proposed development.

The site concept in the overall context of the surrounding area is shown in Figure 1. Renderings of the proposed buildings are showing in Figures 2 and 3. The proposed Site Plan is shown in Figure 4.

**Figure 1: Site Concept and surrounding buildings and land uses (aerial perspective looking southeast)**



**Figure 2: Rendering of Proposed Building for 475 Grey Street (looking southeast from the intersection of Maitland Street and Grey Street)**

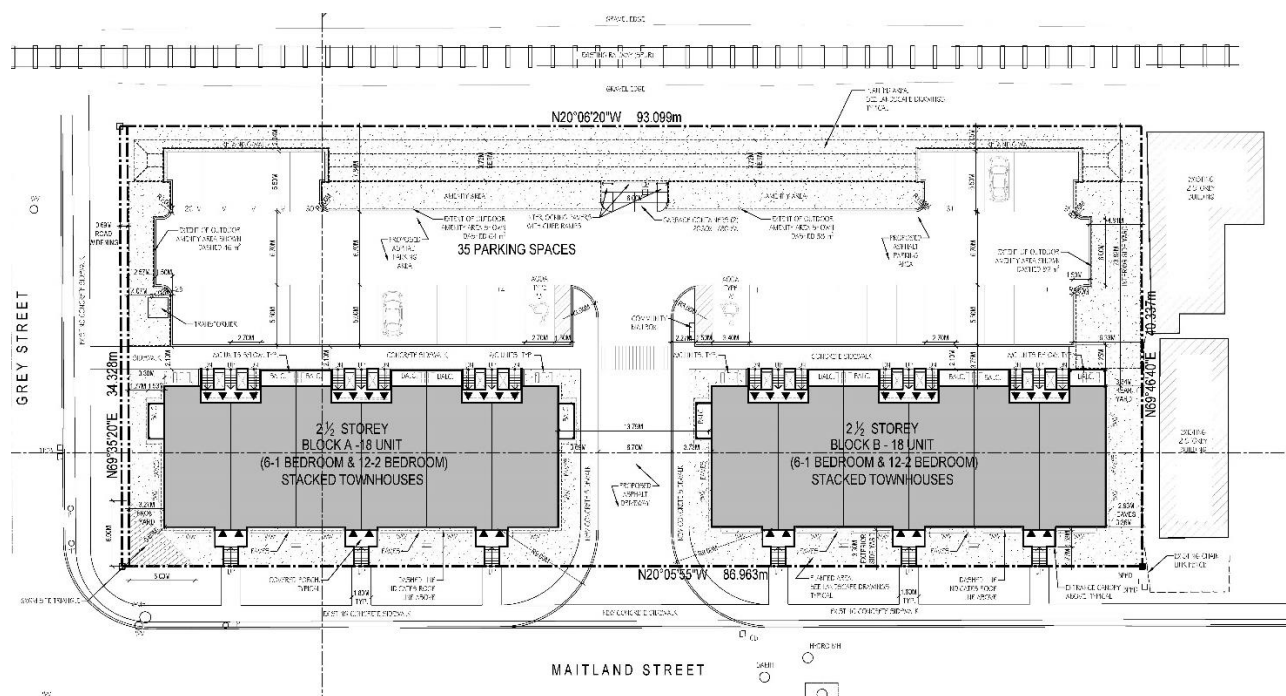


**Figure 3: Rendering of Proposed Building for 475 Grey Street (looking west from the parking area)**





**Figure 4: Proposed Site Plan for 475 Grey Street**



## 2.2 Requested Amendment

The applicant requested to change the zoning on the subject site from a Residential R2 Zone, which permits low density residential development in the form of single-detached, semi-detached, duplex, and two-unit converted dwellings, to a Residential (R8) Special Provision (R8-4(\_)) Zone. The Residential R8 Zone will permits Apartment buildings, Handicapped person's apartment buildings, Lodging house class 2, Stacked townhousing, Senior citizen apartment buildings, Emergency care establishments, and continuum-of-care facilities as uses on the subject site. Special zoning provisions have been requested for:

- a minimum parking rate of 0.9 spaces per residential unit for a total of thirty-four (34) on-site parking spaces in place of 1.25 space per residential unit (45 spaces);
- stacked townhouses to a maximum of three (3) units high in place of a maximum of two (2) units high;
- a maximum residential density of 96 units per hectare (UPH) in place of a maximum of 75 units per hectare (UPH);
- a minimum exterior side yard setback (Maitland Street) of 3.3 meters where a 7-meter setback is required;
- a minimum rear yard setback of 3.3 meters where a 4.8-meter setback is required; and,
- a minimum front yard setback (Grey Street) of 3.2 meters where a 7-meter setback is required.

## 2.3 Notice and Engagement (comments listed in Appendix C)

On October 20, 2021, a Notice of Application was sent directly to 149 property owners in the area surrounding the subject site, published in the *Public Notices and Bidding Opportunities* section of *The Londoner*, and circulated to applicable City staff, agencies, and organizations through the Planning & Development Circulation List process. A Planning Application sign was placed on the site, and details of the application were posted on the City's website.

One (1) verbal comment was received from a member of the public. The comment provided support for the proposed development if it is built as presented in the renderings shown in the Notice of Application.

Input provided by City staff, agencies and organizations is in Appendix C.

## 2.4 Policy Context (see more detail in Appendix D)

### ***Provincial Policy Statement (PPS), 2020***

The *Provincial Policy Statement (PPS)*, 2020 provides policy direction on matters of provincial interest related to land use planning and development. 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 to be sustained by promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term. To achieve this, the *PPS* directs and focuses growth and development to Settlement Areas. The *PPS* also states that the vitality and regeneration of Settlement Areas is critical to the long-term economic prosperity of our communities (1.1.3). Planning authorities are therefore directed by the *PPS* to provide for an appropriate range and mix of housing options and densities, and to meet projected requirements of current and future residents of the regional market area (1.4.1).

The *PPS* also anticipates that growth and development will meet the needs of active transportation and community connectivity (1.5.1) and make efficient use of municipal resources including servicing and infrastructure (1.6.6.2).

### ***The London Plan***

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

*The London Plan* provides Key Directions (54\_) that must be considered to help the city effectively achieve its vision. These directions provide focus for the transformation of London as collectively envisioned. Under each Key Direction, a list of planning strategies is presented. These strategies are foundations for the policies in *The London Plan* and guide planning and development over the next 20 years. Key Directions relevant to this application are outlined below.

*The London Plan* provides direction to plan for a prosperous city by:

- Revitalizing our urban neighbourhoods and business areas; and,
- Planning for cost-efficient growth patterns that use our financial resources wisely. (Key Direction #1, Directions 1, 11).

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

- Implementing a city structure plan that focuses high-intensity, mixed use development to strategic locations – along rapid transit corridors and within the Primary Transit Area;
- 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,
- Ensuring 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, 5).

The subject site is in the Neighbourhoods Place Type at the intersection of a Neighbourhood Connector (Grey Street) and a Neighbourhood Street (Maitland Street) as identified on \*Map 1 – Place Types, and Map 3 – Street Classifications. Based on the frontage being along Grey Street and the site being in Central London, permitted uses within the Neighbourhoods Place Type include single detached, semi-detached, duplex,

converted dwellings, townhouses, secondary suites, home occupations, group homes, triplexes, small-scale community facilities, fourplexes, stacked townhouses, and low-rise apartments (\*Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 1 storey, and the maximum permitted height is 2.5 storeys (\*Table 11 – Range of Permitted Heights in Neighbourhood Place Types).

### **City of London 1989 Official Plan**

The subject site is designated Low Density Residential in accordance with Schedule 'A' of the *1989 Official Plan*. The Low Density Residential designation permits detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings such as row houses or cluster houses may also be permitted. Residential infill, intensification and conversion of non-residential buildings may also be permitted subject to the provisions of policies 3.2.3 (Residential Intensification). Certain secondary uses of a non-residential nature which are integral to and compatible with a neighbourhood environment are also permitted in this designation including group homes, home occupations, community facilities, funeral homes, and office conversions (Section 3.6). The Low Density Residential designation also provides for purpose-designed Live/Work residential units and additional residential units in a single detached, semi-detached, or street townhouse dwelling, in accordance with applicable policies and zoning. Development shall have a low-rise form, and residential intensification will not exceed a net density of 75 units per hectare.

## **3.0 Financial Impact/Considerations**

There are no direct financial impacts to the City of London associated with this application.

## **4.0 Key Issues and Considerations**

### **4.1. Issue and Consideration #1: Use**

#### *Provincial Policy Statement, 2020*

To meet the long-term needs of communities, 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 (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* states that settlement areas shall be the focus of growth and development and provides direction for land uses patterns within settlement areas. Specifically, that they should 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).

### *The London Plan*

Policy 916\_ in the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods including: 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. Policy 918\_ provides further direction for planning and public works. Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the two (2) proposed 2.5-storey stacked townhouse buildings would contribute to the existing mix of housing types in the community.

The subject site is in the Neighbourhoods Place Type at the intersection of a Neighbourhood Connector (Grey Street) and a Neighbourhood Street (Maitland Street) as identified on \*Map 1 – Place Types, and \*Map 3 – Street Classifications. \*Table 10 – Range of Permitted Uses in Neighbourhoods Place Type shows the permitted primary and secondary permitted uses within the Neighbourhood Place Type by street classification (921\_). As per Table \*10, the following uses are permitted on the subject site: single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, group homes, triplexes, small-scale community facilities, fourplexes, stacked townhouses, and low-rise apartments.

### *1989 Official Plan*

The *1989 Official Plan* supports providing opportunities for the development of a broad range of residential uses to satisfy the different requirements for housing types (3.1.1 ii). The subject site is designated Low Density Residential in the *1989 Official Plan*. This designation permits detached, semi-detached, and duplex dwellings. Where appropriate, some multiple-attached dwellings such as row houses or cluster houses may also be permitted. Residential infill, intensification and conversion of non-residential buildings may also be permitted subject to the provisions of policies 3.2.3 (Residential Intensification). Certain secondary uses of a non-residential nature which are integral to and compatible with a neighbourhood environment are also permitted in this designation including group homes, home occupations, community facilities, funeral homes, and office conversions (Section 3.6). The Low Density Residential designation also provides for purpose-designed Live/Work residential units and additional residential units in a single detached, semi-detached, or street townhouse dwelling, in accordance with applicable policies and zoning.

### Analysis

Consistent with the *PPS* and conforming to *The London Plan* and recommended amendment to the *1989 Official Plan*, the proposed two (2) 2.5-storey stacked townhouse buildings will positively contribute to the existing range of housing in the community. Importantly, the addition of thirty-six (36) new residential units (18 units per building) will add to the choice and diversity in housing options for current and future residents; key goals of *The London Plan*. Also consistent with the *PPS*, *The London Plan*, and the *1989 Official Plan*, the recommended amendment facilitates the development of a vacant and underutilized site.

### Proximity to an Active CN Railway Spur Line

The Applicant is aware of the issues with developing residential uses abutting a railway right-of way.

The standard recommended building setback for new residential development in proximity to a principal branch line or secondary branch line the setback is 15 metres. There is also a requirement for a 2.5 meter-tall berm sloping on either side at a ratio of 2.5:1. The standard design would result in a loss of usable land area at the rear of the site where the berm would have to be constructed. There may be opportunities to reduce this setback using other construction methods such as the implementation of a crash wall. These can be further explored as part of the subsequent Site Plan Approval process.

## 4.2 Issue and Consideration #2: Intensity

*Provincial Policy Statement, 2020*

The *PPS* recognizes that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). To achieve this, *PPS* policies require planning authorities to direct growth and development to Settlement Areas and base land use patterns on densities and a mix of land uses which efficiently use land and resources (1.1.3.2). 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 (1.4.3 b)). The *PPS* promotes 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, (1.4.3 d)).

*The London Plan*

*The London Plan* contemplates residential intensification in appropriate locations and in ways that are sensitive to and a good fit with existing neighbourhoods (83\_, 937\_, 939\_ 2. and 5., and 953\_ 1.). *The London Plan* directs that intensification may occur in all place types that allow for residential uses (84\_).

*The London Plan* uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 1 storey and a maximum height of 2.5 storeys (with a bonus of up to 4 storeys in Central London) is contemplated within the Neighbourhoods Place Type where a property has frontage on a Neighbourhood Connector (\*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953\_3.).

*1989 Official Plan*

The General Objectives For All Residential Designations encourages infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities (3.1.1 vi)).

Policies directing the Low Density Residential designation are typically applied to low-rise, low density housing forms (3.2). The Low Density Residential designation also encourages redevelopment of underutilized properties within established built-up areas for the purpose of residential intensification (which includes infill housing and conversion of non-residential buildings) at a scale compatible with the context of the surrounding neighbourhood (3.2.1) and on sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood (3.2.3.1). In these situations, residential intensification can be contemplated up to a density of 75 units per hectare (UPH) within the Low Density Residential designation. The density of the proposed stacked townhouse development is 96 units per hectare. Although this is consistent with the intent and policies of both the *PPS* and *The London Plan*, approval of the recommended zoning requires an amendment to align the *1989 Official Plan* with the policies Neighbourhoods Place Type policies of *The London Plan*.

## Analysis

The subject site is in SoHo Community Improvement Plan (CIP) Area, an area currently characterized by a mix of uses, low density housing, mid-rise apartment buildings, and a range of institutional and recreational facilities (e.g., churches, school, parks). The Old Victoria Hospital lands are a prominent site intended for future development within SoHo. The redevelopment of these lands will add to the mix of uses and changing character of the overall community. The subject site is also within proximity to the Hamilton Road commercial corridor, the Adelaide commercial corridor both of which are characterized by a mix of uses, forms, and intensities.

*The London Plan* states that residential intensification is key in achieving the overall vision for the city. The proposed development represents a form of residential intensification through infill development. Facilitating the redevelopment of an underutilized site within a Settlement Area is consistent with the *PPS*. The proposed increased intensity of the site will support the use of existing transit services and recreation opportunities in the area (parks, bike lanes). The subject site is in an area where both the *1989 Official Plan* and *The London Plan* direct and support residential intensification.

It is standard process for City staff to recommend Policies for Specific Areas in the *1989 Official Plan* where a proposed development advances Council's direction stated in *The London Plan*. The subject site has frontage on a Neighbourhood Connector street (Grey Street) which allows for up to 4 storeys in height; the proposal complies with the allowable maximum height in *The London Plan*. As the requested density of 96 units per hectare exceeds the density permitted by the *1989 Official Plan*, a City-initiated Official Plan amendment in the form of a Special Policy to allow for additional density for this development is recommended.

### Proposed Yard Reductions

To allow for the proposed number of residential units on the site (thirty-six (36)), a request was made to reduce exterior, rear, and front yard setbacks. The proposed massing and orientation of the buildings on the site allow for appropriate separation from and transition to adjacent uses within the surrounding context.

### Proposed On-Site Parking Reduction

A minimum of thirty-four (34) on-site parking spaces is proposed, which equals 0.9 parking spaces per unit. It is anticipated that not all future occupants will own a private vehicle and will therefore not require an on-site vehicular parking spot. The subject site is located within a short walking distance to London Transit Routes (1, 3, 5, 16, 92), Bike Lanes and Signed Bike Road Routes, and bounded by public sidewalks, all of which facilitate transportation not requiring private vehicles. The south leg of the Bus Rapid Transit system is also being implemented along the Wellington Road corridor which is in proximity to the subject site.

## **4.3 Issue and Consideration #3: Form**

### *Provincial Policy Statement, 2020*

The *PPS* supports appropriate development standards which facilitate intensification, redevelopment, and compact form (1.1.3.4). The *PPS* also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1 e)).

### *The London Plan*

*The London Plan* encourages compact urban forms of development as a means of planning and managing for growth (7\_, 66\_) an encourages growing "inward and upward" to achieve compact forms of development (59\_, 79\_). *The London Plan* specifically supports residential intensification in neighbourhoods (937\_ - 940\_) and provides direction for planning regarding intensification. Specifically, that planning will respect existing neighbourhood character and offer a level of certainty, while providing for strategic ways to accommodate development to improve our environment, support local businesses, enhance our physical and social health, and create dynamic, lively, and engaging places to live (918\_).

Within the Neighbourhood Place Type an according to the urban design considerations for residential intensification, “compatibility” and “fit” will be evaluated form a form-based perspective by considering 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
- massing appropriate to the scale of the surround the neighbourhood (953\_ 2. A – f).

Like the Planning Impact Analysis in the *1989 Official Plan*, the Our Tools section of *The London Plan* outlines considerations for evaluating planning and development applications (1578\_).

#### *1989 Official Plan*

The *1989 Official Plan* recognizes that residential intensification is an appropriate way to provide opportunities for efficient use of land and encouraging compact urban form. Residential intensification is permitted the Low Density Residential Designation (3.2.3). Applications for residential intensification will be evaluated based on Section 3.7 – Planning Impact Analysis (3.3.3 ii)). Appendix D of this report includes a Planning Impact Analysis addressing matters of form.

#### Analysis

The recommended intensification of the subject site is consistent with the goals of the *PPS*, *The London Plan*, and *1989 Official Plan*. The proposed development would optimize the use of land and public investment in infrastructure. It would also contribute to achieving more compact forms of growth within existing settlement areas.

The massing and location of the proposed buildings on the site are consistent with urban design goals. The scale of the buildings is complementary with the streetscape and overall area. More specifically, the proximity of the proposed buildings to the streets will help to define the street edges and redefine a long-vacant and underutilized site. The proposed residential units are street-oriented, as they have ground-floor entrances and balconies facing the streets and connect to public sidewalks.

Although the proposed buildings are taller than the surrounding buildings, the Urban Design Peer Review Panel (UDPRP) stated that the overall massing and overall built form of the project represents a logical fit with the neighbourhood context.

Adequate buffering from the CN Rail Line to the building face is provided, and consistent with urban design goals, the parking area is located behind the building, abutting the CN Rail Line. Additional detail regarding the construction of berms and/or crash wall(s) between the CN rail corridor and the parking area will be discussed at the Site Plan Approval stage.

#### Proposed Form – Stacked Townhouses 3 units high

The current definition of Stacked Townhouses allows three or more units attached side-by-side and two (2) units vertically stacked. The proposed form is for three (3) units vertically stacked in part to achieve a greater number of units on the subject site (i.e., greater density). This form of Stacked Townhouse has been permitted elsewhere in the City of London but to date, a new city-wide definition has not been proposed, nor have additional or revised regulations or provisions for three-unit vertically Stacked townhouses been introduced. In previous applications, the amended zoning included an amendment to the definition of “Stacked Townhouses” to allow a third unit to be vertically stacked while utilizing the zoning regulations pertaining to the general two-unit Stacked Townhouse use. This matter can be further examined as part of the Re-Think Zoning project.

## **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 Neighbourhoods Place Type policies. The recommended

amendment is in conformity with the in-force policies of the *1989 Official Plan*, including but not limited to, the Low Density Residential designation and the Criteria for Policies for Specific Areas.

The recommended amendment will facilitate the development of an underutilized site within the Built Area Boundary and the Primary Transit Area. It will also allow for a land use, intensity, and form appropriate for the site and area. The amendment will support the viability of the site, provision of a new form of housing opportunities, and the efficient use of existing municipal services and infrastructure. This amendment is also consistent with Council's Climate Emergency declaration, as it supports the use of existing municipal services and infrastructure and assists with reducing emissions and use of resources by reducing on-site parking (i.e., less vehicle trips, higher use of other modes of transportation).

**Prepared by:** Laurel Davies Snyder, MCIP, RPP  
Planner II, Core Area & Urban Regeneration

**Submitted 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 can be obtained from Planning and Economic Development.



## Appendix A

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 475  
Grey Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on February 15, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 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 policy to Section 10 of the Official Plan for the City of London Planning Area – 1989 to provide for a permitted residential density that will allow for a development that is consistent with the Neighbourhoods Place Type policies of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 475 Grey Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the PPS and the in force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification and re-use of a vacant lot in the form of two (2) 2.5-storey stacked townhouse buildings, located at the intersection of a Neighbourhood Connector Street and a Neighbourhood Street within an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type, providing a range of housing choice to accommodate a diverse population of various ages and abilities.

D. THE AMENDMENT

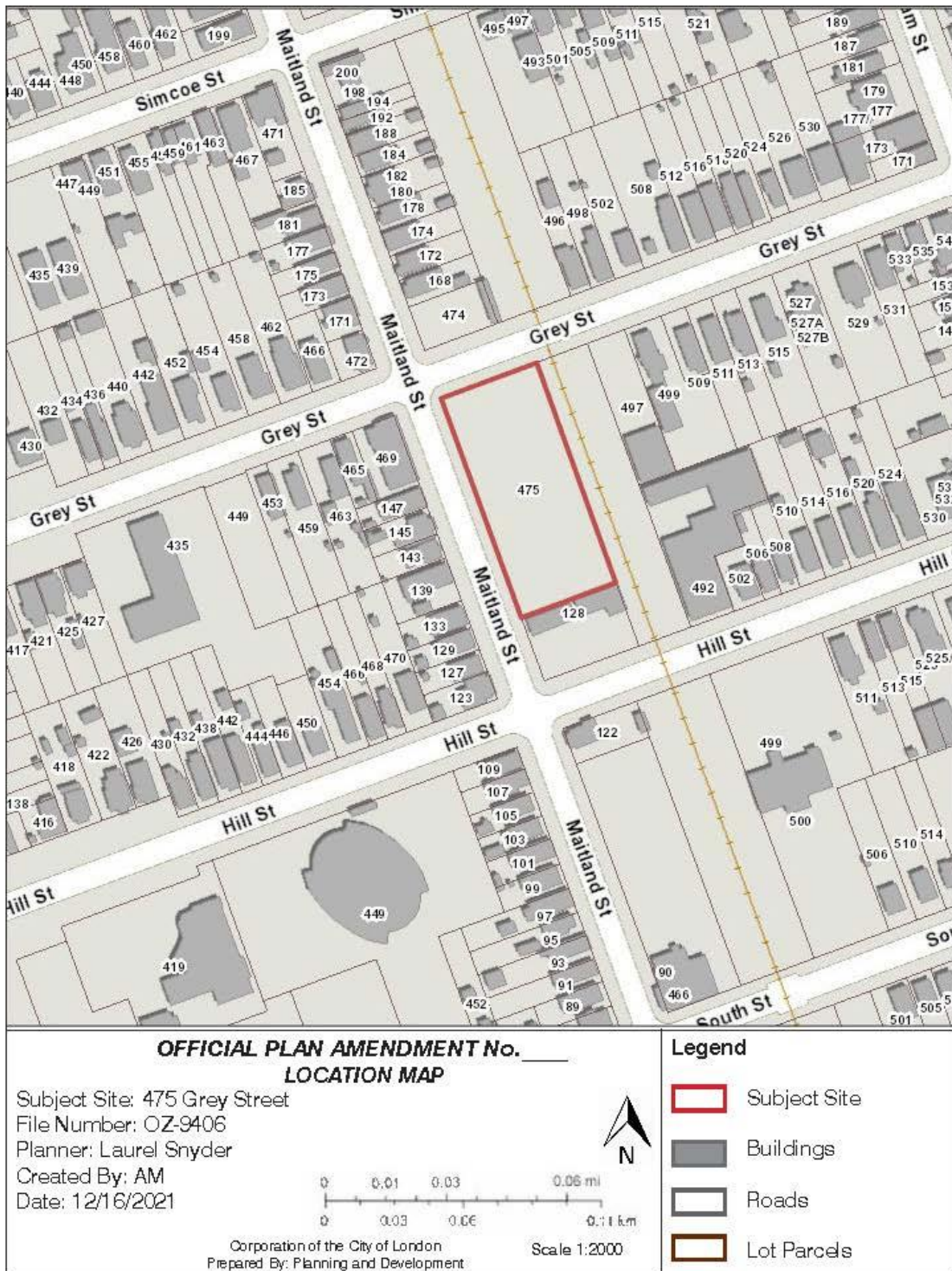
The Official Plan for the City of London is hereby amended as follows:

1. Section 10 – Policies for Specific Areas of the Official Plan of the City of London – 1989 is amended by adding the following:

475 Grey Street

At 475 Grey Street, in addition to the uses permitted within the Low Density Residential, the development of two (2), 2.5-storey (11.0 meter) stacked townhouse buildings three units high with a total of thirty-six (36) residential units may be permitted with a maximum density of 96 units per hectare. The City Design policies of The London Plan shall apply.

SCHEDULE 1



## Appendix B

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

By-law No. Z.-1-21\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 475 Grey Street.

WHEREAS 2810645 Ontario Inc. has applied to rezone an area of land located at 475 Grey Street, 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 475 Grey Street, from a Residential R2 (R2-2) Zone to a Residential R8 Special Provision (R8-4) Zone.
- 2) Section Number 12.4 of the Residential 8 (R8-4) Zone is amended by adding the following special regulations:

_)	R8-4(	475 Grey Street	
	a)	Regulations	
		i) Front Yard Depth (Minimum)	3.2 meters
		ii) Rear Yard Depth (Minimum)	3.3 meters
		iii) Exterior Side Yard Depth (Minimum)	3.3 meters
		iv) Density (Maximum)	96 units per hectare
		v) Parking (Minimum)	34 spaces or 0.9 spaces/unit
		vi) The definition of "STACKED TOWNHOUSE" permits units to be stacked three (3) units high.	

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

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

PASSED in Open Council on February 15, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

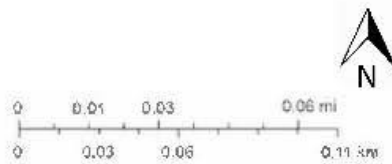
First Reading – February 15, 2022  
Second Reading – February 15, 2022  
Third Reading – February 15, 2022

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



Subject Site: 475 Grey Street  
 File Number: OZ-9406  
 Planner: Laurel Snyder  
 Created By: AM  
 Date: 12/16/2021

**Legend**  
 Subject Site



Corporation of the City of London  
 Prepared By: Planning and Development  
 Scale 1:2000

## Appendix C – Agency and Departmental Comments

### City of London - 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.

### City of London – Environmental and Engineering Services Department

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned pre-application:

**The following items are to be considered during a future development application stage:**

#### ***Transportation***

- Widening requirements (0.692m) for Grey Street to achieve 10.75m from centreline
- Provide a 6.0m x 6.0m daylight triangle at Grey Street and Maitland Street
- Provide a TMP for any work in the ROW
- Ensure 1.5m clearance between infrastructure and proposed driveways, co-ordination with Hydro may be required for relocation of guy-wire/hydro pole
- Ensure proper separation with CN rail crossing as per Crossing Guidelines.

#### ***Water***

- Water is available to the site via the municipal 150mm CI watermain on Maitland Street (west side of road) and the 200mm PVC watermain on Grey Street. The municipal 1050mm concrete watermain on Maitland Street (east side of road) is not to be utilized by the proposed development.
- Servicing shall comply with section 7.9.4 of the City's Design Specifications and Requirements Manual.
- Any proposed servicing, sewers or PDCs crossing the municipal 1050mm concrete watermain on Maitland Street shall be done as per City standard 7.4.7.3.
- Any existing water services to the site shall be abandoned as per City standards (cut and capped at the main).
- A water servicing report will be required addressing domestic water demands, fire flows, water quality and future ownership of the development.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.

#### ***Wastewater***

- The municipal sanitary sewers available to service the subject property are a 200 mm diameter sanitary sewer on Grey Street and a 300 mm diameter sanitary sewer on Maitland Street.
- Additional comments may be forthcoming as part of a future application.

#### ***Stormwater***

1. As per as-constructed drawing 7165S1, the site (at C=0.65) is tributary to the existing 900 mm storm sewer on Maitland Street. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
2. As per the Drainage By-law, the consultant would be required to provide for a storm pdc ensuring existing peak flows from the 2 through 100-year return period

storms are maintained pre to post development with any increase in flow being managed onsite. The servicing report should also confirm capacity in the existing sewers.

3. 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 ground water elevation. Please note that the installation of monitoring wells 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.
4. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4); therefore, the following design criteria should be implemented:
  - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
  - the discharge flow from the site must not exceed the capacity of the Stormwater conveyance system;
  - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
  - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and,
  - shall comply with riparian right (common) law.

The consultant shall update the servicing report and drawings to provide calculations, recommendations, and details to address these requirements.

5. As requested in Section 2.3 of the preliminary Functional Servicing Report, SWED can confirm that the quality control target for the subject site is to be 70% ("normal") TSS removal. Any previously provided comments stating otherwise are erroneous.
6. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the flow from the site must be discharged at a rate equal to or less than the existing condition flow (regardless of any pre-existing sewer design). The consultant is to calculate allowable release rates based on the C value of pre-development site conditions.
7. Additional SWM related comments will be provided upon future review of this site.
8. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
9. The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
10. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100-year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.



11. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
12. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
13. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

### **City of London – Urban Design**

The applicant is commended for providing a building and site design that incorporates the following design features: a built form that establishes a built edge along the Maitland Street frontage, provides for active building uses along the street edge, generally in keeping the vision and form policies of The London Plan (in terms of height and massing), includes all parking located in the rear yard away from the street frontage.

- Design 'Block A' to have regard for its corner location. Building massing and articulation should address the intersection of Maitland Street and Grey Street;
  - Consider pulling the North balcony on building 'A' towards the intersection of Maitland Street and Grey Street to provide corner emphasis and enhanced detail on the intersection. Consider doing the same for each side elevation balcony to provide greater architectural detail towards Maitland Street.
- Design the Grey Street-flanking elevation of 'Block A' so it is 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;
- The proposed parallel parking spaces are not functional as they are located on a dead-end drive aisle. A reduction in the number of parking spaces and/or units may be necessary to ensure the functionality of the site;
- Screen any surface parking exposed to a public street with enhanced landscaping;
- This application is to be reviewed by the Urban Design Peer Review Panel (UDPRP), and as such, an Urban Design Brief will be required. UDPRP meetings take place on the third Wednesday of every month, once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant's agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs please contact Wyatt Rotteau at 519.661.CITY (2489) x7545 or by email at [wrotteau@london.ca](mailto:wrotteau@london.ca).

## City of London – Urban Design Peer Review Panel (UDPRP)



### Urban Design Peer Review Panel Memo

**To: Proponents**

- Matt Campbell, Planner, Zelinka Priamo Ltd.
- Cynthia Zahoruk, Architect, Cynthia Zahoruk Architect Inc.

**From: Urban Design Peer Review Panel (UDPRP)**

- Mike Davis, Planner
- Leo Lin, Architect
- Adrienne Hossfeld, Architect
- Terence Lee, Landscape Architect
- Kyle Poole, Landscape Architect

**Regrets:**

- Tim Wickens, Architect

**RE: Zoning By-law Amendment, 475 Grey Street, November 17, 2021.**

The Panel noted that the overall massing and overall built form of the project represents a logical fit with the neighbourhood context and will fill an existing gap in the streetscape. The following comments were provided to inform the on-going planning and design process for the project:

- The Panel noted that the overall organizing framework for the site makes sense, with the built form focused towards Maitland Street and the parking area abutting the rail line.
- It is understood that the proposed access from Grey Street may need to be relocated due to proximity conflicts with the adjacent rail line. The reconfiguration of the site access will likely conflict with the current proposed location of the common amenity space. City Staff and the Applicant should work to ensure that a similar quality and sized common amenity space is maintained in any revised development concept for the site.
- The Panel expressed appreciation for elements of the preliminary architectural design concept, particularly the “transitional” vernacular and the softness of the cladding treatment and lighter colour palette.
- The Panel recommends that architectural design of the street-facing façade (along Maitland Street) be the focus of architectural improvements. To improve the overall curb appeal of the building and add character, the following recommendations were made:
  - Include additional articulation in the façade treatment, possibly through the introduction of bay windows;
  - Introduce additional material and/or colour variation to further break down the mass and flatness of the west façade;
  - Consider adding balconies or Juliette balconies;
  - Consider flipping the unit floor-plans and the east-west design of the building elevations to orient more unit entrances, windows and balconies to the street-facing side of the building.
- The Panel strongly recommended that the Applicant ensure that the proposed air conditioning units are located at the rear of the building, screened from view of the street.

**Concluding comments:**

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Subject to the comments and recommendations above, the proposed development will make a positive contribution to the evolving SoHo neighbourhood context.

Sincerely on behalf of the UDPRP,



Mike Davis, UDPRP Chair

## CN Railway

Hello Laurel,

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. CN has concerns of developing/densifying residential uses abutting our railway right-of-way. 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 habitable 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. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 meters of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz,  $\pm 3$  dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
5. 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 of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). 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."
6. The storm water management facility must be designed to control storm water runoff to pre-development conditions including the duration and volume of the flow 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.

7. A minimum 30 metre setback is required for vehicular property access points from at-grade railway crossings.
8. 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.
9. 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.
10. 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.

It is noted that the proposed site plan does not respect the criteria mentioned in points 1, 2 et 7. CN will review the N&V and storm water management reports and anticipates the opportunity to review a revised site plan, taking into consideration the CN development guidelines.

Please, take note that a CN work permit may be required given the proximity of the construction zone to CN property line. A work permit application may be submitted to CN public works via [permits.gld@cn.ca](mailto:permits.gld@cn.ca), for their review and authorisations prior to the construction phase of the project.

Thank you and do not hesitate to contact me with any questions.

Best regards

**Ashkan Matlabi**, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)  
Planning, Landscape Architecture and Urban Design  
Urbanisme, architecture de paysage et design urbain



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Montréal (Québec)

H3H 1P9 CANADA

[wsp.com](http://wsp.com)



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

Date: October 21, 2021  
 To: City of London Planning Division – Room 609  
 Attn: Laurel Davies Snyder

**RE: Address:** 475 Grey Street  
**Applicant:** City of London and 2810645 Ontario Inc.  
**File/Ref #:** OZ-9406

**London Hydro Response:**

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. <b>Note:</b> Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. <b>Note:</b> Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
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. <b>Note:</b> Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.	<input checked="" type="checkbox"/>

Signed:   
 Hans Schreff  
 Manager - Developer & Operations Support,  
 Engineering & Operations Administration Dept.  
 519-661-5800 ext. 5014

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

## Ministry of the Environment (MOE)



"Inspiring a Healthy Environment"



October 28, 2021

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

**Attention: Laurel Davies Snyder (via email)**

Dear Ms. Davies Snyder:

**Re: Application to Amend the Official Plan and Zoning By-law - File No.OZ-9406**  
**Applicant: City of London and 2810645 Ontario Inc.**  
**475 Grey Street, London, ON**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

### **CONSERVATION AUTHORITIES ACT**

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

### **DRINKING WATER SOURCE PROTECTION: Clean Water Act**

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

### **RECOMMENDATION**

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

Thank you for the opportunity to comment.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY

A handwritten signature in black ink that reads "Spratt".

Stefanie Pratt  
Land Use Planner

## Appendix D – 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 in the following sections.

### ***Provincial Policy Statement, 2020***

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Land Use Patterns
  - 1.1.1
  - 1.1.2
  - 1.1.3
- 1.4 Housing
  - 1.4.1
  - 1.4.3
- 1.6.7 Transportation Systems
- 1.7 Long-Term Economic Prosperity
- 1.8 Energy Conservation, Air Quality and Climate Change

### ***The London Plan***

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

- 7\_ to \_18 - Our Challenge - Planning for Change and Our Challenges Ahead
- 19\_ to 23\_ - City Building for Economic Growth and Prosperity
- 51\_ to 52\_ - Our Strategy, Values
- 53 - Our Strategy, Vision
- 54\_ to 62\_ - Our Strategy, Key Directions
- 64\_ to 66\_ - Our City, Planning for Growth and Change
- 79\_ to 87\_ - Our City, The Growth Framework, Intensification
- 88\_ to 92\_ - Our City, The Growth Framework, Primary Transit Area
- 93\_ to \*94\_ - Our City, The Growth Framework, Central London
- 100\_ to 109\_ - Our City, The Mobility Framework
- 126\_ - Our City, The Economic Framework
- 129\_ - Our City, The Economic Framework, Downtown, Transit Villages, Rapid Transit
- 143\_ to 145\_ - Our City, The Community Framework, Neighbourhoods
- 152\_ to 165\_ - Our City, Urban Regeneration
- 189\_ to 193\_ - City Building Policies, City Design
- 194\_ to 196\_ - City Building Policies, City Design, How are we going to achieve this?
- 221\_ to 241\_ - City Building Policies, City Design, Streetscapes
- 252\_ to 269\_ - City Building Policies, City Design, Site Layout
- 270\_ to 283\_ - City Building Policies, City Design, Parking
- 284\_ to 300\_ - City Building Policies, City Design, Buildings
- 306\_ - City Building Policies, City Design, Urban Design Peer Review Panel
- 313\_ City Building Policies, Mobility, What are we trying to achieve?
- 346\_ to 361\_ - City Building Policies, Mobility, Active Mobility
- 366\_ to 369\_ - City Building Policies, Parking
- 497\_ - City Building Policies, Homelessness Prevention and Housing, What are we trying to achieve?
- 505\_ to 515\_ - City Building Policies, Homelessness Prevention and Housing, How are we going to achieve this? Creating housing opportunities
- 753\_ Place Type Policies, Planning Measures to plan for use, intensity and form
- 916\_ - 919\_, \*920 to 923\_, \*935\_, 936\_, \*Table 11, 937\_ to 940\_, 949\_, 952\_- Place Type Policies, Urban Place Types, Neighbourhoods
- 949
- 1578\_ - Our Tools, Evaluation Criteria for Planning and Development Applications
- \*Map 1 – Place Types
- Map 3 – Street Classifications
- Map 8 – Community Improvement Project Areas

**1989 Official Plan**

- 1.2 Purpose of the Plan, Physical Growth Purposes
- 2.1.3 Strategic Priorities
- 2.2.1 Official Plan Vision Statement
- 2.3 Planning Principles
- 2.5.2 Housing Demand Forecast
- 2.6.2 Growth Management Principles
- 3.1.1 General Objectives for all Residential Designations
- 3.1.2 Low Density Residential Objectives
- 3.1.3 Multi-family, Medium Density Residential Objectives
- 3.1.4 Multi-family, High Density Residential Objectives
- 3.2 Low Density Residential
- 3.2.1 Low Density Residential, Permitted Uses
- 3.2.3 Low Density Residential, Residential Intensification
- 10.1 Policies for Specific Areas, Purpose
- 11.1 Urban Design Principles, Urban Design Policies
- 12.1 Housing Policies, Housing Objectives
- 12.2 Housing Policies, Housing Supply
- 19 Implementation

**3.7 Planning Impact Analysis**

	<b>Criteria that may be considered</b>	<b>Response</b>
a)	The policies contained in the Section relating to the requested designation.	The proposed land use conforms with the in-force policies of <i>The London Plan</i> . The City initiated an amendment to the <i>1989 Official Plan</i> to add a policy to Chapter 10, Policies for Specific Areas, to permit a maximum residential density of 96 units per hectare to align the <i>1989 Official Plan</i> policies with <i>The London Plan</i> policies that apply to the subject site.
b)	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, consistent with other residential uses in the area, and contributes to providing a range of housing forms.
c)	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 parcel of land is rectangular and appropriately-sized to accommodate the intensity of the proposed use without adversely affecting surrounding uses.
d)	The supply of vacant land in the area which is already designated and/or zoned for the proposed use.	The subject site is vacant and flat and zoned for residential uses.
e)	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 subject site is within two (2) blocks of Meredith Park, and within four (4) blocks of the Thames Valley Parkway (TVP) and associated public open space.  The subject site is within a short walking distance to London Transit Routes (1, 3, 5, 16, 92), Bike Lanes and Signed Bike Road Routes, and bounded by public sidewalks, all of which facilitate transportation not requiring private vehicles. The south leg of the Bus Rapid Transit system is also being implemented along the Wellington Road

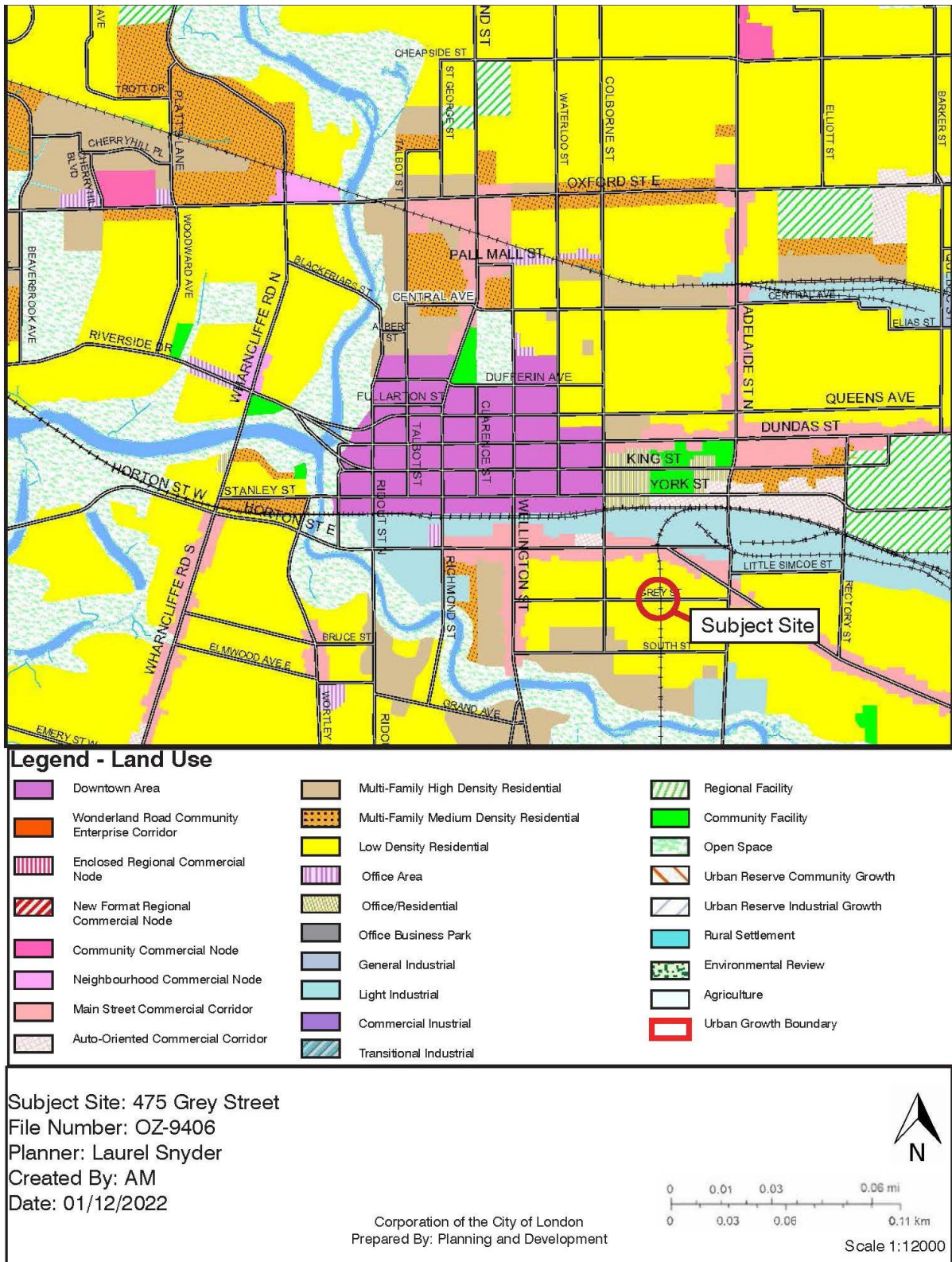


	Criteria that may be considered	Response
		corridor which is in proximity to the subject site.
f)	The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.	Not applicable.
g)	The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.	<p>The Applicant is commended for:</p> <ul style="list-style-type: none"> <li>the overall massing and built form of the project; it represents a logical fit with the neighbourhood context and will fill an existing gap in the streetscape; and,</li> <li>providing a building and site design that incorporates the following design features: a built form that establishes a built edge along the Maitland Street frontage, provides for active building uses along the street edge, is generally in keeping with the vision and form policies of The London Plan (in terms of height and massing), and includes all parking located in the rear yard away from the street frontage.</li> </ul>
h)	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.	Not applicable.
i)	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 Study or similar study was not required as part of a Complete Application. City staff did not identify concerns with the single vehicular access point on Maitland Street. Existing public sidewalks will be connected to the proposed development to further facilitate access.
j)	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>The Applicant is commended for:</p> <ul style="list-style-type: none"> <li>the overall massing and built form of the project; it represents a logical fit with the neighbourhood context and will fill an existing gap in the streetscape; and,</li> <li>providing a building and site design that incorporates the following design features: a built form that establishes a built edge along the Maitland Street frontage, provides for active building uses along the street edge, is generally in keeping with the vision and form policies of The London Plan (in terms of height and massing), and includes all parking located in the rear yard away from the street frontage.</li> </ul> <p>To further support City design goals, the Applicant is encouraged to pay additional attention to detailed design input and</p>

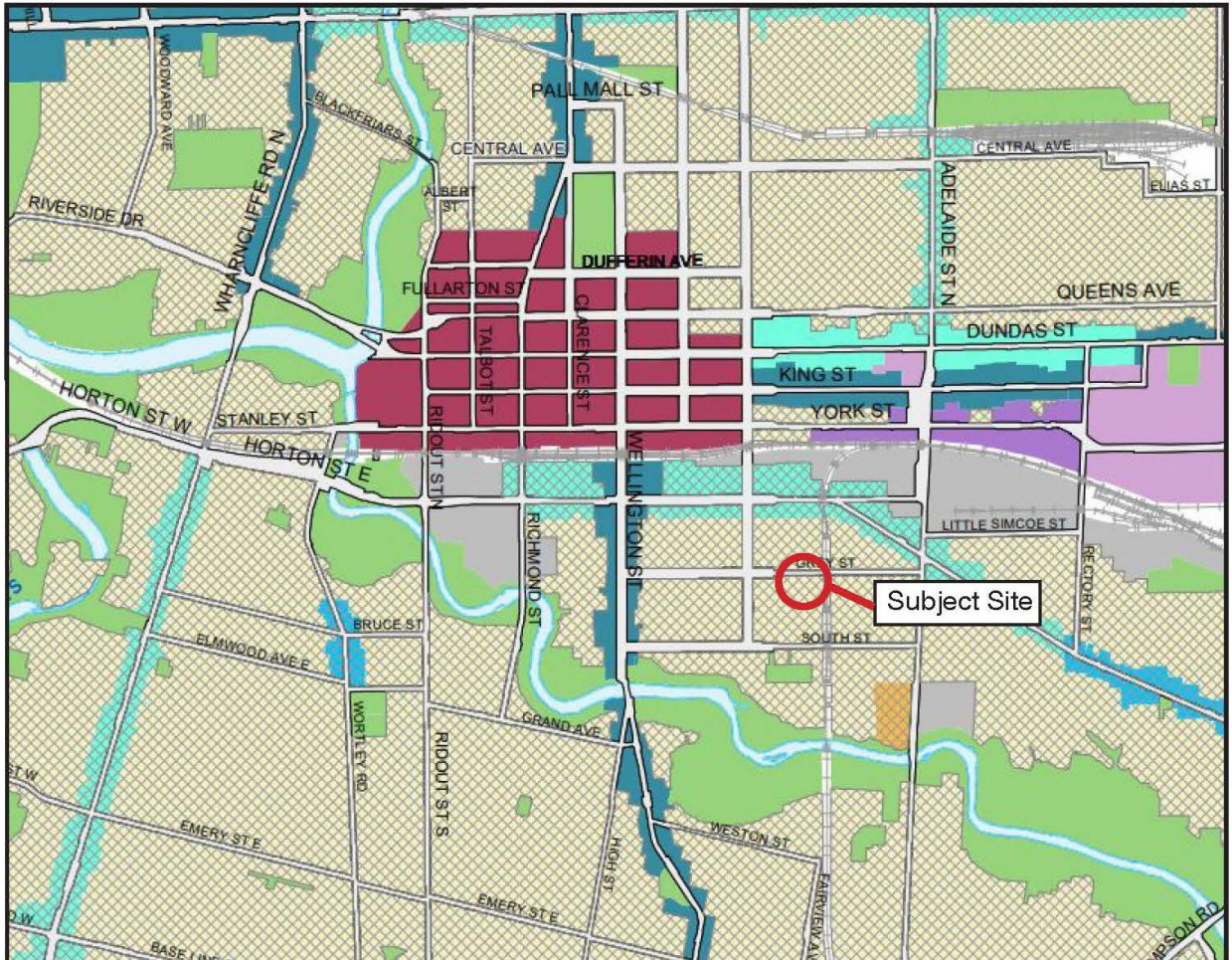
	<b>Criteria that may be considered</b>	<b>Response</b>
		comments provided by the UDPRP and Urban Design staff at the Sign Plan Approval stage.
k)	The potential impact of the development on surrounding natural features and heritage resources.	Not applicable.
l)	Constraints posed by the environment, including 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>The Applicant is aware of the issues with developing residential uses abutting a railway right-of way.</p> <p>The standard recommended building setback for new residential development in proximity to a principal branch line or secondary branch line the setback is 15 meters. There is also a requirement for a 2.5 meter tall berm sloping on either side at a ratio of 2.5:1. The standard design would result in a loss of usable land area at the rear of the site where the berm would have to be constructed. There may be opportunities to reduce this setback using other construction methods such as the implementation of a crash wall. These can be further explored as part of the subsequent Site Plan Approval process.</p>
m)	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>The requested amendment conforms with the in-force policies of the Official Plan and the Zoning By-law.</p> <p>The requirements of the Site Plan Control By-law will be considered including but not limited to site functionality, provision, and orientation of amenity space (common), placement of air conditioning units, and the layout of parking spaces.</p>
n)	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, design of the buildings (articulation, material, etc.) in combination with the placement of the parking behind the buildings is expected to mitigate adverse impacts on surrounding land uses and streets.
o)	Impacts of the proposed change on the transportation system, including transit.	The residential intensification of the subject lands will have a positive impact on the transportation system. Decreasing the number of on-site parking spaces will provide a more transit supportive form of development. With additional residents in the area, the existing infrastructure will be utilized by a greater number of people on a more frequent basis.

# Appendix E – Relevant Background

## Additional Maps



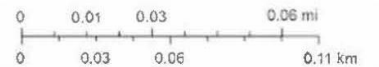
## 1989 Official Plan – Schedule A – Land use



**Legend - Place Types**

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

Subject Site: 475 Grey Street  
 File Number: OZ-9406  
 Planner: Laurel Snyder  
 Created By: AM  
 Date: 01/12/2022



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

Scale 1:12000

**The London Plan – Map 1 – Place Types**

# 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  
 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 - AUTOMOTIVE SERVICE STATION  
 ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

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

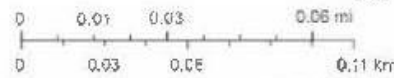
OS - OPEN SPACE  
 CR - COMMERCIAL RECREATION  
 ER - ENVIRONMENTAL REVIEW  
 OB - OFFICE BUSINESS PARK  
 LI - LIGHT INDUSTRIAL  
 GI - GENERAL INDUSTRIAL  
 HI - HEAVY INDUSTRIAL  
 EX - RESOURCE EXTRACTIVE  
 UR - URBAN RESERVE

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

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

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

Subject Site: 475 Grey Street  
 File Number: OZ-9406  
 Planner: Laurel Snyder  
 Created By: AM  
 Date: 12/16/2021



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

Scale 1:2000

## Appendix E – Applicant’s Reply to UDPRP Comments

<b>Comment:</b>
The Panel noted that the overall organizing framework for the site makes sense, with the built form focused towards Maitland Street and the parking area abutting the rail line.
<b>Applicant Response:</b>
Acknowledged
<b>Comment:</b>
It is understood that the proposed access from Grey Street may need to be relocated due to proximity conflicts with the adjacent rail line. The reconfiguration of the site access will likely conflict with the current proposed location of the common amenity space. City Staff and the Applicant should work to ensure that a similar quality and sized common amenity space is maintained in any revised development concept for the site.
<b>Applicant Response:</b>
The required entrance off Maitland indeed conflicts with the large amenity area that was proposed. Smaller, separate amenity spaces are now contemplated.
<b>Comment:</b>
The Panel expressed appreciation for elements of the preliminary architectural design concept, particularly the “transitional” vernacular and the softness of the cladding treatment and lighter colour palette.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel recommends that architectural design of the street-facing façade (along Maitland Street) be the focus of architectural improvements. To improve the overall curb appeal of the building and add character, the following recommendations were made: <ul style="list-style-type: none"> <li>• Include additional articulation in the façade treatment, possibly through the introduction of bay windows;</li> <li>• Introduce additional material and/or colour variation to further break down the mass and flatness of the west façade;</li> <li>• Consider adding balconies or Juliette balconies;</li> <li>• Consider flipping the unit floorplans and the east-west design of the building elevations to orient more unit entrances, windows and balconies to the street-facing side of the building.</li> </ul>
<b>Applicant Response:</b>
Acknowledged. These comments will be regarded through future revisions during the Site Plan Approval process
<b>Comment:</b>
The Panel strongly recommended that the Applicant ensure that the proposed air conditioning units are located at the rear of the building, screened from view of the street.
<b>Applicant Response:</b>
Acknowledged.

Form Completed By:           Matt Campbell

**From:** Sarah Jones  
**Sent:** Friday, February 4, 2022 9:02 AM  
**To:** PEC <pec@london.ca>  
**Subject:** [EXTERNAL] 475 Grey Street

Dear Committee Members,

The development at 475 Grey Street does provide enough open space to support canopy trees - the tallest of trees or shade trees - and therefore does not contribute to the Urban Forest Strategy goals. There is no reason why the ratio of parking to open space cannot lean towards open space to ensure enough soil area to grow healthy trees.

The City will not meet its goal of canopy cover unless trees are planted on private property as the majority of land - approx. 90% in any municipality - in private hands. Council has the ability to enforce the Urban Tree Strategy with every planning application.

Sincerely

Sarah Jones

## 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:** Draft Plan of Vacant Land Condominium on the Submission  
by Vision SoHo Alliance c/o Indwell for 346, 370 and 392  
South Street and 351, 373 and 385 Hill Street

**Public Participation Meeting: February 7, 2021**

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Vision SoHo Alliance relating to the properties located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street:

- (a) the Planning and Environment Committee **ADVISE** the Approval Authority of the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street;
- (b) the Planning and Environment Committee **ADVISE** the Approval Authority of the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street.

## Executive Summary

### Summary of Request

This is a request by the Vision SoHo Alliance, to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with applications for Site Plan Approval, Removal of Holding Provisions, Official Plan Amendments and Zoning By-law Amendments. The plan consists of six (6) vacant land condominium units, each unit contains one (1) low rise apartment building or one (1) mid-rise apartment building. There is access on Waterloo Street and Colborne Street, and the common elements include: driveways, above-ground shared parking, underground parking facilities and at-grade outdoor amenity area. The applicant's intent is to register the development as one condominium corporation.

### Purpose and Effect of the Recommended Action

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

### Rationale for the Recommended Action

- i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;
- iii) The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, High Density



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

## 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

**June 13, 2011** – Report to Built and Natural Environment Committee regarding SoHo Community Improvement Project Area and SoHo Community Improvement Plan.

**September 25, 2012** – Report to Investment and Economic Prosperity Committee regarding redevelopment of the South Street Campus Lands.

**June 9, 2014** – Report to Investment and Economic Prosperity Committee to initiate Request for Proposal for the Old Victoria Hospital Lands.

**June 17, 2014** – Report to Planning and Environment Committee regarding Old Victoria Hospital Secondary Plan and Associated Official Plan Amendments and Zoning.

**October 7, 2014** – Report to Planning and Environment Committee and Public Participation Meeting regarding Zoning By-law Amendments to implement the Old Victoria Hospital Secondary Plan (Z-8344).

**September 21, 2020** – Report to Planning and Environment Committee regarding area-wide amendments to the Old Victoria Hospital Lands Secondary Plan (O-9223 and Z-9224).

**November 22, 2021** – Report to Planning and Environment Committee on proposed Official Plan and Zoning By-law Amendments relating to vacant land condominium application (OZ-9418).

**November 22, 2021** – Report to Planning and Environment Committee and Public Participation Meeting on proposed Site Plan relating to vacant land condominium application (SPA21-081).

#### 1.2 Planning History

When the South Street (Old Victoria Hospital) closed in 2013, the buildings were owned by London Health Sciences Center (LHSC), but the majority of the lands were owned by the City of London. An arrangement was made between the City and LHSC in which LHSC contributed costs for the demolition and remediation of the site. The lands were transferred back to the City in stages. Phase one included the lands south of South Street and the Colborne Building. This allowed for the current development of a tower on these lands. The second phase included the lands subject to this application and the lands at 124 Colborne Street.

The Old Victoria Hospital Secondary Plan was adopted in June of 2014 to guide redevelopment of the former hospital complex. Official Plan and Zoning By-law Amendments (O-9223 and Z-9224) were applied for by the City in June of 2020 to address bonusing provisions, which could not be implemented due to Provincial changes, and to establish zoning for the subject lands. These amendments were passed by Council on September 29, 2020.

An application for Official Plan and Zoning By-law Amendments were submitted by the SoHo vision Alliance to help facilitate this proposed development. They included: amendments to the *1989 Official Plan* and *The London Plan* to allow for a Draft Plan of Vacant Land Condominium to proceed as multiple apartment buildings above a shared underground parking garage; amendments to the Old Victoria Hospital Secondary Plan to allow for apartment buildings no-taller than 5-storeys along Hill Street, re-designated the lands to Mid-Rise Residential and policy changes to The Four Corners designation; and, zoning amendments to allow for the technical details of the proposed design to proceed.

Applications for Site Plan Approval (SPA21-081), Official Plan and Zoning By-law Amendments, and Removal of Holding Provisions has been submitted to facilitate this proposed development. These applications are being processed concurrently with the Draft Plan of Vacant Land Condominium, which was accepted as a complete application on November 22, 2021.

### **1.3 Property Description**

The subject property is located north of South Street and West of Colborne Street and was previously the site of the Old Victoria Hospital. The site has low density residential to the north; offices and low density residential to the west; future high-density residential to the south; and, proposed residential and existing neighbourhood facilities to the east. The proposal consists of one high density residential block, described as: Lots 21 to 25 and 36 to 40 on Plan 172; Lots 6 to 8 on Plan NIL HSE and SSE; and, Parts 1 and 2 on RP 33RI17942.

The site is approximately 1.89 hectares, and two buildings remain on site, the Victoria Health Services Building and the War Memorial Children's Hospital. Designation under Part IV of the *Ontario Heritage Act* is proposed for the remaining buildings, and they are to be conserved, repurposed, and integrated into the proposed development. The site has full access to municipal services and is in an area which is planned for future growth.

### **1.4 Current Planning Information**

- *The London Plan* Place Type – Neighbourhoods
- (1989) *Official Plan* Designation – Multi-Family, High Density Residential
- Old Victoria Hospital Secondary Plan: Four Corners and Mid-Rise Residential
- Existing Zone – Holding Residential R4/R8 Special Provision (h\*h-5\*R4-6(13)/R8-4(59)0, Holding Residential R8 Special Provision (h\*h-5\*R8-4(56)0, and Holding Residential R8 Special Provision (h\*h-5\*R8-4(58)0

### **1.5 Site Characteristics**

- Current Land Use – Vacant
- Frontage – 203 meters on Hill Street
- Depth – Varies
- Area – 1.89 hectares
- Shape – Irregular, Rectangular

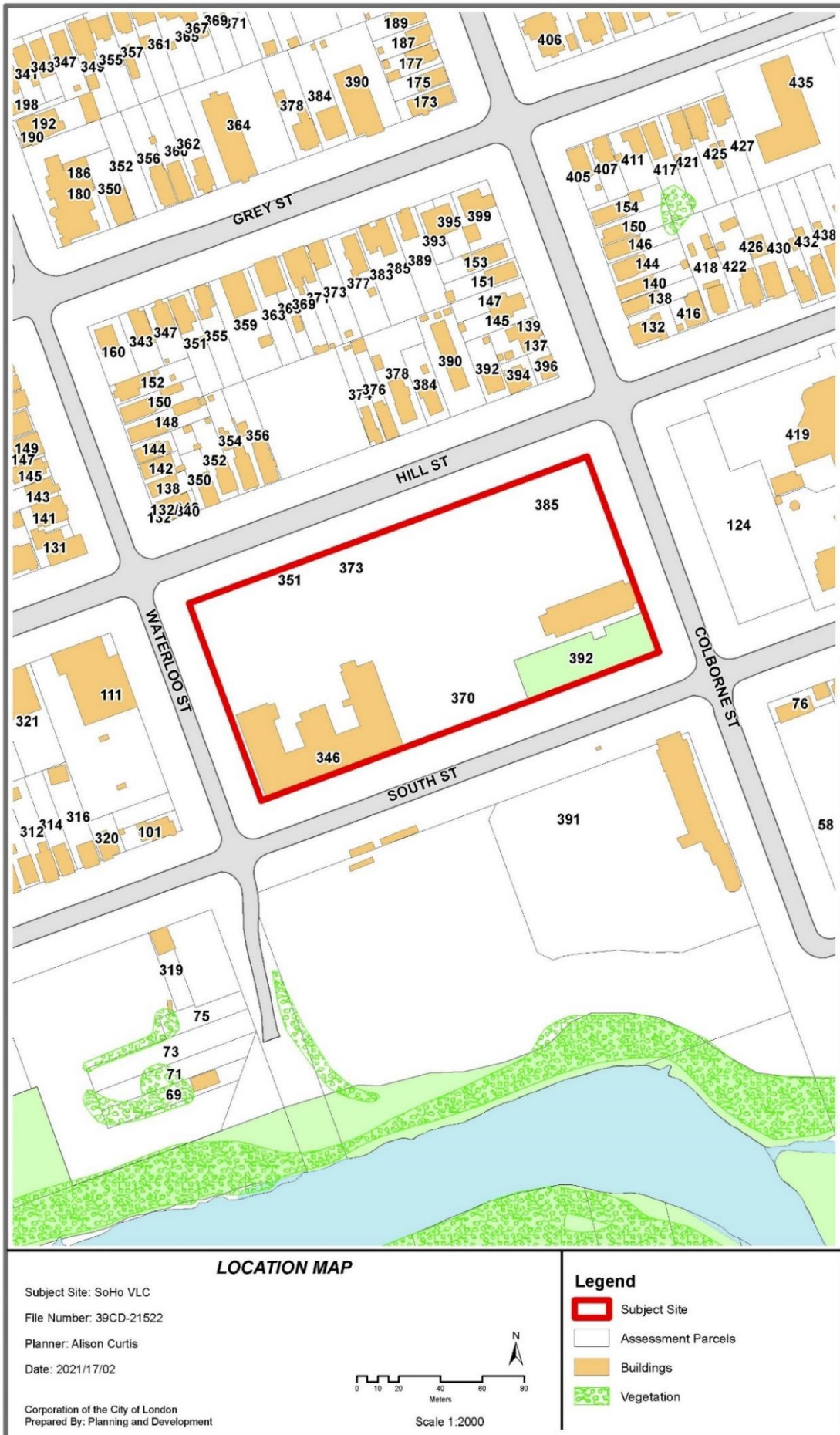
### **1.6 Surrounding Land Uses**

- North – Low density residential
- East – Future residential and existing neighbourhood facilities
- South – Future high-density residential development
- West – Office space and low density residential

## 1.7 Intensification

- The 6 Vacant Land Condominium units will contain 494 residential apartment units, which is approximately 243 units per hectare. The development is located within the Built-Area Boundary and Primary Transit Area.

## 1.8 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The effect of this application request is to use a stratified approach to create six (6) vacant land condominium units. These six (6) units will be owned by the individual members of the Vision SoHo Alliance (Indwell Community Homes, Zerin Development Corporation, Homes Unlimited (London) Incorporated, London Affordable Housing Foundation; and Chelsea Green Home Society, but the proposal will be registered as one condominium corporation. Common elements will include: driveways, above-ground shared parking areas, underground parking facilities and at-grade outdoor amenity areas.

The stratified vacant land condominium approach was chosen by the applicants for the following reasons:

- It is a simpler and more efficient process from an operational perspective as it would only require one single condominium corporation that can move forward through one consolidated process;
- It allows for flexibility in unit boundaries, allowing the boundaries to parallel those of the buildings, meaning the unit is comprised only of the bricks and mortar; and,
- It provides a clear statutory framework on which the parties can rely on to obtain compliance and maintain a consistent community standard for common elements and the units.

Two of the proposed units will follow the boundaries of the Victoria Health Services Building and the War Memorial Children's Hospital. These buildings will be conserved, repurposed, and integrated into the proposed development as two (2) of the six (6) units. Four (4) additional apartment buildings are proposed, and all six (6) buildings are outlined below. A total of 494 residential units are proposed, which is 243 units per hectare, and the proposal provides for a range of affordable rental options in the SoHo community.

### 2.2 Proposed Vacant Land Condominium Units

Figure 1: Proposed Units and Site Plan

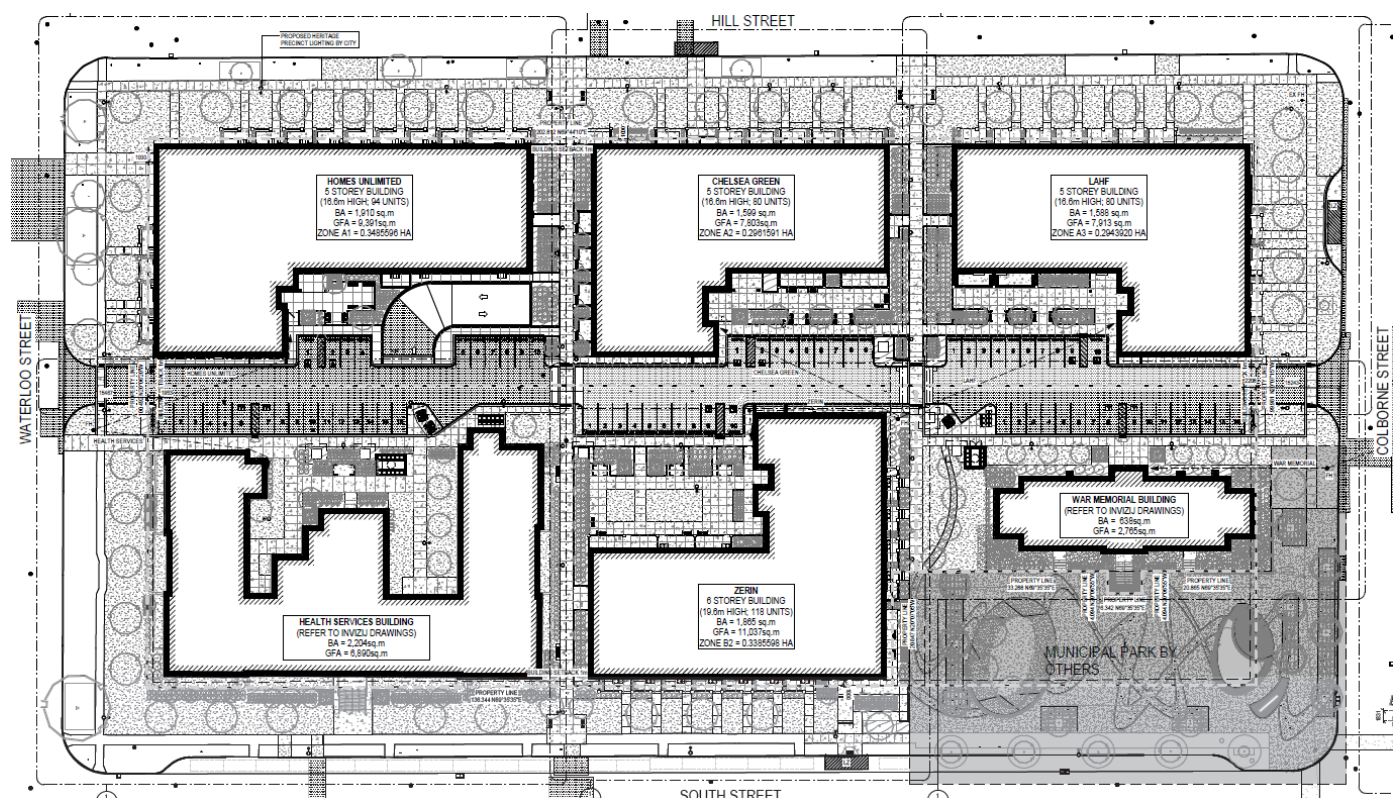


Figure 2: Overall Site 3D View – Southeast

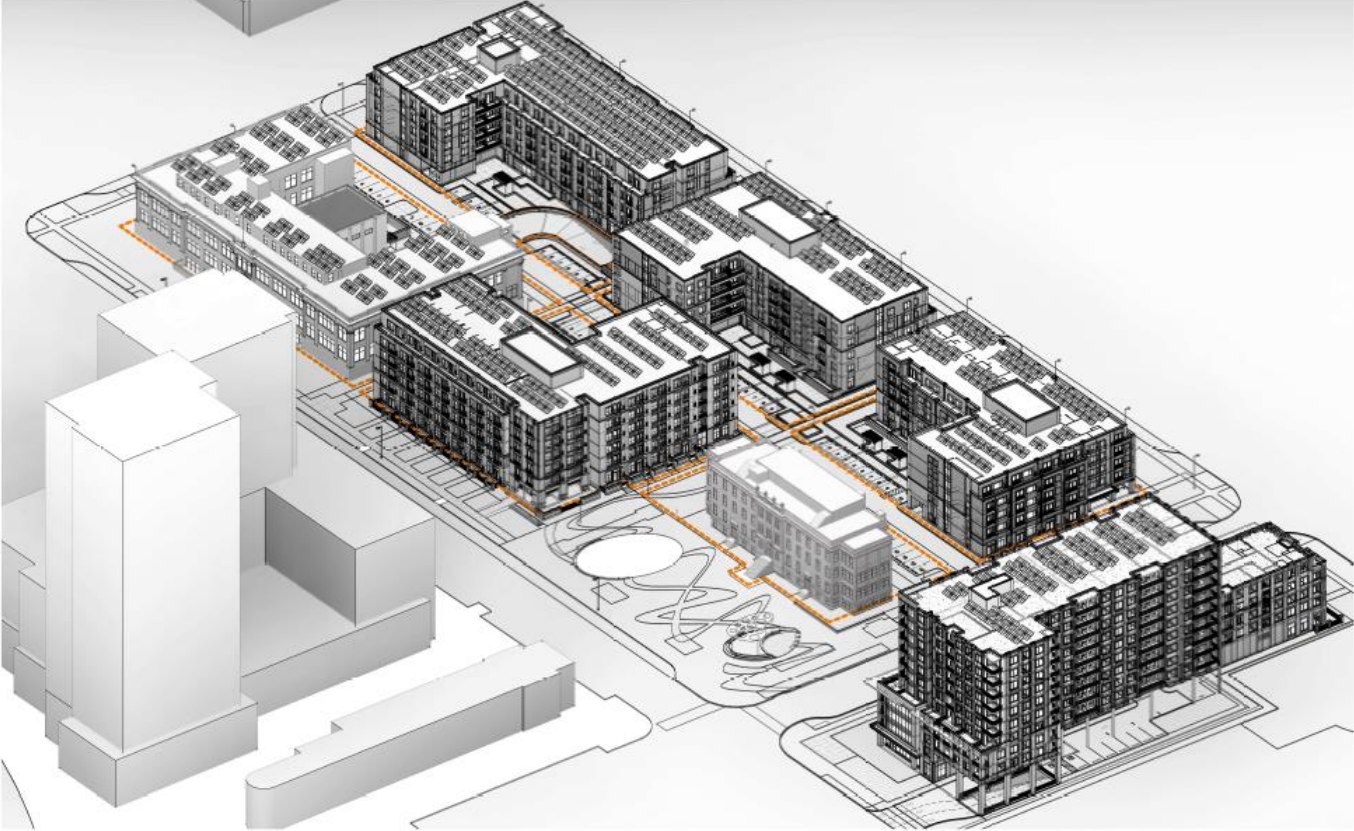


Figure 3: Overall Site 3D View – Northwest

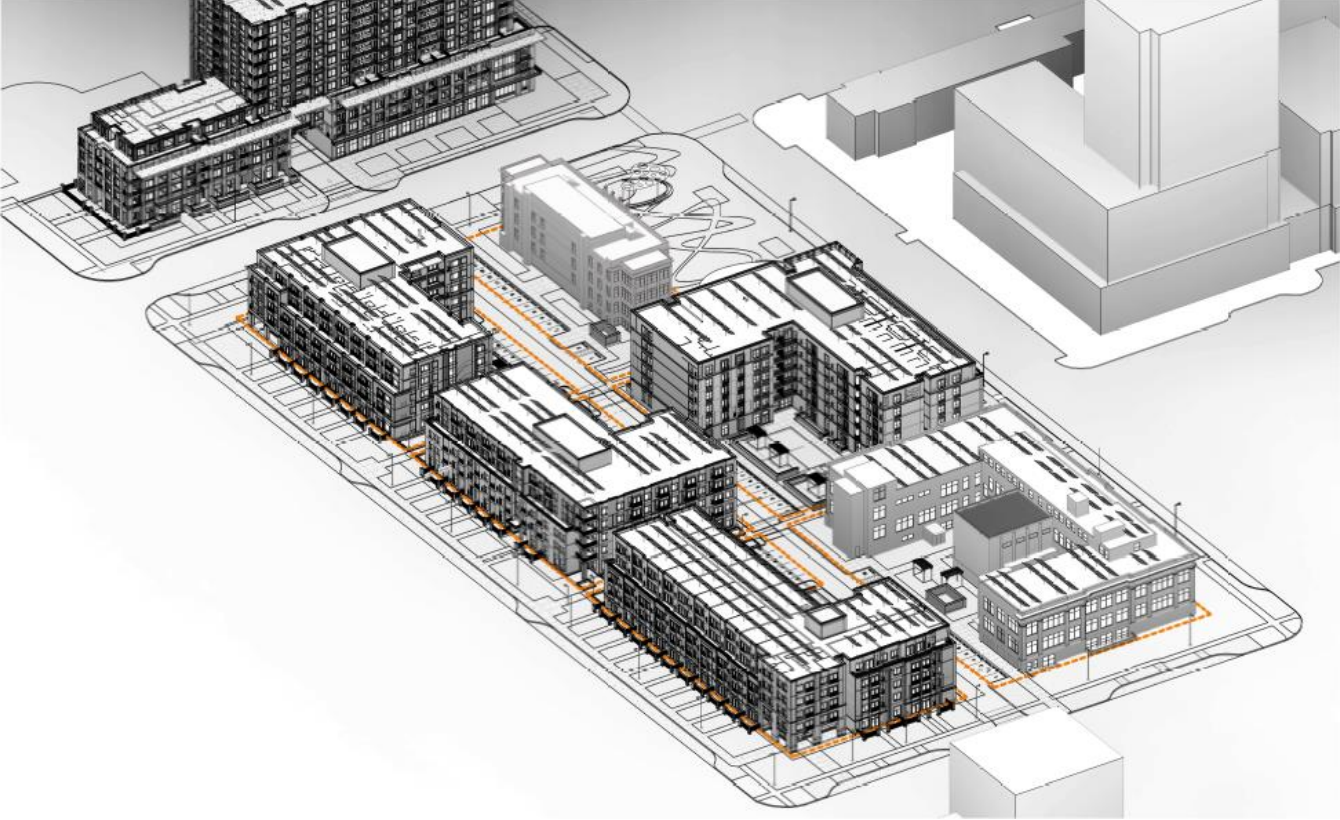


Figure 4: Common Element – Underground Parking

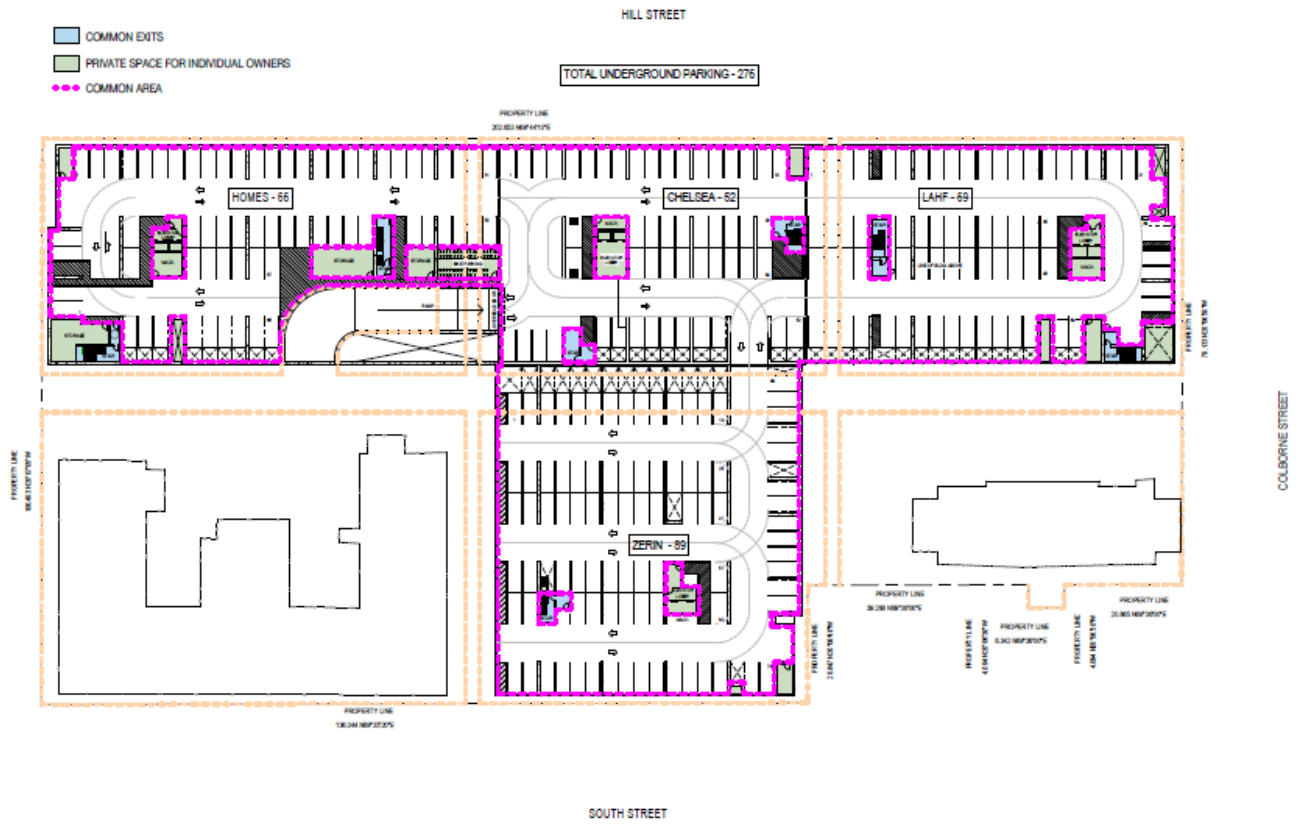
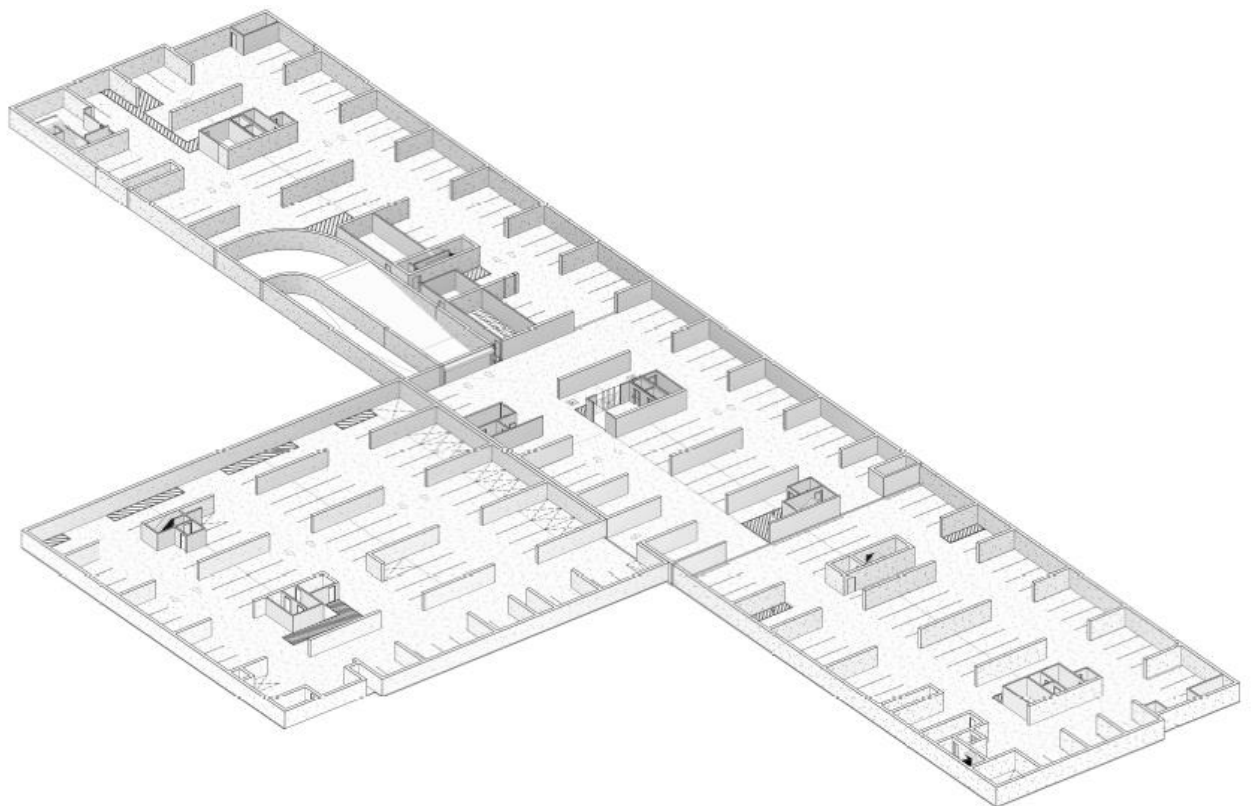


Figure 5: Common Element – 3D View of Underground Parking





## Outline of Proposed Vacant Land Condominium Units

### Homes Unlimited:

- Fronting onto Hill Street to the north and Waterloo Street to the west;
- Apartment building with a height of 5-storeys, or 16 meters; and,
- A unit count of approx. 94 units.



Homes Unlimited Rendering – Looking East from Waterloo Street

### Chelsea Green:

- Fronting onto Hill Street to the north;
- Apartment building with height of 5-storeys, or 16 meters; and,
- A unit count of 80 units.



Chelsea Green Rendering – Looking Southeast from Hill Street

### London Affordable Housing Foundation (LAHF)

- Fronting onto Hill Street to the north and Colborne Street to the East;
- Apartment building with a height of 5-storeys, or 16 meters; and,
- A unit count of approx. 80 units.



LAHF Rendering – Looking Southwest from Hill Street and Colborne Street



**Indwell – Victoria Health Science Building (Existing)**

- Fronting onto South Street to the south and Waterloo Street to the west;
- A height of 2-storeys (as existing); and,
- A unit count of 80 units.



Victoria Health Sciences Building Rendering – Looking Northeast from South Street and Waterloo Street

**Zerin**

- Fronting onto South Street;
- Apartment building with a height of 6-storeys, or 19 meters; and,
- A unit count of 118 units.



Zerin Rendering – Looking Northwest from South Street

**Indwell – War Memorial Building (Existing)**

- Fronting onto South Street to the south and Colborne Street to the east;
- A height of 3-storeys, or 15.6 meters (as existing); and,
- A unit count of 42 units



War Memorial Building and SoHo Civic Space Rendering – Looking Northwest from South Street and Colborne Street

## 2.3 Consultation

Information regarding the Draft Vacant Land Condominium application and opportunities to provide comments were provided to the public as follows:

- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property on December 22<sup>nd</sup>, 2021.
- Notice of Application and Public Participation were published in the Public Notices and Bidding Opportunities section of The Londoner on December 30<sup>th</sup>, 2021.
- Information about the Application were posted on the website on December 22<sup>nd</sup>, 2021.

No comments were received from the public.

## 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. Policy Analysis

#### **Provincial Policy Statement (PPS), 2020**

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest as identified in Section 2 of the *Planning Act*. In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies: Building Strong Healthy Communities; Wise Use and Management of Resources; and, Protecting Public Health and Safety. The *PPS* is to be read in its entirety.

The subject site is in the settlement area, and the proposal is to create 122 Vacant Land Condominium units. There is a mix of residential, open space and agricultural uses adjacent to the property. This Draft Plan of Vacant Land Condominium is consistent with several *PPS* policies, which are outlined below.

Policy Sections 1.1.1, 1.1.3 and 1.6 requires land use with settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. This contributes to resilient development and the creation of healthy, livable, and safe communities. This proposal will develop a vacant site within the settlement area that has full access to municipal services, as well as provide a range of housing in compact form for current and future residents (Section 1.4). The subject lands are designated and intended, over the long term, to be used for multiple-dwelling, low to medium density residential uses.

The compact form, mix of uses, and density of the proposal result in efficient and resilient development, and this will encourage the use of public and active transportation options. This will help to support energy conservation and help to improve air quality, which is consistent with Section 1.8 of the *PPS*. The remaining buildings on the site are to be designated under the *Ontario Heritage Act* and conserved, which is consistent with Section 2.6 of the *PPS*. The site is also located outside of any natural or man-made hazards, which helps to protecting public health and safety as prioritized in Section 3.0 of the *PPS*.

## **The London Plan**

The *London Plan* is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The *London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170700) and not in force and effect are indicated with an asterisk (\*) throughout this report).

### **Neighbourhood Place Type**

The subject lands are located within the “Neighbourhoods” Place Type at an intersection of two neighbourhood connectors, Colborne Street and South Street. This Place Type at this location permits a range of low to medium density residential uses (i.e., single detached, semi-detached, duplexes and townhouses) at a maximum height of 3-storeys or 6-storeys with Bonusing in Central London (Table 10\* and Table 11\*).

The vision for the Neighbourhood Place Type is to ensure that neighbourhoods are vibrant and exciting places that contribute to community well-being and quality of life. This vision is supported by key elements, some of which include: strong neighbourhood character; diverse housing choices; well-connected neighbourhoods; alternatives for mobility; and, parks and recreational opportunities. The proposal is generally in keeping with the vision for the Neighbourhood Place Type and its key elements. It contributes to a neighbourhood character and a diversity of housing choices. The site is also close to City owned open space and public transportation, which contributes to a connected and strengthened community that offers convenient alternatives for mobility and accessing services

### **City Building**

The proposal is generally supportive of the policies laid out in the City Building section of the *London Plan*, which seeks to set a framework for the shape, form and character of the City. The layout of the proposed development contributes to neighbourhood character and identity by orienting buildings to the street and not using blank walls along the street edge, which contributes to an active street front (202\*, 229, 259\*, 291\*). This layout also helps to create a safe pedestrian environment and promotes connectivity, within the development and the surrounding neighbourhoods, which offers opportunities for active mobility (\*255, \*259, \*285, \*291).

### **Our Tools**

Policy 1709 of the *London Plan* outlines the applicable policies when considering vacant land condominium application. Part 1 of this policy outlines that draft plans of vacant land condominiums shall be evaluated by the same requirements and considerations as draft plans of subdivision, which has been done. The proposal conforms with the 1989 *Official Plan* and the *London Plan* policies and has access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There are future commercial proposed and existing neighbourhood facility uses in proximity to the site, as well as City owned open space. The proposal provides a range of affordable rental options within the SoHo community. Building elevation, grading and drainage issues will be addressed by the applicant’s consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

The proposal is also in keeping with Part 2 of Policy 1709 because it is being considered concurrently with an active Site Plan Application. Parts 3, 4 and 5 of Policy 1709 outline the following policies for vacant land condominiums: units will not be above or below one another; there will be only one dwelling per unit; and, upon registration, have no structures will cross unit boundaries. Under these policies, the proposal is not in keeping with Policy 1709. The underground parking, which is part of the common element is not in keeping with Part 3 and 5, and the creation of a condominium corporation with multiple members on an apartment form is not in keeping with Part 4.

However, recent amendments to *The London Plan* under LPA 48 (C.P.-1512(av)-14) exempt the lands located at 370 South Street and 124 Colborne from Parts 3 to 5 of Policy 1709 and the development is now in keeping with *The London Plan* policies on vacant land condominiums.

### **(1989) Official Plan**

The subject lands are designated as Multi-Family, High Density Residential (MFHDR) in the *1989 Official Plan*. The permitted uses in this residential designation include: low-rise and high-rise apartments; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing homes; rest homes; homes for the aged; and, rooming and boarding (3.4.1 Permitted Uses). The proposed vacant land condominium is in keeping with these permitted uses.

One of the preferred locations for the MFHDR designation includes: areas near the periphery of the Downtown that are appropriate for redevelopment; lands in close proximity to Enclosed Regional Commercial Nodes or New Format Regional Commercial Nodes or Community Commercial Nodes, Regional Facilities or designated Open Space areas; and, lands abutting or having easy access to an arterial or primary collector road (3.4.2 Location). Development within this designation shall be less than 350 units per hectare in the Downtown Area, 250 units in Central London (this area is bounded by Oxford Street to the North, the Thames River on the south and west, and Adelaide Street on the east), and 150 units per hectare outside of Central London (3.4.3 Scale of Development). This proposal is in keeping with these policies as the lands are appropriate for redevelopment, near designated Open Space and adjacent to a Primary Collector. The proposal also provides a density of 243 units per hectare, which is less than the 250 units per hectare permitted in the Central London area (3.3.3 Scale of Development).

Section 19.15.4 of the *1989 Official Plan* outlines the applicable policies for vacant land condominium applications, which are similar to those in Policy 1709 of *The London Plan*. Part i) of this policy outlines that draft plans of vacant land condominiums shall be evaluated by the same requirements and considerations as draft plans of subdivision, which has been done. The proposal conforms with the *1989 Official Plan* and the *London Plan* policies and has access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There are future commercial proposed and existing neighbourhood facility uses in proximity to the site, as well as City owned open space. The proposal provides a range of affordable rental options within the SoHo community. Building elevation, grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

Part ii) specifies that the applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law and Policies. An application for Site Plan Approval (SPA21-081) has been accepted and is being processed concurrently with this application. A Public Site Plan Meeting was held on November 22, 2021. Much like *The London Plan*, parts iii), iv) and v) outline the following policies for vacant land condominiums: units will not be above or below one another; there will be only one dwelling per unit; and, upon registration, have no structures will cross unit boundaries. Amendments were made to the *1989 Official Plan* through OPA 748 (C.P.1284(wm)-11) exempts the lands located a 370 South Street and 124 Colborne from parts iii) to iv) of Policy 19.15.4. As such, the proposal is in keeping with the *1989 Official Plan* policies for vacant land condominiums.

### **Old Victoria Hospital Lands Secondary Plan**

The *Old Victoria Hospital Lands Secondary Plan* sets the development vision and policies for the subject lands, which are within the Mid-Rise Residential and The Four Corners Designations. Mid-Rise Residential permits a range of uses, from converted dwellings to apartment buildings up to 8-storeys. This designation is applied to the

Homes Unlimited, Chelsea Green, LAHF, Victoria Health Services building and the Zerin building. The Four Corners designation is intended to provide a neighbourhood core for the lands adjacent to the South Street and Colborne Street intersection. Policies for this designation permit apartment buildings up to 11-storeys and encourage mixed-use buildings with small scale commercial on the ground floor. This designation is applied to the War Memorial Children's Hospital and SoHo Civic Park.

### **Z.-1 Zoning By-law**

The existing zoning for the subject lands is as follows:

- Holding Residential R4/R8 Special Provision (h\*h-5\*R4-6(13)/R8-4(59))
- Holding Residential R8 Special Provision (h\*h-5\*R8-4(56))
- Holding Residential R8 Special Provision (h\*h-5\*R8-4(58))

Both the Residential R4 and R8 zone regulate medium density residential development. The R4 permits street town housing, while the R8 Zone permits apartment buildings; handicapped person's apartment buildings; lodging house class 2; stacked town housing; senior citizen apartment buildings; emergency care establishments; and, continuum-of-care facilities. The proposed vacant land condominium is consistent with the Zoning By-law. Please refer to the Zoning Excerpt in Appendix D.

### **Vacant Land Condo Application**

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

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

## **4.2 Reasoning for Vacant Land Condominium Approach**

This proposal and its approach to the vacant land condominium process are unique to the City of London and required amendments to the *1989 Official Plan* and *The London Plan* to ensure the application was consistent with these policies. Both Vacant Land and Common Element Condominiums by the City and the Applicant were considered as options for the redevelopment of these lands. As previously noted, the stratified Vacant Land Condominium approach was chosen by the applicants over the common element condominium as it was a more effective and efficient process that provided flexibility for unit boundaries, as well as a clear statutory framework on which to rely. The common

element condo approach would have introduced time and cost inefficiencies to the process as the apartment buildings could not have processed through the same application as the common elements, and owners would not have the statutory obligations, or ability to enforce requirements, for the repair and maintenance of units and common elements.

### **4.3 Easements**

In addition to easements requested from external agencies (e.g., London Hydro, Bell Canada), the City of London will also require the Applicants to register easements over the SoHo Civic Space. The Zerlin Building and War Memorial Buildings and their entrances are abutting the Civic Space and easements are required for access, maintenance, and liability. City of London staff are working with the applicants to determine the nature and requirements of these easements, which will be included as conditions for Draft Approval.

## **Conclusion**

The proposed Vacant Land Condominium is consistent with the *Provincial Policy Statement*, and in conformity with the *London Plan, (1989) Official Plan*, the *Old Victoria Hospital Lands Secondary Plan*, and the Z.-1 Zoning Bylaw. The proposed apartment use is appropriate for the site and permitted under the existing zoning. Applications for Site Plan Approval and Removal of Holding Provisions have also been submitted and are being reviewed in conjunction with this application.

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

**Reviewed by:** Bruce Page, RPP, MCIP  
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  
Michael Pease, Manager, Site Plans

## Appendix A: Community Consultation

**Public liaison:** On December 22, 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 December 30, 2021.

**Nature of Liaison:** The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 6 units, and each unit contains one (1) low rise or one (1) mid-rise residential apartment building. Consideration of a proposed draft plan consisting of 6 units containing one (1) apartment building and common elements to be registered as one Condominium Corporation. Common elements will include: driveways, above-ground shared parking areas, underground parking facilities and at-grade outdoor amenity areas.

**Londoner Notice: 346, 370, and 392 South Street and 351, 373, and 385 Hill Street; located on the west side of Colborne Street, north of South Street; approximately 2.033 hectares** – The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 6 units, and each unit contains one (1) low rise or one (1) mid-rise residential apartment building. Consideration of a proposed draft plan consisting of 6 units containing one (1) apartment building and common elements to be registered as one Condominium Corporation. *\*For the lands under consideration, the following applications have also been submitted: Site Plan Approval – Application File No. SPA21-081; Removal of Holding Provisions; Official Plan and Zoning By-law Amendments – Application File No. OZ-9418 and Z-9224.*  
File: 39CD-21522 Planner: A. Curtis (City Hall).

## Appendix B: Agency and Department Comments

### External Agency Comments

#### London Hydro

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

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, 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 and availability.

#### Bell Canada

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

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

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

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

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

#### Enbridge Gas Inc.

It is Enbridge Gas Inc's request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by union for the provision of gas services for this project, in a form satisfactory to Enbridge.

#### **Department Comments**

##### Water Engineering

Water Engineering has no comment on this Draft Plan of Vacant Land Condominium for the Old Victoria Hospital Lands. Water servicing will be in accordance with the approved site servicing drawings.

## **Appendix C: Policy Context**

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

### ***Provincial Policy Statement, 2020***

#### Section 1.0 Building Strong Healthy Communities

- 1.1.1 of Managing and directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.4 Housing
- 1.6 Infrastructure and Public Service Facilities
- 1.8 Energy Conservation, Air Quality and Climate Change

#### Section 2.0 Wise Use and Management of Resources

- 2.2 Water
- 2.6 Cultural Heritage and Archaeology

#### Section 3.0 Protecting Public Health and Safety

### ***The London Plan***

#### Neighbourhood Place Type

##### Vision for the Neighbourhoods Place Type

916\_ \* In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

1. A strong neighbourhood character, sense of place and identity.
2. Attractive streetscapes, buildings, and public spaces.
3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.
4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.
5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.
6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.
8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

#### City Building

\*202\_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood's character and identity.

229\_ Except in exceptional circumstances, rear lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.



\*255\_ Site layout will promote connectivity and safe movement between, and within, sites for pedestrians, cyclists, and motorists.

\*259\_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

\*285\_ To support pedestrian activity and safety, blank walls will not be permitted along the street edge.

\*291\_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

*\* Policy subject to LPAT Appeal PL170100 - November 13, 2019*

### Our Tools

1709\_ The following policies will apply to consideration of an application for a vacant land condominium:

1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.
2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.
3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.
4. Only one dwelling will be permitted per unit.
5. At the time of registration, structures cannot cross unit boundaries.
6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.

### **1898 Official Plan**

Chapter 3: Residential Land Use Designations

- 3.3 Multi-Family, Medium Density Residential
- 3.3.1 Permitted Uses
- 3.3.2 Location
- 3.3.3 Scale of Development

Chapter 19: Implementation

### **Z.-1 Zoning By-law**

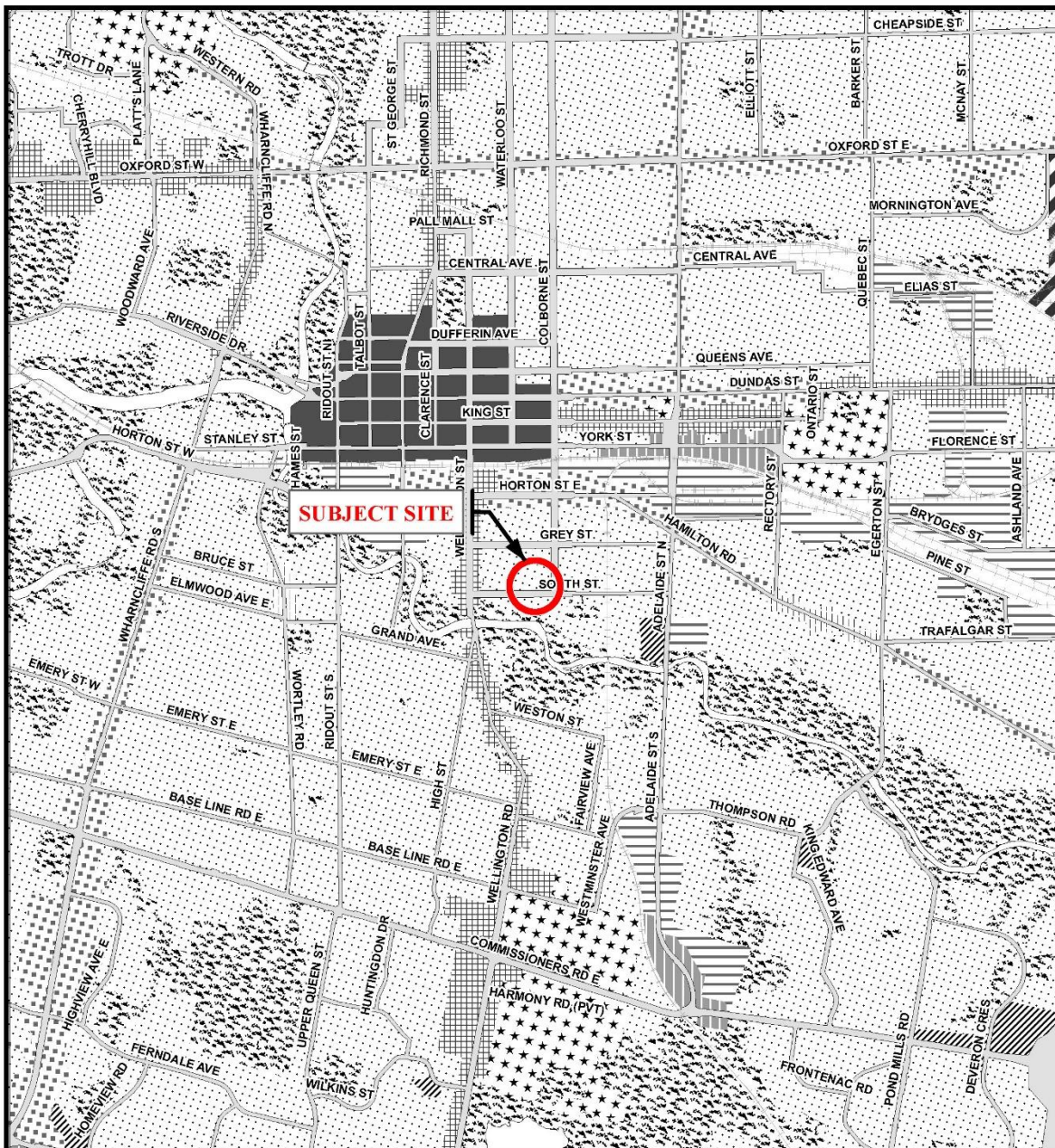
Section 3: Zones and Symbols

Section 8: Residential R4 Zone

Section 12: Residential R8 Zone

# Appendix D: 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

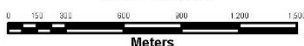
Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



File Number: 39CD-21522

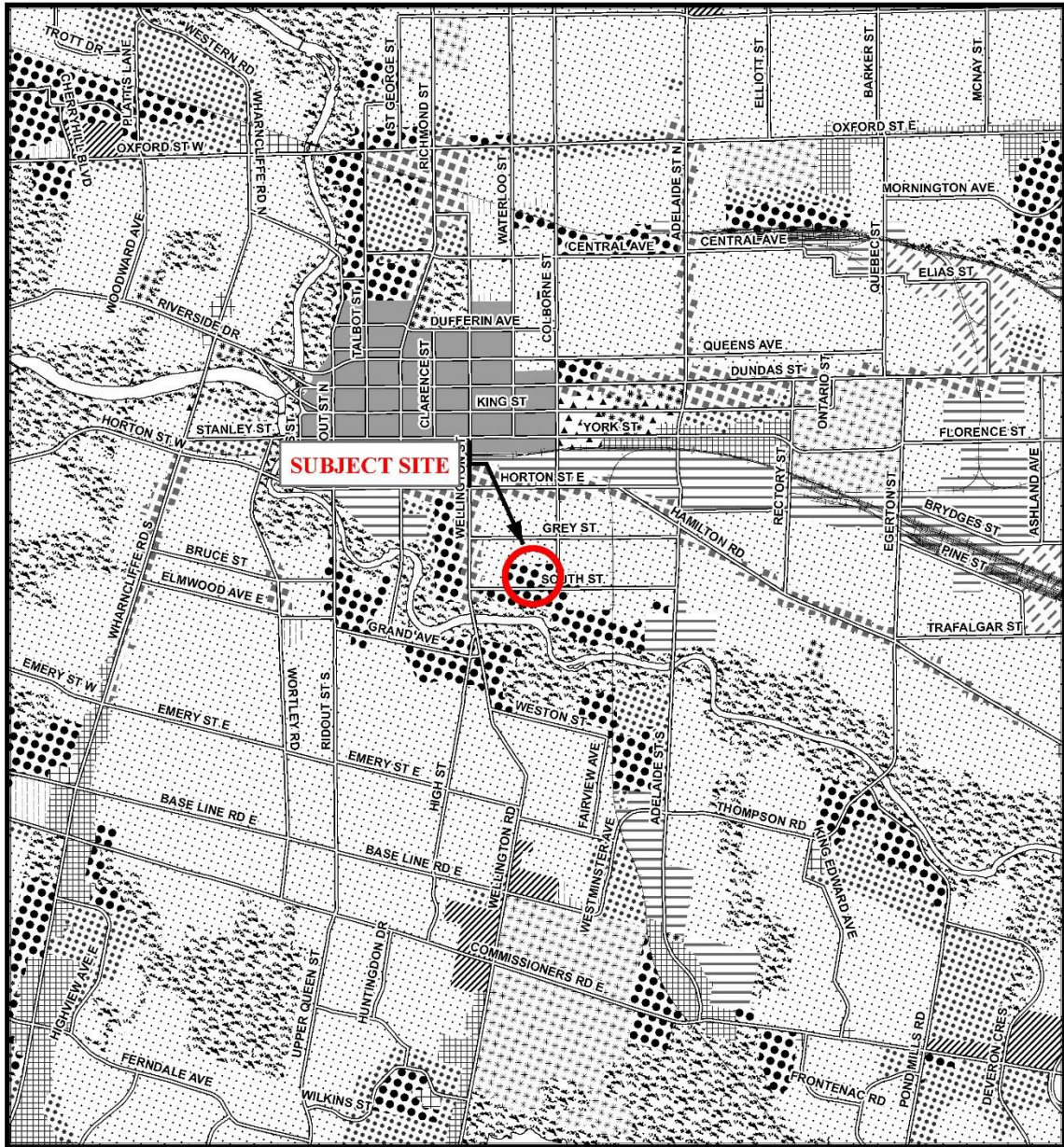
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Technician: RC

Date: December 20, 2021

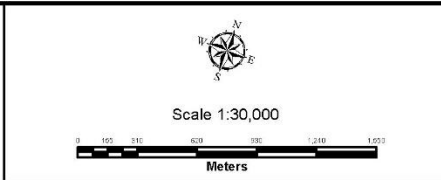
Project Location: E:\Planning\Projects\p\_officialplan\workconsol\0\excerpts\_LondonPlan\mxd\39CD-21522-Map1-Place Types.mxd

# 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

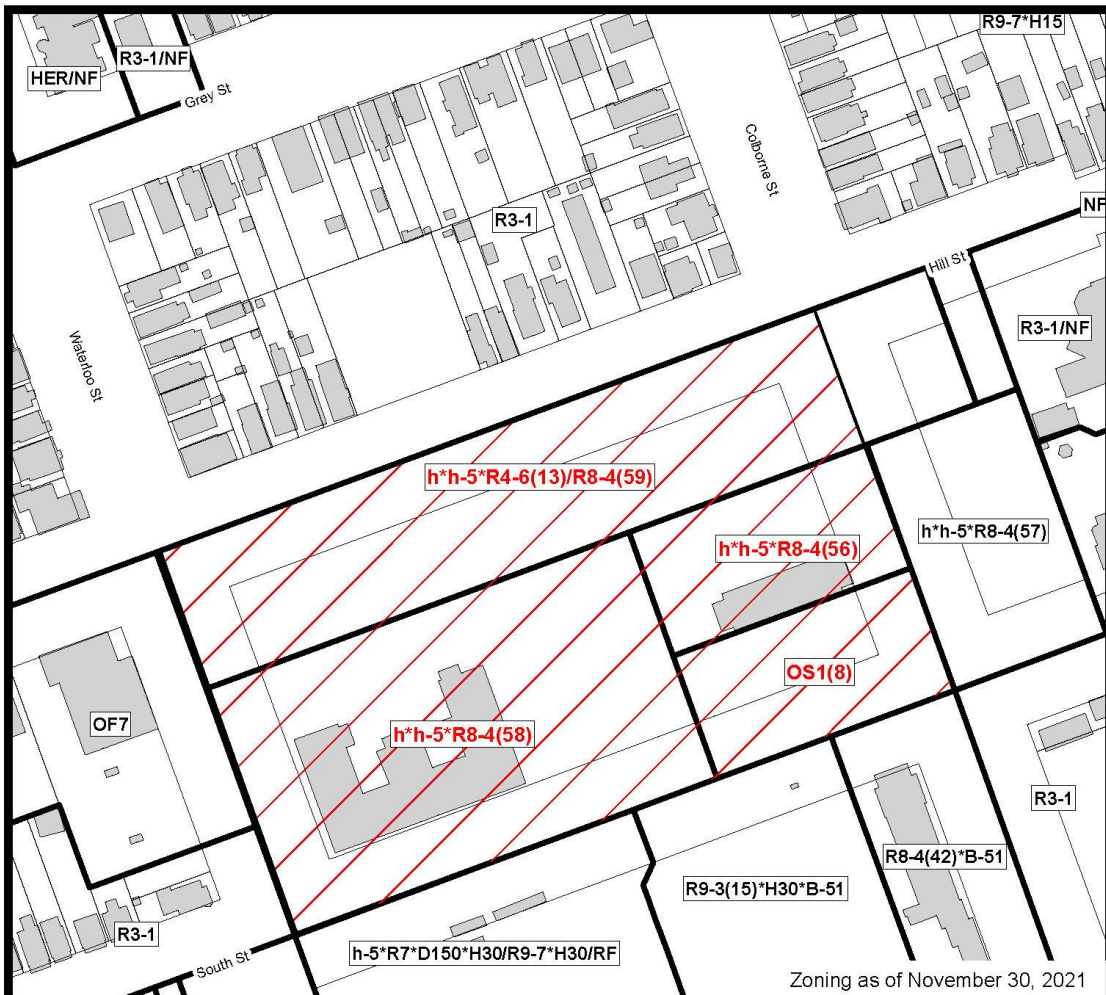
**CITY OF LONDON**  
**Planning Services /**  
**Development Services**  
**OFFICIAL PLAN SCHEDULE A**  
**- LAND USE -**  
 PREPARED BY: Graphics and Information Services



**FILE NUMBER:** 39CD-21522  
**PLANNER:** AC  
**TECHNICIAN:** RC  
**DATE:** 2021/12/20

PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consolid00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

# Z.-1 Zoning By-law Excerpt



Zoning as of November 30, 2021



**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:

H-9452

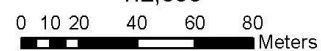
AC

MAP PREPARED:

2021/12/17

rc

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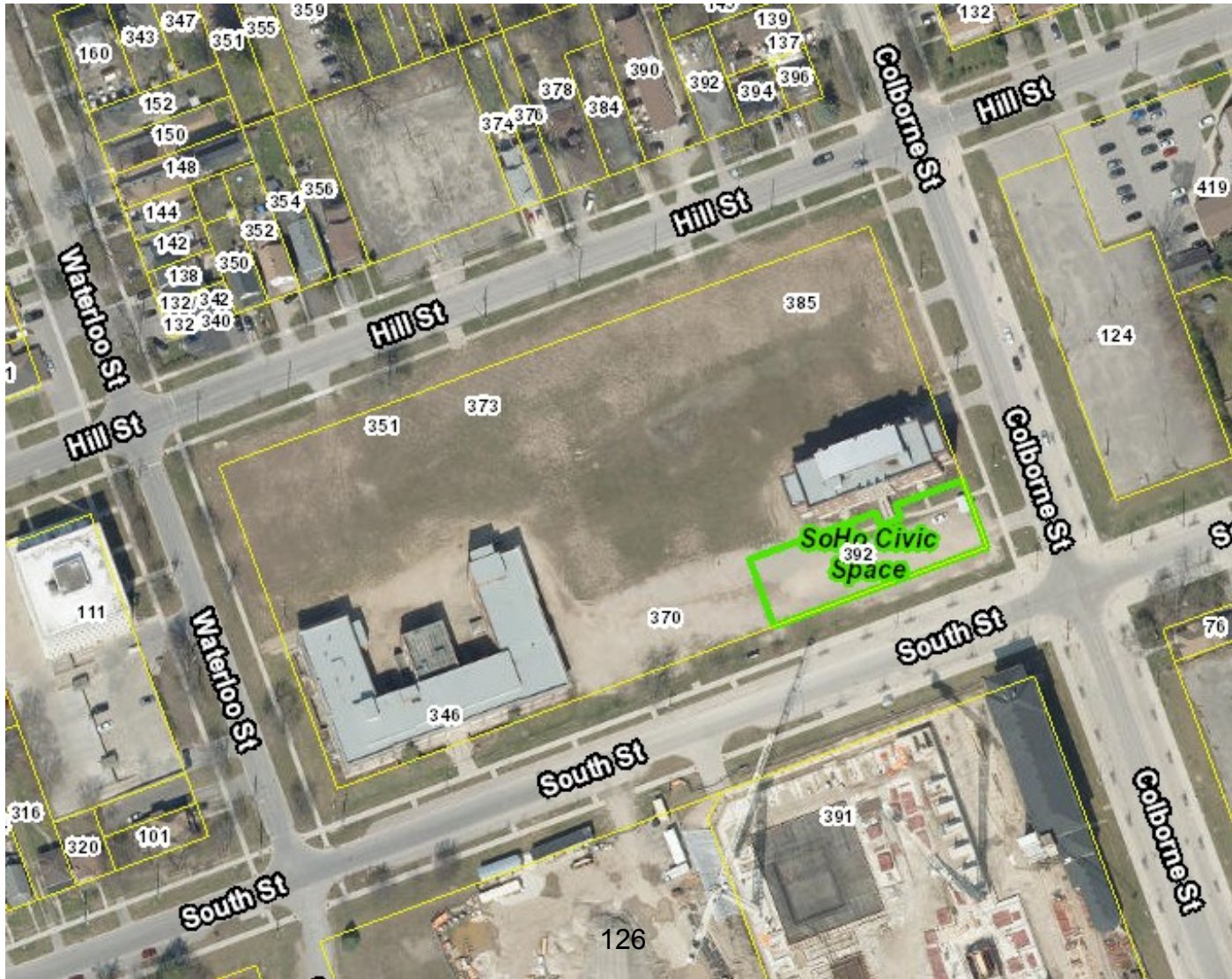


346, 370 and 392 South Street and 351, 373 and 385 Hill Street.

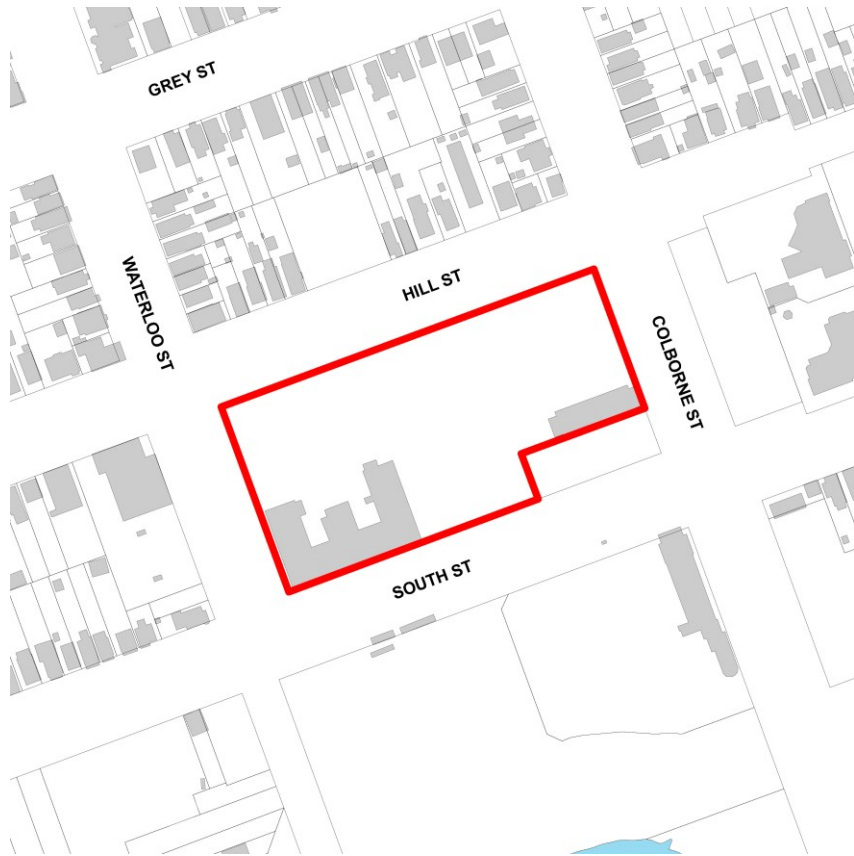


**Proposed Draft Plan of Vacant Land Condominium**  
**Applicant: SoHo Vision Alliance c/o Indwell**  
**File No: 39CD-21522** 125

# Property Description



# Site Context



## Surrounding Properties:

**North:** Residential

**East:** Future residential and existing neighbourhood facilities

**South:** Future high-density residential

**West:** Office space and residential

## Current Planning Information

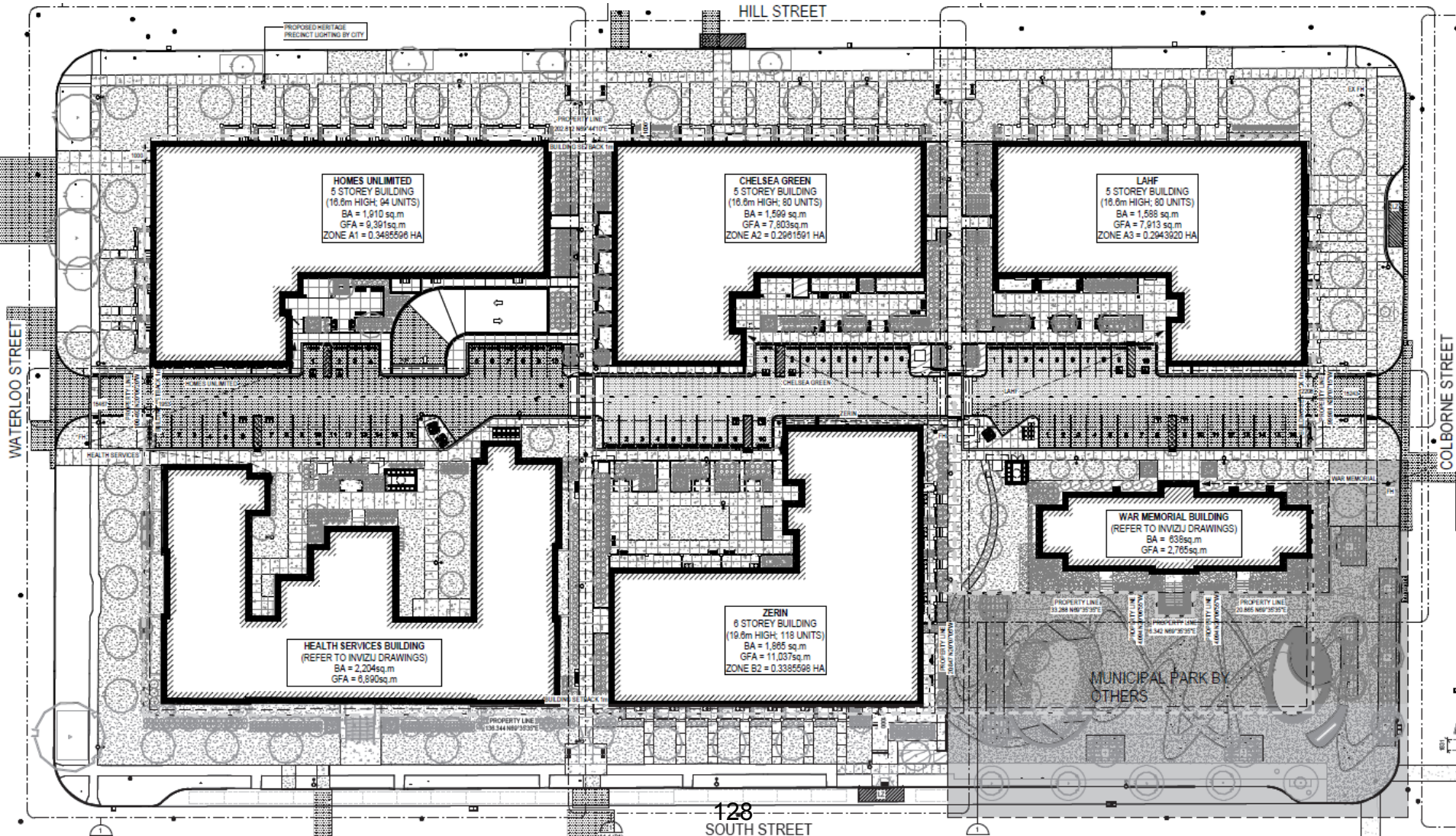
***The London Plan: Neighbourhoods (1989) Official Plan*** – Multi-Family, High Density Residential

**Old Victoria Hospital Secondary Plan** – Four Corners and Mid-Rise Residential

**Z-1 Zoning By-law** - Holding Residential R4/R8 Special Provision (h\*h-5\*R4-6(13)/R8-4(59), Holding Residential R8 Special Provision (h\*h-5\*R8-4(56), and Holding Residential R8 Special Provision (h\*h-5\*R8-4(58))

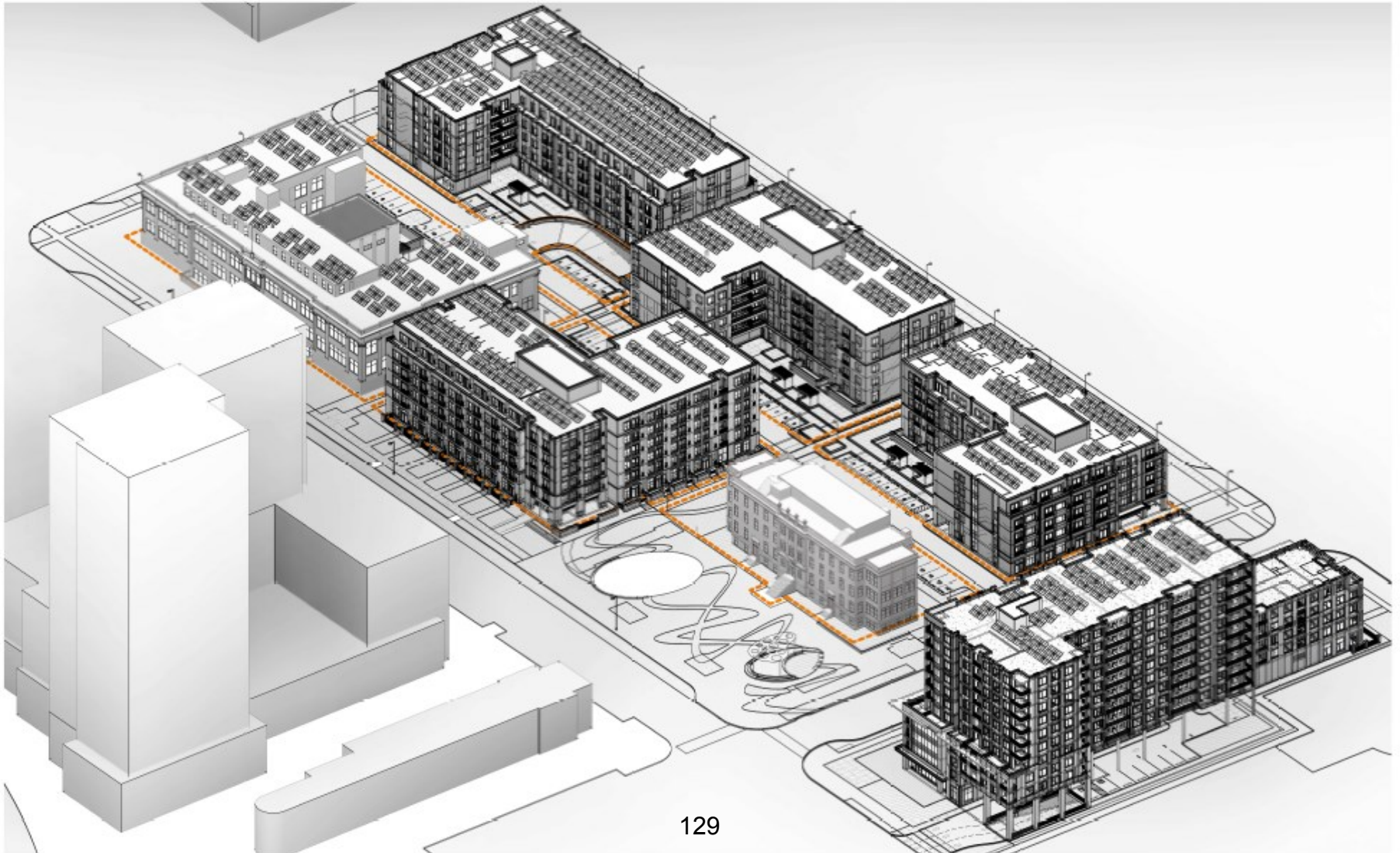


# Development Proposal





# 3D Rendering





- Reasoning for the Vacant Land Condominium Approach
  - It is a more efficient process
  - It allows for flexibility in unit boundaries
  - Provides a clear statutory framework
- Easements are required over the City owned Civic Space

# Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Vision SoHo Alliance relating to the properties located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street:

- (a) the Planning and Environment Committee **ADVISE** the Approval Authority of the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street;
- (b) the Planning and Environment Committee **ADVISE** the Approval Authority of the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street.

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee  
**From:** George Kotsifas, P. Eng.  
Deputy City Manager, Planning & Economic Development  
**Subject:** Inclusionary Zoning Project Update  
**Date:** February 7, 2022

### Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Inclusionary Zoning review:

- a) That the preliminary findings of the Inclusionary Zoning Review attached hereto as Appendix “C” **BE RECEIVED**; and
- b) That the Ministry of Municipal Affairs and Housing **BE REQUESTED** to consider the City of London Assessment Report evaluating the potential for, and feasibility of, Inclusionary Zoning on a city-wide basis, incorporating lands outside of the Protected Major Transit Station Areas (PMTSAs) as Inclusionary Zoning eligibility areas.

**IT BEING NOTED** that the Minister may prescribe the City of London through *Planning Act* section 16(4) so that the area where Inclusionary Zoning may potentially be applied incorporates lands outside of the designated PMTSAs.

**IT BEING FURTHER NOTED** that the request is clause b) above is to broaden the review of the potential new tool of Inclusionary Zoning.

### Executive Summary

Inclusionary Zoning (IZ) is a potential new tool the City of London is considering that would require affordable units to be included in certain new market-rate housing developments. Provincial legislation states that IZ may only be permitted within areas of a city designated as “Protected Major Transit Station Areas” (PMTSAs) unless the Minister prescribes an alternative application of the IZ regulations.

Prior to introducing IZ regulations, the City must undertake an Assessment Report following Provincial requirements. The Assessment Report identifies the need for affordable housing and evaluates the impact of IZ regulations on the housing market, costs and land. The City approved Terms of Reference for this IZ Review in January, 2021 and has retained a consultant to complete the Assessment Report.

In parallel to Inclusionary Zoning Review, the City has also recently approved the “Roadmap to 3,000 Affordable Units” Action Plan for the development of 3,000 new affordable housing units within the next five years. This Action Plan calls for at least 60 affordable housing units per year to be provided through Bonus Zoning or Inclusionary Zoning regulations.

Preliminary findings for a forthcoming Inclusionary Zoning Assessment Report, including financial feasibility analysis, have been prepared in order to initiate stakeholder and public engagement regarding IZ. The preliminary findings demonstrate some significant limitations in the Provincial legislation that restrict the potential effectiveness of Inclusionary Zoning under the current regulations, including the ability for IZ to meaningfully contribute towards the 3,000 units of the “Roadmap” and achieve the goal of 60 units per year.

It is recommended that Council submit a request to the Ministry to allow IZ to be evaluated on a city-wide basis, which would include lands outside of the PMTSAs.

## Linkage to the Corporate Strategic Plan

The Inclusionary Zoning review is consistent with Council's Strategic Plan 2019-2023. It is identified as a key action in the "Strengthening Our Community" Strategic Area of Focus, which includes the expected result to "increase affordable and quality housing options" by utilizing innovative regulations and investments to facilitate affordable housing development.

## Analysis

### 1.1 Background Information

Access to stable and affordable housing for all individuals and families is an important issue for the London community. Rising housing costs relative to incomes and the ability for the community to find adequate housing is the reason the City of London is looking to various legislation and tools to support the creation of new affordable housing units. This is in support of the Housing Stability Action Plan to create more supply of affordable units, and London Plan policies with targets for affordable housing. The City has also recently approved a "Roadmap to 3,000 Affordable Units". The Roadmap action plan sets out strategies and expectations about the timing of delivery of new affordable units. One of the current practices of the City, which is identified in the Roadmap, is to enter into Bonus Zoning agreements for creation of affordable units in some new developments; however, changes in Provincial legislation will require the use of a new tool. Bonus Zoning agreements can no longer be entered into after September 2022. Bonus Zoning has been a successful tool for creating affordable units. Inclusionary Zoning is an approach being considered as an alternative tool to replicate the results that have been achieved through Bonus Zoning.

### 1.2 What is Inclusionary Zoning?

Inclusionary Zoning (IZ) is a regulatory tool the City of London may consider as a means of supporting the provision of affordable housing within new development.

Inclusionary Zoning refers to zoning regulations that would require certain types of new residential development to include affordable housing units as part of the proposal.

Inclusionary Zoning is not meant to replace publicly provided housing, nor is it a municipal incentive program with financial support. It may, however, be complementary to those programs.

### 1.3 Provincial Legislation

Through the *More Homes, More Choice Act, 2019* and previous legislation, the Province identifies a number of requirements and criteria for municipalities to satisfy in order to introduce Inclusionary Zoning policies and regulations.

Provincial rules require that an Inclusionary Zoning By-law must include:

- The type of development to which IZ applies (minimum 10 units);
- The locations where IZ applies;
- The level of affordability of IZ units (relative to average market rents, prices, or incomes);
- The types of units to be provided through IZ; and
- The "affordability period" (length of time the units must be maintained as affordable).

The Planning Act and Regulations (O. Reg. 232/18) apply specific requirements to passing an Inclusionary Zoning By-law. These include:

- Geographic limits: a municipality may implement IZ only on lands that are designated as Protected Major Transit Station Areas (PMTSAs).

- The Province may also permit Inclusionary Zoning in areas where a Community Planning Permit System (CPPS) has been ordered by the Province, or the Province can require IZ in areas where it has been prescribed by the Minister. To date no CPPS by-laws have been ordered by the Province nor have any areas been prescribed for IZ.
- Inclusionary Zoning policies and Zoning regulations can only be considered after an Assessment Report is completed.
  - The Assessment Report considers demographics and housing trends and includes an analysis of potential impacts of the IZ policy on the housing market and the financial viability of residential development.
  - The Assessment Report must also be peer reviewed to confirm the financial viability analysis.
  - Inclusionary Zoning cannot specify the tenure of the affordable units, which means the units can be developed as rental or sale units. The municipality cannot specify tenure to align with its municipal housing plans or other specific needs.
  - IZ policies must be monitored and reports on numbers of IZ units created must be prepared every two years.

On December 8, 2020 Municipal Council adopted a *London Plan* amendment to designate PMTSAs in the *London Plan*. The Ministry approved the City's PMTSA policies and mapping on May 28, 2021 and it is in force. The PMTSAs (where Inclusionary Zoning may be considered) align with the Downtown Place Type, Rapid Transit Corridor Place Type and Transit Village Place Type of the *London Plan*. The PMTSAs are shown on Map 10 of the *London Plan*.

Now that the PMTSA policies are in force in the *London Plan*, the Inclusionary Zoning review is being undertaken. This includes conducting the assessment report analysis and financial viability analysis prior to any potential amendments to the *London Plan* or Zoning By-law for addition of new IZ policies or regulations.

## 2.0 Inclusionary Zoning Review

### 2.1 Objectives of Inclusionary Zoning Review

Inclusionary Zoning is a regulatory tool that is consistent with *London Plan* policies and several City Action Plans. The objectives of the IZ Review are consistent with the *Housing Stability Action Plan* and its strategic area of focus to create more affordable housing stock, as well as the Homelessness Prevention and Housing policies of the *London Plan*, which include targets for creation of new affordable housing units and the encouragement of new building designs, policies, and programs to achieve a mix of forms, tenures, and incomes.

On December 7, 2021, Council directed the implementation of the "Roadmap to 3,000 Affordable Units" Action Plan. One of the immediate next steps of the "Roadmap" Action Plan is creation of 300 affordable units through Inclusionary Zoning or Bonus Zoning by year 2026. This equals 60 affordable units created per year through either Inclusionary Zoning or Bonus Zoning.

In addition to consistency with the Roadmap and the goal of creating affordable units, the Inclusionary Zoning review must also satisfy the Provincial requirements of an Assessment Report, be consistent with all policy directions of the *London Plan*.

Assessment reports are required to evaluate housing costs, incomes, housing supply, the demand for housing, and the potential for impacts on land costs and housing costs arising from introduction of IZ.

All decisions of Council must conform with the *London Plan* (per *Planning Act* s. 24(1)), therefore the Inclusionary Zoning Review must consider the policies of the *London Plan*, including the Key Directions and City Structure Plan as well as the affordable housing policies. The *London Plan* directs and permits the highest intensity of growth, infill, and

intensification to appropriate locations within higher-order transit nodes and corridors, noting these areas are the Protected Major Transit Station Areas where Inclusionary Zoning may be considered. The IZ Review is to evaluate whether Inclusionary Zoning can help achieve London Plan key directions for growth and intensification, as well as directions for provision of new affordable housing.

The approach taken in the IZ Review is to seek a similar outcome to the current practice of Bonus Zoning, which allows developers to apply for additional height or density in exchange for the provision of public benefits. In recent years the provision of affordable housing units has been the most common benefit sought through the Bonus Zoning process. The Province changed the Planning Act through Bill 108 (the *More Homes More Choice Act*, 2019) so that bonusing agreements can no longer be approved after September, 2022. The objective then is to achieve the same target of 60 units per year while using the new tool of IZ.

## 2.2 Inclusionary Zoning Review Process and Preliminary Findings

To satisfy the objectives above, the Inclusionary Zoning Review is underway. The major steps of the IZ review include: data collection and analysis, market analysis, preparation of preliminary findings for stakeholder and public feedback, finalization of the assessment report, a peer review of the assessment report's financial viability analysis, and then the public *Planning Act* application processes associated with *London Plan* and Zoning By-law Amendments, if required.

A Request for Proposals was prepared and qualified consultants, N. Barry Lyon Consultants, have been retained for the preparation of the Assessment Report, including the financial viability analysis.

Various data has been collected to assess the housing need and potential impact of IZ on the housing market. Based upon development permissions of the *London Plan* Place Types (Downtown, Transit Village and Rapid Transit Corridor), preliminary "hypothetical" developments were also prepared to evaluate the financial feasibility of the new developments with and without IZ requirements. Financial assumptions have been built into a development feasibility model in order to test whether private market development would proceed with Inclusionary Zoning regulations. A market analysis was also undertaken in fall 2021 to inform the preliminary financial pro forma work.

The preliminary IZ analysis has applied the *London Plan's* framework of heights, but applies IZ where Bonus Zoning would otherwise have been required, in anticipation of Bonus Zoning no longer being available. As such, new developments in the Protected Major Transit Station Areas (PMTSA) up to the "Standard Maximum Height" would not require affordable units, whereas buildings above the "Standard Maximum Height" and up to the "Maximum Height with Type 2 Bonus" would require a certain portion of the additional storeys be set aside as affordable through the IZ regulations. Certain *London Plan* heights policies are under appeal at the Ontario Lands Tribunal; however, this approach and the preparation of preliminary development assumptions and IZ test parameters are to solicit stakeholder and public feedback.

Some key findings and considerations from the preliminary analysis memo include:

- The value of additional density over the "Standard Maximum Height" of the London Plan permissions is limited.
- Additional density increases the demand for parking which typically must be structured or underground. The cost of the additional parking erodes the value of the additional density.

Construction cost escalation and rising interest rates present potential headwinds to new high-density development and the City's ability to levy new fees or policies without significant risk of making development unviable.



- The downtown presents viable IZ potential based on the preliminary policy parameters. Downtown viability is supported by incentives offered through the Downtown Community Improvement Plan.
- In most cases the analysis indicates the additional density is not sufficient on its own to offset impact of IZ for a wide range of outcomes (e.g. some projects may be feasible, but others may not). Additional offsets, such as incentives, may be necessary to support a viable IZ policy as well as encouragement of transit-oriented development.
- Unlike other municipalities considering the implementation of IZ, which often have established rapid transit, the PMTSAs in London planned system do not appear to reflect higher land values relative to areas without higher-order transit.
- An IZ policy that only applies to the PMTSA will likely limit the development interest of these strategic growth nodes. Development interest is fairly scattered across the City and the majority of the City's success with securing affordable housing through Section 37 (Bonus Zoning) has been in areas outside the PMTSA.
- A city-wide IZ policy should be explored as it could be better suited to the London context.

### **2.3 Initial Stakeholder Comments regarding Preliminary Findings**

Initial discussions were held with stakeholders in January 2022 regarding the preliminary findings. Through the discussion it was agreed that further discussions were required to confirm the assumptions in the consultant's pro forma and determine the appropriate rates to achieve the Council's target of 60 units per year.

Some themes that emerged in the discussion included the following:

- Further consultation with the industry must take place to explore ways to improve the financial viability of a program like Inclusionary Zoning, including potential cost offsets that would improve land economics to make IZ more feasible.
- Bonus Zoning has been successful in part because it is flexible and can take into account site specific issues. For IZ to be successful the City should maintain as much flexibility as possible.
- The current provincial requirements that limits IZ to Protected Major Transit Station Areas only is not feasible in London, and that the Assessment Report's financial feasibility analysis for development should be explored on a city-wide basis.

### **3.0 Key Considerations: Bonus Zoning and Inclusionary Zoning**

As noted above, the "Roadmap" Action Plan identifies that 60 affordable units are to be created per year through Bonus Zoning agreements or Inclusionary Zoning; however, Provincial legislation has repealed Municipal Council's ability to approve Bonus Zones after September 18, 2022. Inclusionary Zoning may be considered the tool most similar to Bonus Zoning that will be available to Ontario cities after September 2022, although these affordable housing tools demonstrates some significant differences.

Until September 2022, Provincial legislation allows municipalities to permit the increase in building height and density where provisions are included within a municipal official plan. In return, "facilities, services, and matters" of public benefit are provided in exchange. These public benefits are to be commensurate with the additional height and

density that is permitted through Zoning. This is known as “Bonus Zoning”. The landowner must enter into an agreement with the City that is registered on title to the land. These Bonus Zoning agreements “lock in” the public benefits described in the Zoning By-law which merit the additional density. Affordable Housing is one of several potentially “bonusable” features described in the official plan, therefore affordable housing is not a requirement in order for Council to approve a Bonus Zone.

### **3.1 Site-specific vs. Standardized Tools for Affordable Housing**

Creating affordable housing units through Bonus Zoning agreements has been a practice of the City and Housing Development Corporation for several years. Since 2018, a total of 214 affordable units have been approved through Bonus Zoning agreements. (See Appendix “A” for list of properties).

Bonus Zoning applications are evaluated site-by-site when a development application is received by the City. Bonus Zoning agreements can take into consideration the specific development being proposed or the specific property and site characteristics. For example, Bonus Zoning agreements may consider: site location and size, topography, lot configuration, financing, parking rate, parking location (underground, structured, surface), public transportation options, environmental features and natural heritage, engineering and infrastructure, or hydrogeology. Whereas Inclusionary Zoning is a broader set of policies and zoning regulations which would apply to many sites across a PMTSA area of the city. Inclusionary Zoning standardizes the feasibility and affordability requirements without site-specific context.

Unlike Bonus Zoning, which can recognize a specific site context, Inclusionary Zoning is unable to create regulations that would distinguish between a historical land purchase (where land prices were lower and lands may have been capitalized already) versus a current land acquisition. Inclusionary Zoning must set a standard regulation where viability is based on current land acquisitions at today’s land prices.

### **3.2 Geographic Limitation of Inclusionary Zoning**

Under the current *Planning Act* permissions, Inclusionary Zoning is a tool that may only be considered within the Downtown, Rapid Transit Corridor, and Transit Village Place Types (the PMTSAs), unless the Minister prescribes the City of London and applies an alternate area of eligibility. Bonus Zoning has been a tool permitted across the municipality. Only 3 of the 19 Bonus Zoning agreements that have secured affordable housing since 2018 have been located within the PMTSA area. The 3 agreements within the PMTSA have resulted in agreements for 42 affordable units or about 19% of the 214 affordable units approved through Bonus Zoning applications since 2018. (See Appendix “B” for location map).

The PMTSAs represent 1.3% of London’s urban growth boundary, which includes existing urban areas and lands designated for future growth. While the PMTSAs do offer the most potential for high density residential development, by excluding more than 98% of the urban area it will be impossible to achieve the target of 60 units per year that is included in the “Roadmap to 3,000 Affordable Units” Action Plan. The recent experience with Bonus Zoning shows that in order to reach that target a broader geographic area must be considered in the analysis.

Also noted in the attached memo is that land values are fairly consistent across the city. To date, this results in proximity to the planned rapid transit system not being a significant driver of demand or an appreciable price premium seen for housing units in areas in proximity to the planned rapid transit system. The result is that historically there has been a dispersed pattern of high-intensity growth with only 15 of 89 apartment buildings built since 2011 having located within the Protected Major Transit Station Areas.

This demonstrates how the change from the city-wide Bonus Zoning policy to an Inclusionary Zoning policy will significantly limit the ability to create new affordable

housing if the Inclusionary Zoning is limited to only the PMTSA geography. This is an area that has seen less than one-fifth of affordable units approved through Bonus Zoning agreements to date.

### **3.3 Parking Demand**

Private automobiles are the predominant travel mode in London and, as noted in the memo, this results in similar land values across the city. The financial viability analysis of the IZ Assessment Report also includes cost assumptions for construction of parking (underground, surface, or within the structure of the building). Underground parking can cost over \$50,000 per parking stall. This cost is included in the financial viability analysis because it is assumed that the market will demand parking spaces with most residential units. This cost is included in the analysis regardless of whether a site is required by City regulation to have parking or whether the parking is because of the developer's assumptions about market expectations. For example, for lands zoned Downtown Area (DA) in Zoning By-law Z.-1, there is no parking required for existing or new residential development.

Bonus Zoning agreements are site-by-site based on the specific application. Council can consider the City's parking requirements when approving Bonus Zoning agreements. With the Assessment Report necessitating the evaluation of parking costs and an Inclusionary Zoning by-law standardizing the affordability requirement across a broader area, there is less flexibility within the IZ tool to recognize the difference between a City requirement and a market choice for parking.

Another finding of the Consultant's review is that much of the recent high-intensity development has occurred on large greenfield properties across the city, which can accommodate both surface parking and structured parking. Infill development adjacent to rapid transit is generally located on smaller properties that may require structured or underground parking, increasing development costs and further impacting feasibility. While the City has recently recommended reductions in parking requirements for projects adjacent to transit, these costs must be considered in the project costs described in the Assessment Report.

### **3.4 Directions for Growth and Housing Supply and Affordability**

The Protected Major Transit Station Areas in London are the Downtown, Transit Village, and Rapid Transit Corridor Place Types. These Place Types are the areas designated and planned for the highest intensity of growth, infill, and development in the city. In order to meet the Key Directions and planned growth of the London Plan, an IZ policy must not discourage development in these planned high-intensity areas.

The preliminary findings suggest that either:

- new development in the PMTSA may not occur to the same level of intensity and may only develop below the threshold where Inclusionary Zoning is required (i.e. below the "Standard Maximum" height of the London Plan); or,
- new development in the PMTSA may only occur if offsetting measures such as incentives are introduced by the City; or,
- Developers may choose to make applications for high-intensity development in areas outside the Downtown, Transit Villages and Rapid Transit Corridors (PMTSAs); or,
- Development may not occur at all and be delayed until land values increase to the satisfaction of the developer.

If developments are built to a reduced height and density, then there may be an overall reduction in new housing supply. This could impact housing affordability and vacancy rates across the entire housing market, in addition to no new affordable units being directly created in the planned high-intensity areas.

If Inclusionary Zoning is only permitted in limited locations of the city, there may also be increased development pressure on lands outside the PMTSA, such as in Neighbourhoods. Areas outside of the PMTSA are not planned for the same level of growth and intensity, nor is a dispersed development pattern of high-intensity consistent with the Provincial Policy Statement (PPS). The PPS directs planned growth to nodes and corridors, as well as identifies compact forms of development and nodes and corridors patterns of growth as mitigating measures to help address changing climate (PPS s. 1.2.4 and 1.8.1). Moreover, a dispersed pattern of high-intensity development is not consistent with the City Structure Plan, Key Directions, and Place Type policies of the London Plan, which directs the highest intensity development to strategic locations in coordination with the planned bus rapid transit system. All Council decisions must conform with the London Plan.

If a wider geographic area is considered for the potential application of Inclusionary Zoning, the tool of Inclusionary Zoning may more meaningfully contribute to the strategic target of creating new affordable housing units that is identified in the “Roadmap to 3,000 Affordable Units”.

The current Provincial IZ legislation, with geographic limits, may have the potential to reduce new housing supply, and impact housing affordability across the housing spectrum.

### **Conclusion: Request to Ministry for City-wide Consideration**

The Planning Act and Regulations identify that Inclusionary Zoning may only be considered within the Protected Major Transit Station Area and after the preparation of an Assessment Report that evaluates local demand and the impact on housing costs. The Act also states that if the Provincial Minister orders the use of a Community Planning Permit System or prescribes a municipality, then an alternative area of IZ eligibility can be applied.

The City of London’s Inclusionary Zoning review has been undertaken based upon this legislation and the assumption that Inclusionary Zoning may only apply in the PMTSA geography. However, the preliminary Assessment Report findings related to financial viability and recent experience with Bonus Zoning demonstrate significant limitations in applying Inclusionary Zoning only to the PMTSAs, including relatively consistent land costs across the municipality, with no appreciable increase in demand or unit price in proximity to planned rapid transit and the potential for less demand for development in planned high-intensity areas. The preliminary Assessment Report also notes the previous success across the entire municipality to obtain affordable units in new developments using the site-by-site approach of Bonus Zoning.

The result of the limited geography of IZ eligibility is that the “Roadmap” target for new affordable units created through Inclusionary Zoning cannot be achieved unless the IZ eligible area is expanded. Similarly, an IZ approach that is restricted to PMTSAs only may lead to reduced levels of intensification within the planned high-intensity and Rapid Transit areas, and increased development pressure in Neighbourhoods outside of the PMTSA. This is not consistent with the PPS directions for nodes-and corridors growth nor consistent with the London Plan’s City Structure Plan and hierarchy of planned height and intensity, which are intended to help mitigate the impacts of climate change.

It is recommended that the City’s Inclusionary Zoning Review be broadened to include a city-wide analysis, including a city-wide financial viability analysis that considers the entire municipality as the IZ eligible area. As this would not conform to the current *Planning Act* restrictions, a request to the Ministry of Municipal Affairs and Housing should be made to endorse the Assessment Report analysis with a city-wide IZ eligibility area. Consultations with industry stakeholders will also continue. A request to “prescribe” the City may be sent to the Ministry; however, such a request would be dependent upon the results of the broadened review and viability analysis, and would be the subject of a future report to the Planning and Environment Report

**Prepared by:** Travis Macbeth, MCIP, RPP, Senior Planner, Long Range Planning and Research  
**Reviewed by:** Justin Adema, MCIP, RPP, Manager, Long Range Planning and Research  
**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 Economic Development.

January 28, 2022

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## **Appendices**

Appendix A: List of Properties Where Affordable Housing Units Secured through Bonus Zoning Agreements (2018 through 2021)

Appendix B: Affordable Housing Units Secured through Bonus Zoning Agreements (2018 through 2021) (Map)

Appendix C: Memorandum – *London Inclusionary Zoning Assessment Report: Preliminary Findings and Direction* (N. Barry Lyon Consultants Ltd.)

## Appendix A: List of Affordable Housing Units Secured through Bonus Zoning Agreements (2018 through 2021)

Properties where Bonus Zoning Agreements have been approved by Municipal Council and number of associated affordable units (Note the star symbols denote properties “inside PMTSA” and dots denote properties “outside PMTSA”):

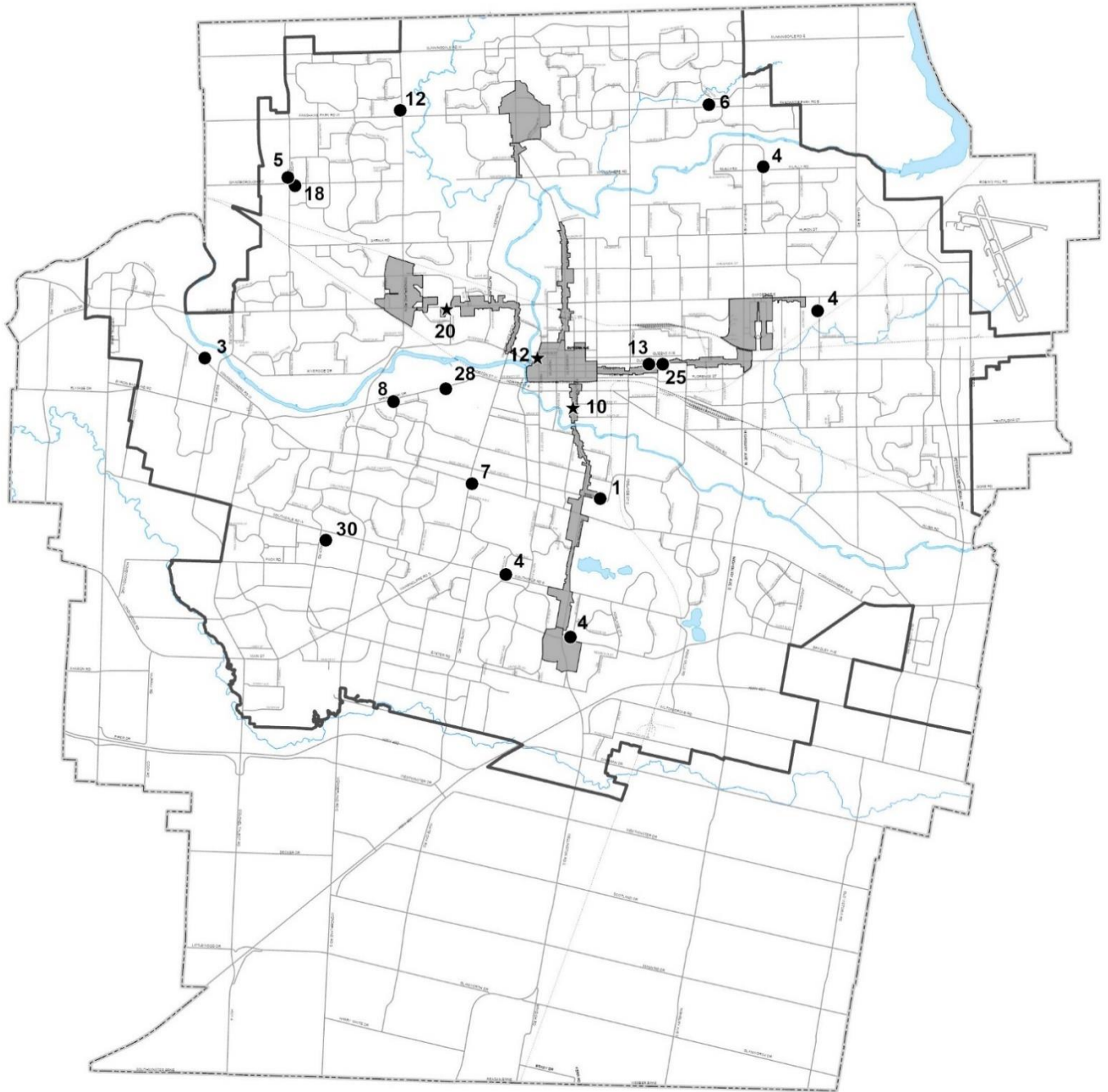
1. 809 Dundas Street: 25
- ★ 147 Wellington Street: 10
  - 1018 Gainsborough Road: 18
- ★ 356 Oxford Street West and 676-700 Beaverbrook Avenue: 20
  - 462-472 Springbank Drive: 8
  - 475-480 Edgevalley Road: 4
  - 1339-1347 Commissioners Road West: 3
  - 754-756 Base Line Road East: 1
  - 1150 Fanshawe Park Road East: 6
  - 1761 Wonderland Road North: 12
  - 725-737 Dundas Street, 389-393 Hewitt St and various other addresses: 13
  - 611-615 Third Street: 4
  - 1634-1656 Hyde Park Road: 5
- ★ 451 Ridout Street North: 12 (or 5% of total residential units, whichever is greater)
  - 400 Southdale Road East: 4
  - 1047-1055 Dearness Drive: 4
  - 250-252 Springbank Drive: 28
  - 3080 Bostwick Road (Site 6): 30
  - 1 Commissioners Road East: 7

214 total affordable units secured through Bonus Zoning Agreements.

- ★ 42 total within the PMTSA.
- 172 total outside the PMTSA

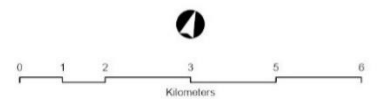
# Appendix B: Map of Affordable Housing Units Secured through Bonus Zoning Agreements (2018 through 2021)

Appendix "B":  
Affordable Housing Units Secured through Bonus Zoning Agreement (2018 through 2021)



## LEGEND

- ★ Bonus Zoning Agreements Inside PMTSA (42 total affordable units)
- Bonus Zoning Agreements Outside PMTSA (172 total affordable units)
- 12 Number of Affordable Units
- PMTSA Lands
- Urban Growth Boundary



**Appendix C: Memorandum – London Inclusionary Zoning  
Assessment Report: preliminary Findings and Direction**



## Memorandum

**To:** City of London

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**From:** N. Barry Lyon Consultants Limited (NBLC)

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**Date:** January 2022

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**RE:** London Inclusionary Zoning Assessment Report: Preliminary Findings and Direction

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### 1.0 Summary and Key Findings

NBLC has been retained by the City of London to prepare an Assessment Report evaluating the impacts of an Inclusionary Zoning (“IZ”) policy on the housing market and development feasibility. This work, in addition to a third-party peer review of the analysis, is required under Ontario Regulation 232/18, prior to a municipality implementing IZ.

NBLC has completed planning, market, and financial feasibility (proforma) analyses of the London market between June and November of 2021. This memo presents an overview of the methodology, analysis, and preliminary findings of the work as well as identifying the key implications of implementing IZ in the London market.

#### 1.1 Planning and Market Context

**The planning and policy regime in London is well suited to an inclusionary zoning by-law.** Specifically, the recently updated London Plan has established a clear direction prioritizing the development of transit-oriented communities around the Bus Rapid Transit (“BRT”) corridor and transit nodes. The London Plan also has a prescriptive density bonusing regime that articulates the standard maximum height and how much additional density is permitted in exchange for community benefits (i.e. maximum height with bonusing). Historically, City Council’s priority for Section 37 agreements has been to deliver affordable housing. Through these agreements, City staff and local developers have developed much of the skill set necessary to administer and monitor new affordable housing delivery.

**Momentum in the high-density residential market continues to build, however proximity to transit does not appear to be a significant driver of demand at the current time.** London continues to see positive population growth and eroding affordability for low-density housing, two key drivers of demand for high-density housing. However, the historic and projected pattern of high-density development remains dispersed with similar market pricing and product offerings found across the City’s submarkets. There does not appear to be any appreciable price/market premium associated with proximity to the BRT at the current time, indicative of nascent transit-oriented communities where private automobiles remain the predominant choice for travel. Given that IZ can only be implemented in the City’s Protected Major Transit Station Areas (“PMTSA”), these market characteristics will influence the considerations of IZ implementation.

## 1.2 Key Findings of Feasibility Analysis

The financial feasibility analysis evaluated the financial impact of a potential inclusionary zoning policy on high-density condominium and rental apartments projects across nine submarkets. The testing evaluated whether the value of the bonus density was sufficient to offset the loss of revenue required to deliver below-market units. The analysis evaluated both condominium tenure projects with IZ units delivered as affordable ownership or rental, and purpose-built rental projects with IZ units delivered as affordable rental.

Key findings from the feasibility analysis include:

- The value of additional density over and above the Standard Maximum Height is limited in the London market. As density is added, several costs are also accumulated (e.g. development timelines and risk, expensive underground parking requirements, construction costs and materials, etc.). In many situations, the value created by the additional density is modest.
- In most cases, the analysis indicates that the bonus density is **not** sufficient, on its own, to offset the impact of IZ for a wide range of outcomes (e.g. some projects may be feasible, but others may not). Additional offsets (i.e. additional density, financial incentives) would be necessary to support a viable policy that does not negatively impact market supply.
- The BRT does not appear to be significantly altering market conditions at the current time (e.g. higher land values, market strength, reduced parking requirements, etc.). Unlike other municipalities considering the implementation of IZ, which often have established rapid transit, the PMTSAs in London’s planned system do not appear to reflect higher land values relative to areas without higher order transit.
- The analysis also indicates that developing within the PMTSA geography is likely more complicated and costly than some of the sites that have advanced in more suburban locations that typically include large properties and a significant supply of cost-effective surface parking lots.

- Only the downtown is likely to present viable conditions for IZ under the current London Plan permissions, however these results are also supported by the incentives offered through the existing Downtown Community Improvement Plan (“CIP”). Eliminating the CIP would likely result in unviable conditions for an IZ policy in the downtown as well. Incentives are not available in any of the other PMTSA’s.
- An IZ policy that only applies to the PMTSA geography will likely limit the market appeal and development interest of these strategic growth nodes. Development interest is fairly scattered across the City and the majority of the City’s success with securing affordable housing through Section 37 has been in areas outside of the PMTSAs.

### 1.3 Key Considerations

- **The limited geographic application of IZ to only PMTSA’s, coupled with the historically decentralized pattern of development in London, suggests that developers could avoid building in PMTSA’s if an IZ policy is introduced without a sufficient amount of offsetting measures.** This could have a significant impact on the City’s planning objectives (i.e. encouraging growth and development along the BRT network) as well as the City’s ability to secure affordable housing. The loss of s.37 will also limit the City’s ability to secure affordable housing through private development in locations outside of PMTSAs without more significant government intervention.
- **If IZ affects the supply of housing, affordability will worsen.** If an IZ policy results in development not occurring within a PMTSA, affordable housing will not be created through IZ. Further, if an IZ policy negatively impacts the supply of housing more broadly, affordability conditions will worsen in the market as supply falls short of demand.
- **Construction cost escalation and rising interest rates present potential headwinds to new high-density development and similarly limit the City’s ability to levy new fees or policies without significant risk of making development unviable.** There is a cohort of experienced development companies in London who have been able to deliver high-density housing at market prices that would be otherwise financially unviable in stronger market areas such as the GTA. Much of this development is occurring on large properties that can accommodate a significant amount of surface parking as well as structured parking. Infill development in transit adjacent locations will increasingly need to deliver parking below grade, further eroding the value of additional density.
- **There is a need to offset the cost of an IZ policy and encourage transit-oriented development (“TOD”).** The financial analysis has illustrated that additional density is likely not sufficient to offset a modest IZ requirement while the market research has shown that proximity to transit is not a significant driver of residential demand at the current time. Alternative policies to offset the IZ requirement should be explored in tandem with policies that encourage TOD. These could include capital subsidies, tax abatements, and eliminating minimum parking

requirements, among others. These can be introduced as an initial policy measure and re-evaluated/removed as market conditions improve and infrastructure investments continue.

▪ **A city-wide IZ policy should be explored as it could be better suited to the London context.**

The City has been able to secure affordable housing through s.37 agreements across the City without negatively impacting development viability. As such, the City should consider discussions with the province to revisit the regulations to study the viability of a City-wide IZ policy. A City-wide policy is more appropriate to the London market given the following:

- Unlike other markets with higher order transit, London's PMTSAs do not yet represent a strong value/market premium over non-transit locations. Rather, land values and market strength are relatively consistent across the City.
- Most of London's high-density development activity, and the City's success with Section 37 agreements, has been outside of the City's PMTSAs
- The PMTSAs will require a more urban form of development, which will likely require higher costs (e.g. smaller property, requirement for underground parking, etc.) without a strong offsetting market premium.
- There is risk that development avoids the PMTSAs to avoid the IZ policy if a city-wide approach is not implemented.
- As the BRT system is not yet in place, it is not possible to determine if the BRT will significantly alter/improve the market findings and analysis completed in this report in the near-term.

## 2.0 Ontario. Regulation 232/18 and the London Context

Ontario Regulation 232/18 under the Planning Act was enacted in April 2018 by the Province of Ontario. The legislation allows municipalities to secure affordable housing in new residential developments with more than 10 units that are located within a Protected Major Transit Station Area (“PMTSA”). IZ therefore allows a municipality to mandate a certain number of units that must be set aside as affordable housing. It also allows municipalities to prescribe the affordable rates these units are to be provided at, the housing types and sizes, and other relevant considerations.

To implement IZ, the regulations require that an Assessment Report be prepared that assesses the following:

“2. (1) An assessment report required by subsection 16 (9) of the Act shall include information to be considered in the development of official plan policies described in subsection 16 (4) of the Act, including the following:

1. An analysis of demographics and population in the municipality.
2. An analysis of household incomes in the municipality.
3. An analysis of housing supply by housing type currently in the municipality and planned for in the official plan.
4. An analysis of housing types and sizes of units that may be needed to meet anticipated demand for affordable housing.
5. An analysis of the current average market price and the current average market rent for each housing type, taking into account location in the municipality.
6. An analysis of potential impacts on the housing market and on the financial viability of development or redevelopment in the municipality from inclusionary zoning by-laws, including requirements in the by-laws related to the matters mentioned in clauses 35.2 (2) (a), (b), (e) and (g) of the Act, taking into account:
  - i. value of land,
  - ii. cost of construction,
  - iii. market price,
  - iv. market rent, and
  - v. housing demand and supply.

7. A written opinion on the analysis described in paragraph 6 from a person independent of the municipality and who, in the opinion of the council of the municipality, is qualified to review the analysis.”

NBLC’s analysis is primarily concentrated on regulation 6 above, which must also be peer reviewed by a third party. The work must demonstrate how an IZ policy might affect the viability of development, which is assessed in our work through the preparation of financial models of prototypical developments in the City. The following sections of this memo provide a detailed discussion of the economics of IZ and NBLC’s methodology for assessing impacts and market viability.

## 2.1 Inclusionary Zoning vs Section 37 Agreements

Like many municipalities in Ontario, the City of London utilizes Section 37 of the Planning Act to secure community benefits, including affordable housing, through a rezoning application. However, Section 37 will no longer be available to municipalities after September 18<sup>th</sup>, 2022. Municipalities may instead use a new tool referred to as a Community Benefit Charge (“CBC”) and/or Inclusionary Zoning.

### In the current (Section 37) context:

- A developer purchases a development site and pursues a zoning by-law amendment to increase the density currently permitted.
- As part of the rezoning approval process, the City negotiates a Section 37 Agreement with the developer. This agreement will state the community benefit that must be provided in exchange for the increase in density. This can include a cash payment or the provision of affordable housing, improvements to existing park space, streetscape improvements, community space within the project, or similar contributions. In this context, the developer does not know what contribution the City may ask for ahead of time and instead negotiates with the City on a site by site basis.
- At the building permit stage, the developer will pay all fees owed to the municipality, including development charges.

### Under the emerging Inclusionary Zoning context:

- A developer purchases a development site and pursues all required Planning Act applications. The application proceeds through municipal approvals as is the case in the current context.
- Instead of negotiating on community benefits with the municipality, the developer is aware in advance what the requirements/charges will be, which are then paid at the time of building permit:

- **Development Charge:** A developer will pay the development charge in-force at the time of building permit (confirmed at the time of the receipt of a complete Planning Act application), which is charged on a per-unit basis.
- **Community Benefit Charge:** A municipality can implement a CBC regime that operates similarly to a Development Charge. The developer will pay the fee, which is capped at a maximum of 4% of the property value of the project. This charge is meant to contribute to the benefits a municipality would have previously secured through a Section 37 agreement.
- **Inclusionary Zoning:** If subject to IZ, a developer will provide the required number of affordable units as directed in the IZ policy and by-law.

As noted above, the current context under Section 37 requires that the city and developer negotiate on a site-by-site basis. The developer does not know what the city might ask for when acquiring land or putting together a business plan for a project. This framework adds inherent risk and complexity to the approval process, and possibly to the viability of the project. However, the current framework allows the municipality to assess the developer, the land acquisition price, the specifics of the proposed project, the density and value uplift, project complexity (urban design, heritage, remediation), how parking is being provided, and other factors when negotiating on community benefits. The process is flexible and can account for site-specific considerations. For example, the municipality might request a more aggressive community benefit contribution for a site that is receiving a significant density uplift, parking is primarily being provided at surface, etc. Conversely, the City may request a smaller contribution from a project where the land was recently acquired, the density uplift secured is modest, the property is complicated (e.g. heritage property, small site), and is fulfilling several planning objectives (e.g. underground parking, transit-oriented site, strategic growth area, etc.).

IZ and CBC are a complete departure from the above process (i.e. negotiation well after land purchase). Clear requirements are established so that a developer knows with certainty what is required in terms of the fee (CBC/DC) and built affordable housing (IZ) ahead of acquiring a development site. As the developer knows exactly what is required, they can account for the impact when acquiring land. However, this new regime does not allow a municipality to negotiate or to account for site specific considerations as is the case with Section 37. IZ is therefore a much blunter tool relative to the more flexible Section 37.

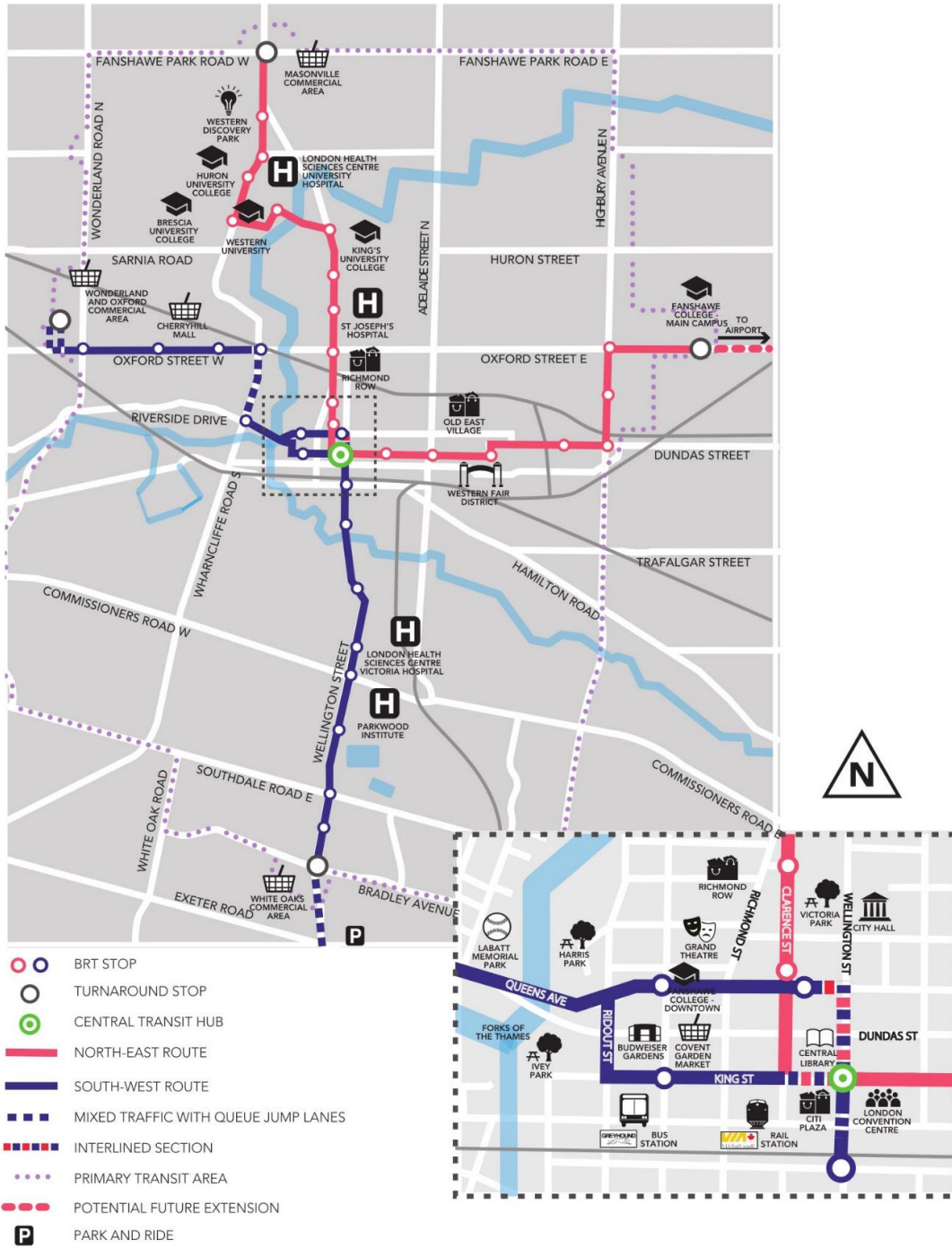
Another key differentiation that is important to note is that Section 37 can be used broadly across a municipality, whereas IZ can only be applied to PMTSA's.

## 2.2 City of London Context

The City of London is proposing a Bus Rapid Transit (“BRT”) line that will include a “loop” in the downtown that will extend north and south along the Richmond/Wellington corridors and east and west along the Oxford/Dundas Corridors (**Figure 1**). The BRT is therefore proposed to extend from the Downtown to major destinations in the north (Western University, terminating at Masonville

Mall), west (terminating at the Wonderland and Oxford Commercial Area), south (Victoria Hospital, terminating at White Oaks Mall), and east (major development proposal at the former London Psychiatric Hospital, terminating east of Fanshawe College). At this time, only the Downtown Loop, Wellington Corridor and East (Dundas) Corridor are funded.

Figure 1: Proposed BRT Route





The ultimate BRT route will be phased, with the Downtown Loop expected to be completed by 2023. The eastern segment is expected to be completed by 2024, and the southern segment is expected to begin construction in 2023 and finish by 2026. Timing/approval for the northern and western segments are still to be determined/approved. Overall, the BRT is expected to provide key benefits such as:

- The BRT will increase transit capacity. The result will be the ability to meet the expected growth in demand for transit services while maintaining the current vehicle capacity of the majority of roadways;
- Transit riders will have more choices and freedom because of improved frequency. They will have more reliable service because of dedicated lanes. They will have shorter waits at more comfortable rapid transit stations;
- The increases in ridership due to the implementation of rapid transit will reduce congestion on streets, linking goods to market and addressing the economic costs of traffic congestion;
- Support improved transit connections to London’s highest growth industrial and commercial areas, and to neighbouring communities alongside planned service frequency increases and enhancements to transit services;
- Upgrading intersection signals to improve traffic flow;
- Widening roads for lanes that can be flexible for future transportation needs;
- Coordinating construction with necessary upgrades to sewers, watermains, utilities infrastructure;
- Adding sidewalks and facilities for active transportation; and,
- Improving overall safety for transit users and vehicle commuters alike.

The City of London’s new Official Plan “London Plan” is also preparing for the BRT transit infrastructure. The London Plan establishes a framework of policies and guidelines that provide an overall vision for how the City should grow and how/where new development, intensification, infrastructure, green space, and other similar features should be accommodated.

In preparing for the BRT, the City has established several “Place Types” in the London Plan as illustrated by **Figure 2**. These Place Types include the Downtown, Rapid Transit Corridors (“RTC”), and Transit Villages (“TV”). These Place Types follow the BRT alignment, with the Downtown covering the BRT Downtown Loop, the Transit Villages covering the major terminuses/destinations of each segment, and the Rapid Transit Corridors covering the BRT corridor that connects each Transit Village with the Downtown. The Downtown, Transit Villages, and Transit Rapid Corridors have also been designated as a PMTSA, which enables the use of IZ in each geography.

The London Plan envisions that the above noted geographies will be the areas where the most height, density, and level of intensification is envisioned to occur through the creation of transit-oriented communities. **Table 1** illustrates the minimum and maximum heights that are permitted in each of the PMTSA geographies. **Table 1** also illustrates the density available through bonusing, which is the current mechanism used to secure community benefits through Section 37 (i.e. in the downtown, if a developer pursued a 35-storey tower, they must provide community benefits). IZ will work similarly, where a IZ will apply to the increase in density (i.e. in the downtown, if a developer pursued a 35-storey tower, they must provide affordable housing through IZ). However, if the developer pursued only a 20-storey tower, they would not be subject to Section 37 (outside of design considerations) or IZ.

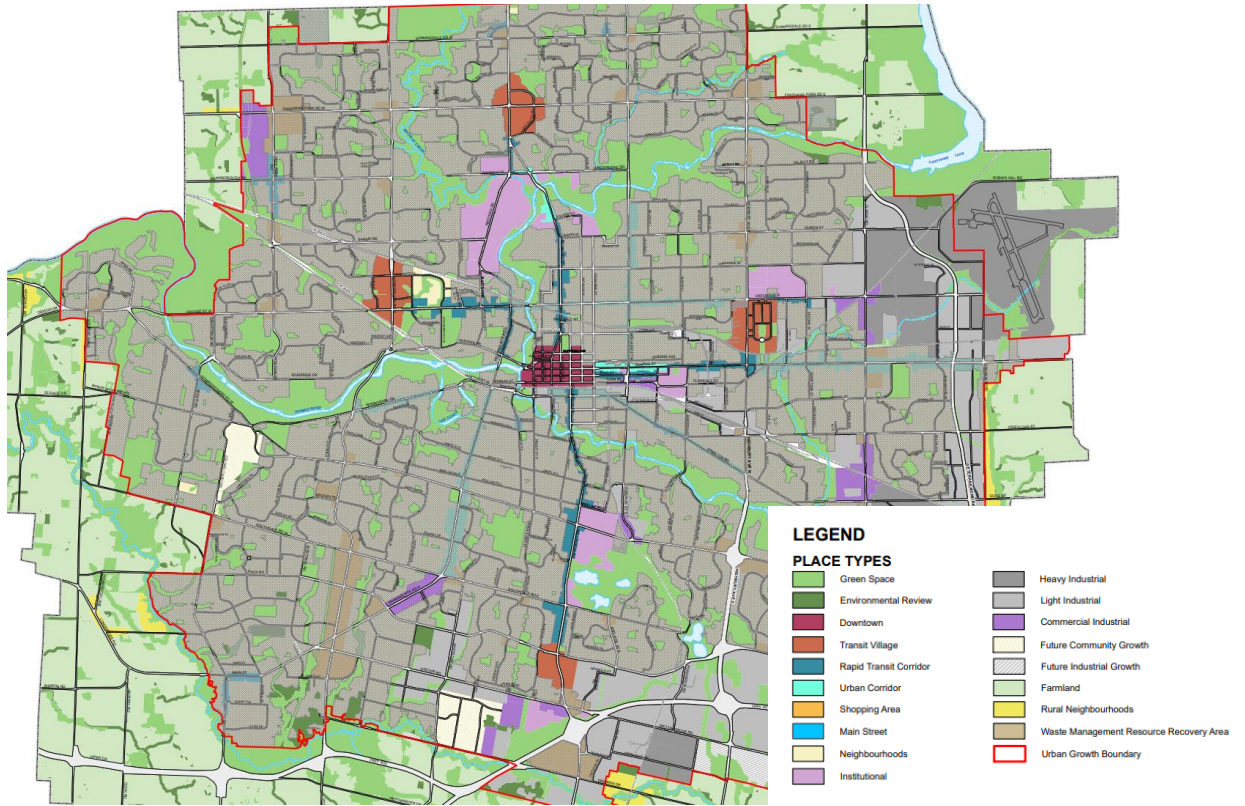
As **Figure 2** illustrates, the PMTSA geography in London is modest. This significantly restricts the area of the City where community benefits can be secured, relative to the current Section 37 regime that applies City-wide.

**Table 1**

Minimum and Maximum Heights by Place Type				
Place Type	Minimum Height (Storeys)	Standard Maximum Height (Storeys)	Maximum Height w. Type 2 Bonus (Storeys)	Conditions
Downtown	3	20	35	-
Transit Village	2	15	22	-
Rapid Transit Corridor	2	8	12	Properties located on a RTC
	2	12	16	Properties located on a Rapid Transit Corridor within 100m of rapid transit stations or properties at the intersection of the Rapid Transit Corridor and a Civic Boulevard or Urban Thoroughfare.

Source: The London Plan

Figure 2: London Plan Place Types



### 3.0 Land Economics and NBLC Methodology

The following section assesses the core principals of development and land economics within the context of an emerging IZ policy environment.

The highest and best use of a site is established by determining the most marketable housing types, pricing, product positioning (e.g. mid-market, luxury), sales absorption rates or lease-up rates, target purchasers and marketable suite mix, required project amenities, and other similar items. Often, these inputs feed into a financial analysis to evaluate project viability, land value, and profit. When deciding how to price housing, it is important to consider both demand and supply conditions in the local market area. This generally involves an analysis of the following:

Figure 3

Demand	Supply
○ Population growth and projections	○ Sale values & absorptions of other marketing projects “the competition”
○ Demographics and incomes	○ Project positioning, interior features & finishes, amenities at competitive projects
○ Target purchaser groups	
○ Purchaser preferences	○ Review of development applications to understand future supply/ competition
○ Local employment opportunities	
○ Site/ market strengths & weaknesses	○ Sale values & market performance of the resale market “secondary competition”
○ Location & neighbourhood amenities	○ Parking requirements and achievable revenue (e.g. free parking or added charge)
○ Lending rates & regulations	
○ Future/ planned transit investments	○ Growth and land use policies affecting future development patterns

- The process of establishing pricing typically begins by characterizing the demand-side of the market, which includes population growth and that of key market segments, defining the market strengths and weaknesses of the site, preferences of target purchasers, impact of lending rates and regulations (e.g. mortgage stress tests, foreign buyer taxes), among other considerations.
- Once the demand-side has been adequately characterized, the supply of housing in the local market is assessed. This is completed by surveying comparable housing developments that are actively marketing to understand how competitive supply is priced, the rate at which product is absorbed by the market, the positioning and amenities included, and other design/market features that warrant review.

- Understanding the resale market is also an important consideration, as purchasers will often consider both a new-build and an existing home when making a purchase. Pricing must therefore remain competitive with both comparable existing housing and new housing developments.

Ultimately, developers are seeking to determine the maximum they can charge purchasers or renters while selling or leasing their project within a predetermined time frame. If a developer sells or leases very few homes, this is generally a sign that they have set the price too high and/or that there is insufficient demand for the product type. Conversely, if the entire project sells out immediately, the developer may have been able to charge more for the product.

Developers carefully examine the characteristics of supply and demand to ensure that either situation does not occur. The industry seeks to ensure that projects charge the maximum price that the market will bear while maintaining a healthy absorption pace. Developers will also monitor supply and demand conditions throughout a sales campaign, often increasing pricing or adding incentives throughout the process at specific thresholds (e.g. at the beginning of construction). Some developers may not release all units to the market at the same time, later adjusting pricing or other elements based on the market's response to an initial release. This is an important consideration, as developers can – and often do – increase pricing if the market supports such an increase. A similar process occurs for rental development, where developers reassess the rental rate they can charge as turnover occurs. This adjustment to pricing is independent of any shift in development costs.

### 3.1.1 Factors that Influence the Cost of Delivering Housing

The delivery cost of housing sets the minimum price a home can be sold for. If purchasers are not willing to pay this price, the project is not constructed.

The costs of building housing generally fall into one of four discrete categories:

1. Hard Construction Costs
2. Soft Development Costs
3. Developer Profit
4. Land Costs

The following provides a brief description of each cost category, including commentary related to how these costs are determined.

#### **Hard Construction Costs**

Hard construction costs encompass all the materials and labour required to physically construct a building. These costs include construction contracts, building materials, appliances, site servicing, landscaping, site preparation (e.g. demolition, excavation, grading), parking, and other related costs. Hard construction costs will vary from project to project as factors such as topography and grading, geotechnical issues, site contamination, building materials (e.g. concrete vs wood), the height of a

building, surface vs. underground parking, site-specific impacts (e.g. heritage preservation), and other similar considerations can all impact construction costs. Hard construction costs are dictated by the market, albeit a different market than house prices:

- Developers will purchase building materials in the market like any other commodity, which are subject to fluctuations in price. Macro-economic trade impacts (e.g. tariffs) can also impact the price of materials and other commodities.
- Like building materials and commodities, developers must pay the market price for labour, which can fluctuate based on availability, unions, and other factors.
- Competition amongst builders can also increase the cost of building materials and put specialized labour under constrained supply and demand conditions.

Overall, once the specifics of a development project are well defined, hard construction costs become relatively fixed.

### ***Soft Development Costs***

Soft development costs include all the other costs that a developer will encounter when developing real estate. These items include government-imposed development fees and charges (e.g. development charges, HST, application fees, etc.), as well as:

- The consultant team – typically consisting of urban planners, architects, urban designers, landscape architects, engineers, lawyers, public consultation experts, and others.
- Project marketing costs and sales / leasing commission fees.
- Construction financing costs.
- Development and construction project management.
- Overhead and cost contingencies.
- Legal fees and insurance costs.

Like hard costs, soft development costs can also shift depending on the specifics of a development project. Factors such as project scale and absorption rates can impact development timing, which can affect financing and other carrying costs. These costs can also shift depending on the approvals required, size of the property, value of the land (e.g. cash in lieu of parkland), the Section 37 agreement negotiated, changes to development charges, the CBC charge, and others. Increases to development related charges therefore directly increase the soft development costs of delivering new homes.

### ***Developer Profit***

Developers require a certain profit threshold to undertake a development project. They are investing their skill and equity, as well as taking on significant risk to make a profit that is more than the rate of return that might be achievable through another investment vehicle.

If a sufficient profit margin cannot be achieved, developers will seek development opportunities in other markets, invest in other real estate asset classes, or choose another investment vehicle altogether. Lenders will also require a certain profit threshold to provide financing.

### ***Land Acquisition Cost***

Developers must also acquire land in the market to build a new housing project, as assessed in the discussion to follow.

## **3.2 Understanding Land Values for High-Density Residential Projects**

Accurately assessing the land value for high-density development is based on two fundamental inputs: forecasted project revenues and expenses.

Project revenues are driven by the sale value of units as well as upgrades to finishes, floor premiums, parking spaces, and storage lockers. Once project revenues have been estimated, developers will then begin to calculate all anticipated hard and soft project costs. As illustrated by **Figure 4**, developers will then subtract these costs, as well as their required profit from the estimated revenue of the project. The remaining amount, or residual, is referred to as the Residual Land Value (RLV). The RLV represents the maximum price a developer could pay for the land to construct the housing project.

The RLV will result in one of two scenarios:

- **RLV is equal to or higher than the asking price of land in the market:** If the RLV of a proposed development is greater than the asking price of land in the market, a developer can, in theory, purchase the land and build the project while meeting their profit expectation.
- **RLV is below the asking price of land in the market:** In this situation, the housing development would be considered unviable because a developer could not pay the asking price of land and still maintain their minimum profit margin.

Figure 4

Understanding Residual Land Value	
Project Revenue	A
Project Costs	- B
Developer Profit	- C
<hr/>	
Residual Land Value	= D

### 3.2.1 How Would IZ Impact this Dynamic?

The introduction of IZ influences the variables noted in **Figure 4** in the following ways:

- **Project Revenue:** Will **decrease** as developers will be required to charge below-market rates for some of the units in their development.
- **Project Costs:** The cost of building and delivering affordable and market rate homes are similar. IZ would therefore not impact development costs in a significant way.
- **Developer Profit:** IZ does not impact the minimum profit threshold necessary to motivate a developer to advance a housing project. If a project can not achieve the minimum profit margin, developers will choose to invest their capital elsewhere and housing will not get built.

### 3.2.2 IZ Will Primarily Impact Land Value

Understanding that an IZ policy reduces revenues while costs and profit expectation remain relatively fixed, the developer must reduce their budget to acquire land if the project is to remain financially feasible following the introduction of an IZ policy.

Developers cannot simply increase the price of homes beyond what the market will support. If the market does support an increase in the price of new homes, developers are likely to increase pricing regardless of any change in costs. This change in pricing is regularly observed in the market as supported by supply/demand conditions.

A cap on revenue, as the result of an IZ policy, would be treated no differently than a developer discovering soil contamination issues at a property they are considering for purchase. A developer would not pay full market value for a site with soil contamination issues and then later attempt to recapture the increased cost of remediating the site by increasing the sale value of homes at pricing beyond what is supported in the market. Rather, if soil remediation works were to require \$1.0M in added project costs, the developer should seek to pay \$1.0M less for the property.



### 3.3 IZ in the London Context

As identified in the previous section of this memo, the London Plan has established density permissions and provisions for bonus density in exchange for community benefits secured through Section 37, which will soon be replaced by IZ.

In theory, the addition of bonus density will increase the land value of the property, which will then be offset by IZ. However, several outcomes are possible as assessed below:

#### Feasible IZ Conditions

**Figure 5** illustrates the conditions that would support an IZ policy in the London context. These hypothetical illustrations use the standard maximum height (referred to as the base case) and the bonus density that is available in the Downtown PMTSA. As illustrated, the land value increases as a developer is granted an additional 15 floors of bonus density. In this situation, the revenue associated with the increase in density is well above the associated development costs (hard/soft costs and profit) of building the additional density, which therefore results in a higher land value.

When IZ is applied to the bonus density, there is now a requirement to charge below-market rates for a proportion of those units. As discussed, this reduction in revenue will directly flow to the land value. In this situation, the land value of the project with bonus density and IZ remains well above the base case permissions (i.e. the standard maximum height without bonusing). It can therefore be concluded that a developer would still be attracted to pursue the additional density, despite the requirement to provide affordable housing through IZ.

**Figure 5: Feasible IZ Conditions – Density Increases Land Value Above Base Density Permissions. Land Value Remains Above Base Density Permissions with IZ Applied**



#### Infeasible IZ Conditions

It is also possible to have several instances where IZ might not result in a viable outcome. As illustrated by **Figure 6**, the land value increases as a developer is allowed to build an additional 15 storeys for their project, exactly as shown in **Figure 5**. However, with IZ applied, the land value decreases below the standard maximum height permissions. In this scenario, a developer would not pursue the bonus density, instead choosing to build the 20-storey building, or not build at all.

In this situation, the IZ policy is too aggressive, resulting in a large depression in land value that results in an unviable outcome.

**Figure 6: Infeasible IZ Conditions – Density Increases Value Above Base Density Permissions. Land Value Drops Below Base Density Permissions with IZ Applied**



It could also be the case that density does not add value because the revenue associated with the increased floor area does not offset the associated development costs. This can be the case in weak/modest market areas where achievable market pricing is low, or in areas where an increase in density requires significant additional costs such as a requirement to provide underground parking. This is illustrated by **Figure 7**, where value is not created through the density increase, which is then negatively influenced by the IZ policy. In this situation, a developer would not pursue the bonus density, instead choosing to build the 20-storey building, or not build at all.

Figure 7: Infeasible IZ Conditions – Density Does Not Add Value



These are important considerations. If IZ makes development in a municipality infeasible, several negative consequences will result:

- Developers will not pursue the bonus density and no affordable housing will be created through IZ.
- Developers will not build new housing. This would negatively affect supply in the municipality. If the supply of housing does not meet market demand, purchasers will compete for the limited stock of existing housing, bidding up the price of homes and worsening affordability broadly.
- Developers will avoid the PMTSA geography, choosing instead to build in locations where IZ does not apply. This will result in no affordable housing but will also result in growth occurring away from the City’s strategic growth areas and planned transit infrastructure.

In situations where IZ does not result in viable outcomes, additional offsetting measures will be necessary to avoid the above circumstances. This could include a reduced IZ requirement or the offering of financial incentives to offset the impact of IZ and/or to increase the value of the bonus density. London currently offers a significant package of incentives in the downtown, but not in the other PMTSA geographies.

Given that IZ is a firm requirement, there is no ability to negotiate with a developer and assess the specific project as is the case with Section 37. IZ could therefore work for some projects and not others, or could affect the viability of development more broadly. This must be carefully considered when implementing IZ.

### 3.4 NBLC Methodology

NBLC’s methodology for assessing potential impacts of an IZ policy in London is as follows:

- The City of London has provided the preliminary IZ policy parameters for NBLC to test in the analysis. The parameters include:
  - Affordable rental and ownership prices, which are presented in **Table 2**. Affordable ownership rates are tied to income deciles, whereas affordable rental prices are tied to 80% and 100% of the CMHC Average Market Rent (“AMR”).
  - Affordable rental units are tested at 30 years and in perpetuity, whereas affordable ownership units are assumed to be affordable to the first purchaser only.
  - The City of London may investigate strategies to ensure longer-term affordable ownership, however this is not included in the proforma testing and is not expected to influence the outcome of the results.
  - Further, other administrative aspects of the program, including involvement by the City and the Local Housing Corporation, have not yet been thoroughly considered but remain important elements. The implementation, administration, and programming aspects of IZ will also influence the ultimate viability and success of the policy.
  - The set aside rate (% of units that must be affordable) is informed by NBLC’s financial analysis. Of note, the City of Toronto is the first municipality in Ontario to advance IZ, and are currently pursuing a set aside rate of 5%-10% depending on the market location in the City, and IZ does not apply to purpose-built rental housing. However, the above rates apply to the entire building, rather than to the uplift in density as evaluated in London.
  - The IZ units will also be consistent with the general suite mix and unit sizes provided in the market component of the building, which follows what other municipalities investigating IZ are considering.

**Table 2: Affordability Thresholds Provided by the City of London**

Rental Housing Affordable Thresholds for IZ Testing - London Census Subdivision		
Bedroom Type	100% AMR	80% AMR
Bachelor	\$785	\$628
One-Bedroom	\$1,012	\$810
Two-Bedroom	\$1,223	\$978
Three+ Bedroom	\$1,371	\$1,097

Ownership Housing Affordable Thresholds for IZ Testing			
Bedroom Type	Corresponding Income Decile	2021 Income Estimate	Affordable Purchase Price
Bachelor	3rd	\$65,734	\$233,650
One-Bedroom	4th	\$80,179	\$301,511
Two-Bedroom	5th	\$94,938	\$370,847
Three+ Bedroom	6th	\$110,638	\$444,610

- Working with the City, development case studies were prepared in each of the nine PMTSAs. The case studies included assumptions related to site size, building height and gross floor area

for both the standard maximum height and bonus density scenarios, among other building assumptions. These are presented in **Table 3** to follow.

- NBLC then completed a market analysis of the City as required by the IZ regulations. This analysis identified key inputs for the financial proforma analysis, such as unit sizes and suite mix, typical project positioning, parking provision, market pricing and absorption by market area, demand characteristics, and others. The analysis also considers where development has been occurring and where it is proposed relative to the objectives of the London Plan. It also considers how the market has been shifting, changes in socioeconomic and demand characteristics, and where the market is likely heading.
- **Table 4** illustrates the parking provided at each test site, which is for the market units only. A core assumption of this analysis is that parking is not provided for the affordable units to reduce costs and thereby maximize the amount of affordable housing that can be created. The parking ratio was determined through our market analysis and discussions with City staff. The required parking was then translated to the gross floor area (“GFA” - square feet) that was required to accommodate the parking. In the downtown, two levels of underground parking are provided, with the remaining amount provided in an above-grade structure. The remaining test sites accommodate as much parking as possible at the surface, with any residual parking requirement provided underground.
- The above is then used to develop a residual land value proforma analysis that is structured as presented in **Figure 4**. Assumptions are developed regarding revenue (from NBLC market analysis), hard construction costs (from Altus Cost Construction Guide), soft development costs (based on government fees and charges as well as other fees based on NBLC experience), and a profit expectation (12% of costs). The remaining amount is the residual land value, which is then utilized to determine viability.
- We have carried the TIEG and DC grant available through the downtown Community Improvement Plan, however no other incentives are considered.
- Based on the results of the analysis, recommendations and direction are provided, including the identification of risks and opportunities for the development of the policy.

**Table 3: Test Site Assumptions**

PMTSA	Property Size	Standard Max Height			Bonus Density with IZ			% Uplift GFA	Uplift in Units
		Storeys	GFA	Units	Storeys	GFA	Units		
Downtown	0.75	20	196,980	192	35	344,445	336	75%	144
North RTC	1	7	75,347	74	10	107,639	105	43%	32
South RTC	1	12	133,472	121	14	156,077	141	17%	20
West RTC	1	7	67,813	61	10	96,875	88	43%	26
East RTC	0.75	8	86,111	82	12	129,167	123	50%	41
West TV	2	14	165,764	150	20	236,806	215	43%	64
North TV	2	14	165,764	150	20	236,806	215	43%	64
South TV	2	15	161,459	146	20	215,278	195	33%	49
East TV	2	14	150,695	144	17	182,986	174	21%	31

**Table 4: Parking Assumptions for Test Sites – Gross Floor Area (“GFA”)**

PMTSA	Property Size	Parking Ratio market	Parking Ratio affordabl	Parking Provision GFA AOR			Parking Provision GFA Bonus		
				Surface	Structure	UG	Surface	Structure	UG
Downtown	0.75	0.7	0	0	13,178	52,272	0	62,053	52,272
North RTC	1	1		19,678	0	11,772	19,678	0	25,372
South RTC	1	1		19,462	0	31,963	19,462	0	40,888
West RTC	1	1		20,323	0	6,027	20,323	0	17,077
East RTC	0.75	1		13,144	0	22,131	13,144	0	39,556
West TV	2	1		45,168	0	19,007	45,168	0	46,207
North TV	2	1		45,168	0	19,007	45,168	0	46,207
South TV	2	1		45,814	0	16,661	45,814	0	37,486
East TV	2	1		45,814	0	15,386	45,814	0	28,561

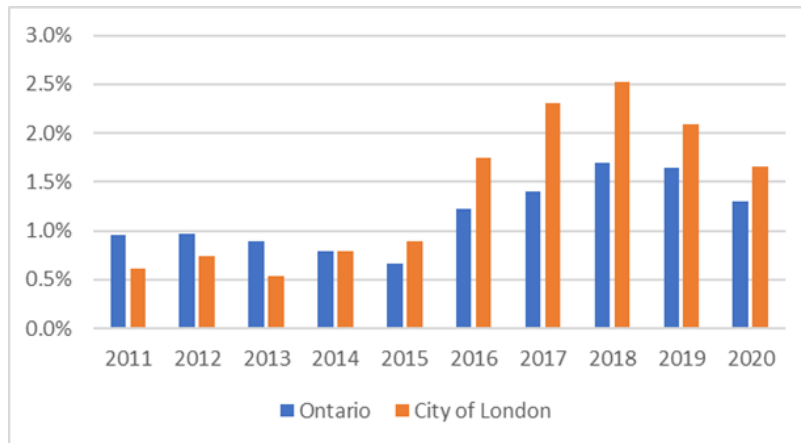
## 4.0 Findings of the Market Analysis

The following are key findings from NBLC’s market analysis.

### 4.1 Population Growth

- As illustrated by **Figure 8**, the rate of population growth in London has increased significantly since 2015. While Ontario’s rate of growth has also increased since this time, London has exceeded the Provincial average by a measurable margin in each of these years.
- This surge has been driven by increased levels of international migration, including both immigrants and non-permanent residents (i.e. international students), as well as internal migration, primarily persons moving to London from elsewhere in Ontario (**Table 5**).
- The London Plan (and other growth documents) also forecasts significant growth, including high-density apartments.

**Figure 8: Annual Population Growth Rate, 2011 to 2020 (Statistics Canada Data)**



**Table 5**

Component of Population Growth (Net Change) London CMA <sup>1</sup> , 2011 to 2020				
Year	Natural	Immigration	Internal Migration	Non-Permanent Residents
2011	1,541	2,005	251	39
2012	1,285	1,476	696	440
2013	1,413	1,068	528	371
2014	1,264	1,331	975	394
2015	1,211	957	1,715	745
2016	1,142	2,545	3,349	2,228
2017	1,050	1,798	4,161	4,128
2018	771	2,467	4,703	4,334
2019	698	2,744	2,711	3,775
2020	603	2,806	2,419	2,889

*1= Population change data not collected below CMA level; Source: Statistics Canada*

## 4.2 Housing Market Overview

- Until recently, pricing levels for detached homes in London have historically made low-rise ownership housing accessible to a broad portion of London’s population. Apartment housing has largely catered to traditional apartment users that have lower housing needs or financial resources. This includes students, singles, seniors, and lower-income households.
- However, like many communities in Southern Ontario, pricing levels in the London low-rise housing market has seen considerable growth in recent years (**Figure 9**), which largely corresponds to the increase in population growth beginning in 2015. This indicates that housing supply is not adequately meeting demand, resulting in a dramatic increase in pricing since 2015.
- As low-density housing prices increase, a greater proportion of the London market will look to more affordable housing options, such as apartments. This allows developers to target a deeper pool of potential purchasers and renters, improving the demand outlook for new apartment development. Competition from a greater number of prospective tenants and purchasers creates upward pressure on prices, allowing developers to charge more for apartment units, which improves the financial viability of developing new apartment housing.
- As a result, apartments are beginning to account for a larger share of London’s housing starts. While historically a modest share of the housing market, apartments have accounted for nearly half of the City’s housing starts since 2016 (**Figure 10**).
- **Figure 11** identifies the location of each apartment project constructed in London since 2011. The map clearly illustrates that development has decentralized, rather than concentrating in the City’s delineated PMTSA’s:
  - Only 15 apartments were built within the PMTSA’s over this period, whereas 74 were built outside of the PMTSA’s.
  - While only 17% of total projects were within a PMTSA, a slightly higher percentage of total units (31%) were within this geography, indicating that projects within the PMTSA’s were larger than projects outside.
- **Figure 12** illustrates a similar trend, with only eight (22%) of the 28 proposed apartment projects in the City being within a PMTSA. However, roughly 40% of the total proposed apartment units are within a PMTSA, which is due to the large scale of some development applications (e.g. single applications proposing over 1,000 units through multiple buildings). While large applications are a good market signal, they should also be viewed as a long-term development opportunity that will likely take many years (or even decades) to fully build-out.
- The City of London has also been securing Section 37 contributions within recently completed projects. Data provided by the City indicates that affordable housing through a Section 37 agreement has been secured for 19 apartment buildings since 2018, which has resulted in 214 units across varying affordability depths and lengths. All affordable units have been rental in tenure. However, only three of the 19 projects were within a PMTSA.



- This indicates that both development activity and the City’s recent success with Section 37 has been in locations where IZ will not apply.

Figure 9 – Average Absorbed Price for New Single/Semi, City of London (source CMHC)

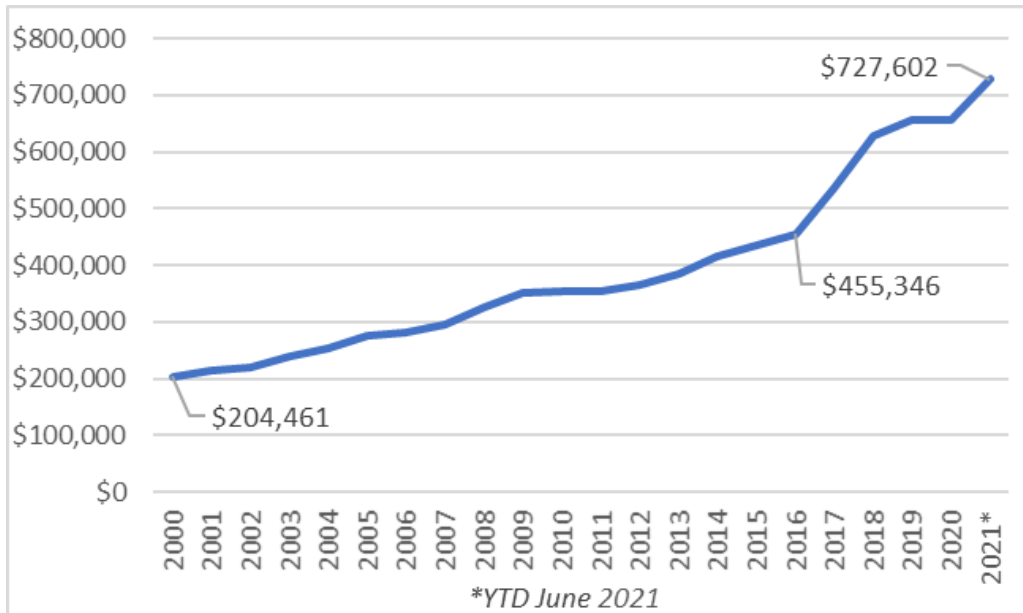


Figure 10 – Housing Starts by Type, City of London, 2000 to 2021 (source CMHC)

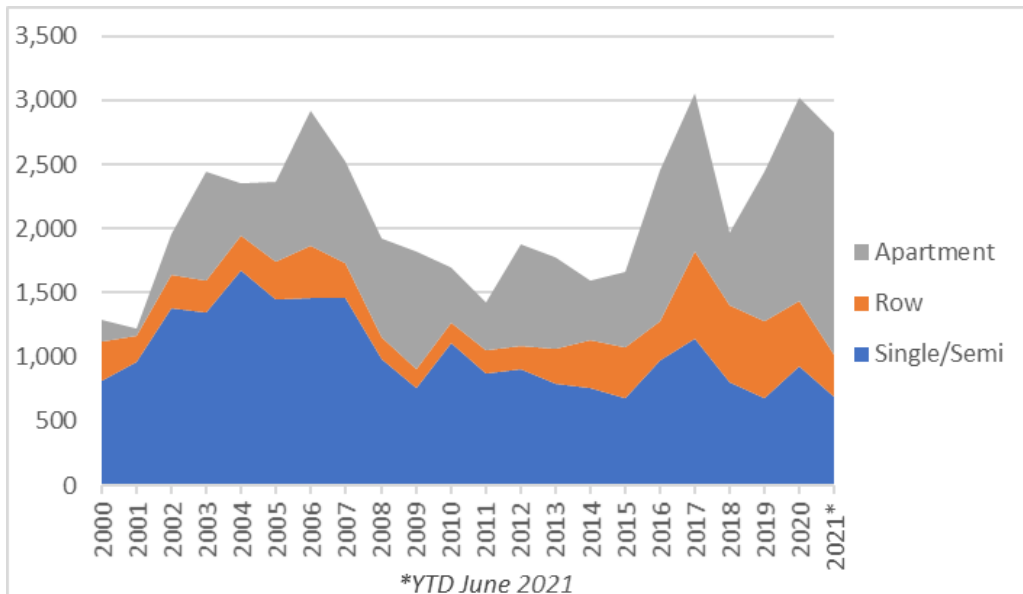


Figure 11 – Issued High-Density Residential Building Permits, 2010 to 2020

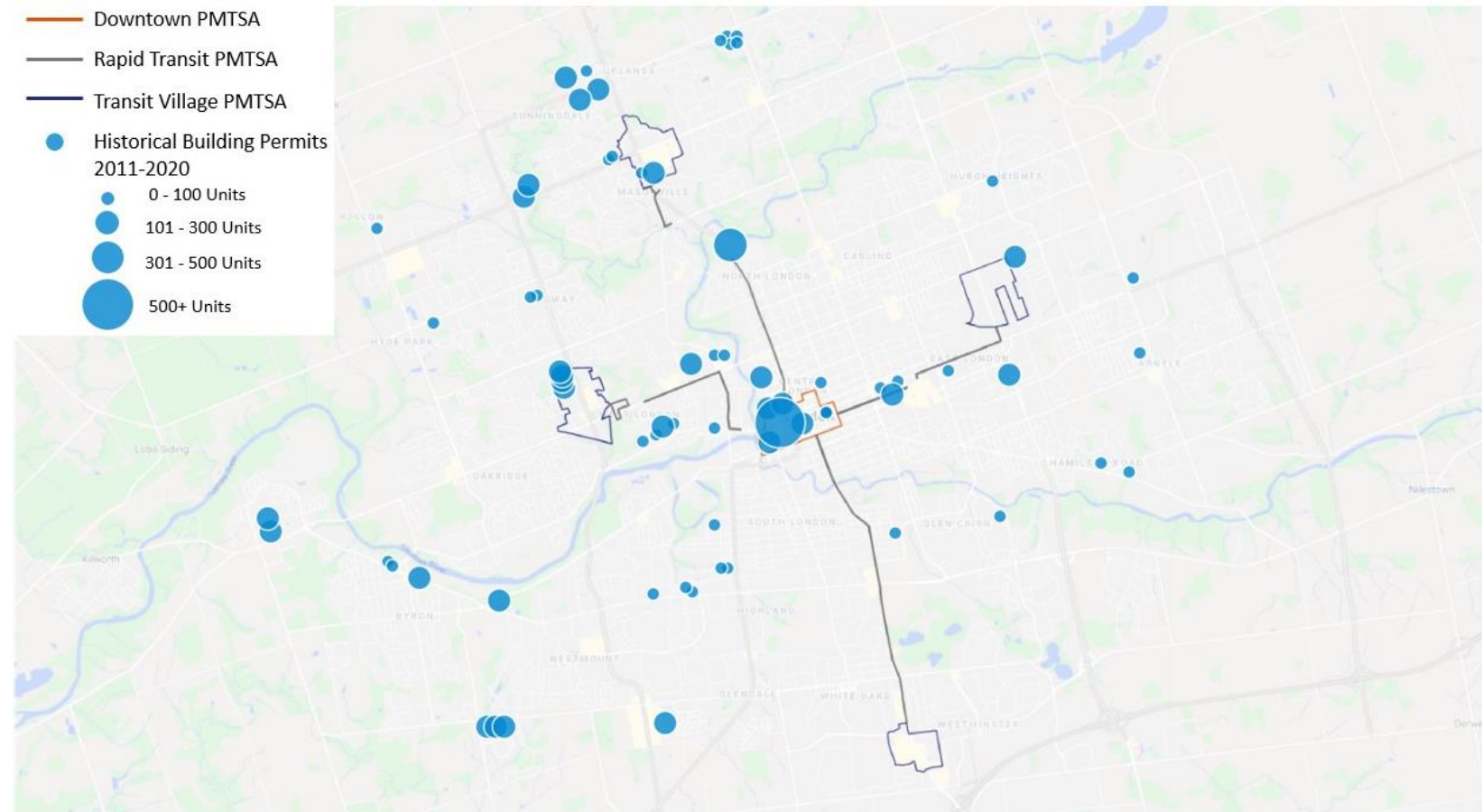
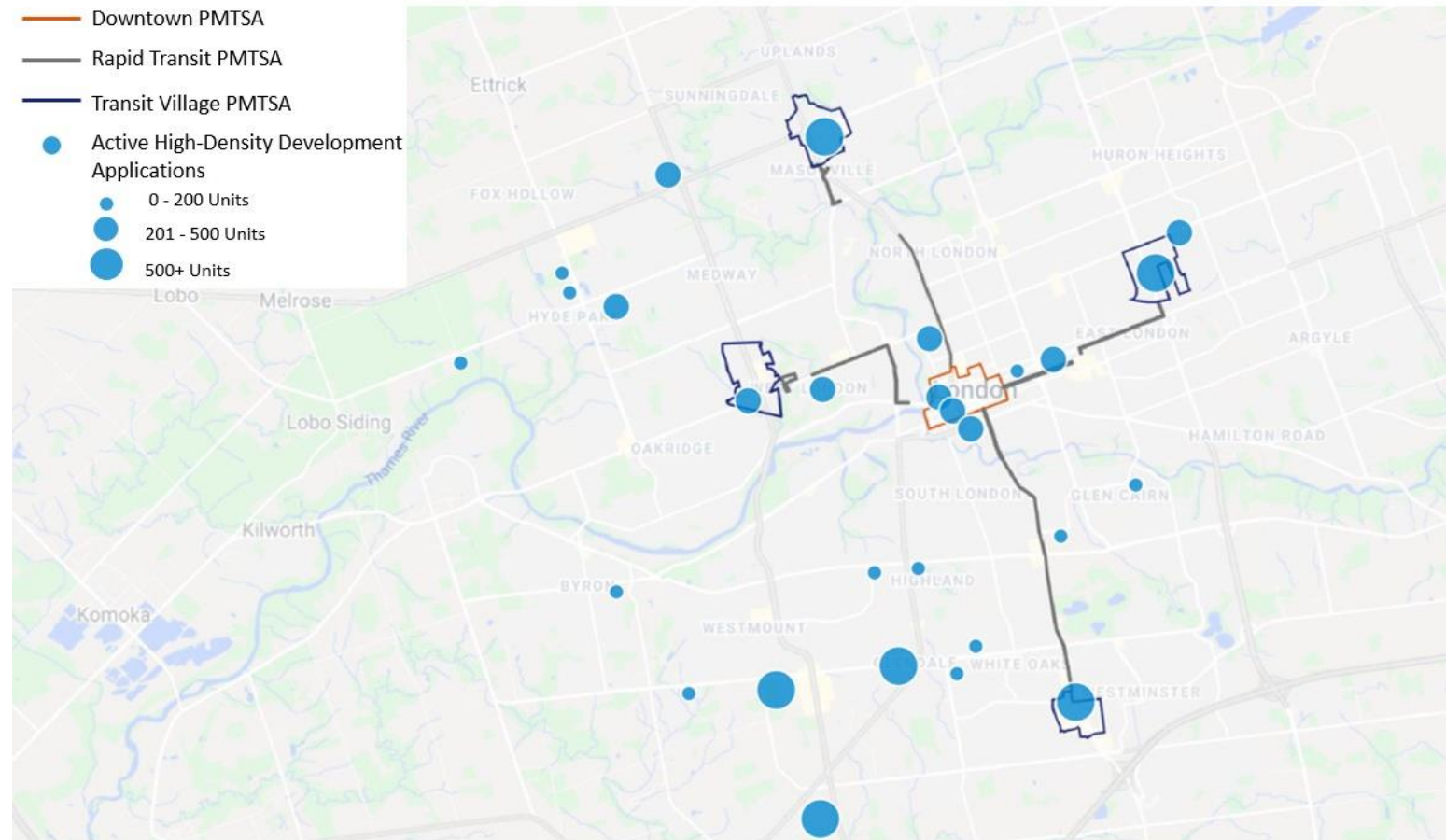


Figure 12 – Active High-Density Residential Development Applications



### 4.3 Condominium Apartment Market Survey

The following section provides an overview of findings from our condominium apartment market survey:

- The apartment market in London has historically been dominated by rental apartments, with rental apartments representing nearly 80% of all apartment units built since 2000. However, condominium projects are beginning to account for a larger share of total activity, with condominiums accounting for over 40% of total apartment starts in five of the last eight years.
- This data indicates that the condominium market remains modest but is improving. As discussed earlier, eroding affordability in the low-density market will improve the market for higher density forms of housing such as stacked townhomes and condominium apartments as purchasers that are priced out of the low-rise market seek a more affordable option. A constrained low-density land supply will have similar effects.
- To understand the condominium apartment market in London, NBLC has conducted a survey of actively marketing (new) condominium apartment projects from across London. However, given that there is a very limited number of active projects, we have also surveyed resale transactions from the past twelve months in new condominium apartment projects to supplement our findings.
- Our survey indicates that the performance of condominium projects are modest, in both the resale and new sale markets:
  - New Projects: Projects surveyed by NBLC indicate that most buildings tend to achieve an absorption rate of around three to eight sales per month. This absorption is considered modest and will negatively impact the construction of larger projects given the long pre-sale period that will be required.
  - Resale Buildings: Similar to new projects, resale buildings experience modest levels of demand, with most apartment units taking between 20 and 30 days to sell on average.
- The survey also indicates that unit sizes are large relative to major urban centres, typically over 900 square feet on average. Pricing is also relatively low as these projects seek to compete with older apartments as well as the low-density housing. On a per square foot basis, pricing tends to range between \$400 and \$600 per square foot. Some projects include parking in the purchase price, especially where parking is provided at surface level. Where underground parking is provided, projects are observed to sell these spaces for between \$10,000 and \$30,000 per stall.
- The number of common amenities offered at each of the surveyed projects was generally correlated with the size of the building. Smaller projects, such as the 36-unit Villas of Wortley, offered limited or no amenities for residents. The amenities being offered at the larger projects varied, but broadly, the following were the most common amenities: balconies with every unit, fitness facilities, social/lounge/party rooms, and guest suites.

- Until recently, most condominium apartment purchasers were doing so for lifestyle preferences as opposed to affordability reasons. As such, the larger share of two-bedroom units, as well as the spacious unit sizing, likely reflects this purchaser base, who preferred the convenience of apartment living, but still desired space.
- With the rising pricing barriers discussed in this memo, it is highly possible that this market preference starts to shift, with one-bedroom units becoming more in demand and more compact unit types becoming more sought-after. This will allow for higher pricing on a per square foot basis, which should improve the economics of delivering new condominium apartments in the London market.

#### 4.4 Rental Apartment Market Survey

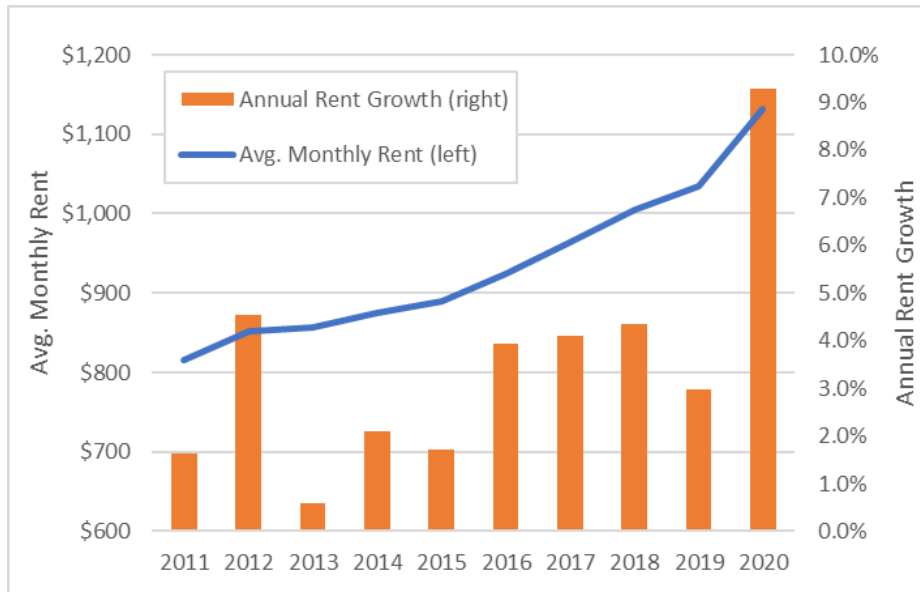
The following section provides an overview of findings from our rental apartment market survey:

- Growing pricing barriers to the low-rise ownership market have also had the effect of shifting residential demand towards rental housing, specifically rental apartments. Coupled with increasing rates of immigration, London has seen a surge in rental demand. Between the 2011 and 2016 Census, renter households accounted for 86% of London’s net household formation. This demand is reflected in the significant share of rental apartments being delivered to the market and the City’s vacancy rate being below 3% between 2014 and 2019.
- Of note, the vacancy rate did increase to 3.5% in 2020, however most municipalities did experience a higher vacancy due to the COVID-19 pandemic. Like the condo market, NBLC completed a survey of rental apartments in the City to better understand market inputs. This survey found very tight conditions, with limited vacancies, indicating that the market has rebounded.
- Like low-density housing prices, rental rates have been increasing at a rapid pace since 2016, with 2020 representing a significant increase (**Figure 13**). It is our understanding that strengthening rental demand has been driven by the return of post-secondary students in the fall of 2021, but also by young adults, including many moving to London from elsewhere in Ontario, and some downsizers.
- Like the condominium market, available rental apartments were large, averaging over 1,000 square feet on average. These large unit sizes require relatively modest per square foot rental rates, which ranged from \$1.60 to \$2.15 per square per month. We also found that parking spaces were typically leased for \$30 per month to over \$100 per month for an uncovered and covered space, respectively.
- New rental buildings tend to offer a social room / rooftop lounge, including some with attached outdoor terraces; Fitness facilities with cardio, resistance machines, and aerobics/yoga rooms; Guest suites; Bicycle storage rooms; and balconies for nearly all units. In addition, some

projects also offered amenities such as automated parcel management systems and electric vehicle parking spaces, both of which have are becoming increasingly popular.

- It should be noted that the range of amenities being offered does not appear to be tied to geographic location, as many of the projects have taken very similar positioning strategies. The one exception to this is with smaller projects (<150 units) which tend to offer slightly fewer amenities as a cost savings measure.

Figure 13 – Average Monthly Rent and Annual Rent Growth, City of London (Source CMHC)



#### 4.5 Key Findings

- Overall, the results of our condo and rental apartment survey indicate that pricing remains modest relative to other markets in Ontario. We also found that the Downtown and North Richmond PMTSA geographies experience a slight pricing premium, with pricing and project positioning being fairly similar across the rest of the City.
- **Table 6** illustrates the market inputs utilized in the proforma analysis as informed by our market survey.
- **Table 7** illustrates the rental and condo pricing levels observed in London relative to other GTHA municipalities that are investigating IZ. London is well below these other market areas. As assessed in the following section of this memo, these pricing levels do not result in strong

viability metrics given the rising construction costs experienced in Ontario over the past five years<sup>1</sup>.

- This explains the scattered investment patterns observed across the City of London. Developers appear to be capitalizing on land acquired historically (e.g. well below current market rates) and also sites that can be developed in a cost-efficient manner (e.g. large sites capable of accommodating surface parking and an efficient building footprint).
- Of note, development within the PMTSA geography can be a more complicated form to deliver given the urban context, smaller sites, and need to accommodate parking below grade, which can cost over \$50,000 per parking stall. The Downtown is currently supported by an incentive package to offset some of the additional costs and complexity associated with building in this area.
- We have also found that parking remains important in the London market, even in the Downtown. While the BRT may encourage lower parking requirements over time, there is no evidence to currently support this notion.
- Unlike other municipalities in the central Greater Toronto Area and Kitchener-Waterloo where high-density development tends to be concentrated near transit and employment, **Figures 11 and 12** illustrate that high-density development in London is fairly scattered across the City. As noted above, there also does not appear to be much market differentiation across the City, with most new buildings being positioned similarly. This was further confirmed by the City's cash in lieu of parkland land value study, which found that high-density residential land values were fairly consistent across the City, whereas in other municipalities we tend to see higher land values within stronger market areas where development is concentrated and investments in transit are occurring<sup>2</sup>.
- Despite these modest market conditions, London's market is quickly transitioning. As affordability in the low-density market continues to erode, we expect that a greater share of residents will look to rental and condominium apartments. Like other markets (e.g. Kitchener-Waterloo, Mississauga, Brampton, Markham, Vaughan, etc.), we expect that this will lead to smaller unit sizes and higher per square foot pricing levels.
- Ironically, eroding affordability and higher apartment pricing will create a stronger market context for IZ to be viable without significant financial incentives.
- Overall, we expect that the high-density residential market will continue to improve due to population growth, demographic and lifestyle changes occurring in the City. The BRT could also lead to market improvements within the PMTSAs and lessen the market demand for costly underground parking. However, the market has not yet demonstrated that these improvements

<sup>1</sup> Many sources identify double digit annual cost increases for multi-family construction over past five years.

<sup>2</sup> Metrix Realty Group. Summary Consulting Report of a Residential Development Land Value Study Cash In Lieu, December 2019 Prepared for the City of London.

are occurring. Developing an IZ policy based on projected market performance is a risk that is assessed later in this memo.



Table 6

Key Market Inputs by Location - Condominium Apartment						
Location	Suite Mix <sup>1</sup>	Unit Size	Price	\$PSF	Absorptions <sup>2</sup>	Parking Cost <sup>3</sup>
Downtown	45% / 45% / 10%	840	\$472,000	\$562	10	\$30,000
<b>Rapid Transit Corridors</b>						
North Richmond	45% / 45% / 10%	840	\$495,250	\$590	10	\$30,000
South Wellington	35% / 55% / 10%	905	\$491,250	\$543	5	\$25,000
Oxford West	35% / 55% / 10%	905	\$506,750	\$560	8	\$30,000
East King-Dundas	35% / 55% / 10%	860	\$467,000	\$543	5	\$25,000
<b>Transit Villages</b>						
Masonville (North)	35% / 55% / 10%	905	\$506,750	\$560	8	\$30,000
White Oaks (South)	35% / 55% / 10%	905	\$491,250	\$543	5	\$25,000
Oxford/Wonderland (West)	35% / 55% / 10%	905	\$506,750	\$560	5	\$30,000
Oxford/Highbury (East)	35% / 55% / 10%	860	\$477,500	\$555	5	\$25,000
1= One-Bedroom / Two-Bedroom / Three-Bedroom; 2= Sales per month; 3=Assumes underground parking						
Source: N.Barry Lyon Consultants						

Table 7

Key Market Inputs by Location - Rental Apartment						
Location	Suite Mix <sup>1</sup>	Unit Size	Price	\$PSF	Lease-Up Rate <sup>2</sup>	Parking Cost <sup>3</sup>
Downtown	45% / 45% / 10%	840	\$1,883	\$2.24	25	\$125
<b>Rapid Transit Corridor</b>						
North Richmond	45% / 45% / 10%	840	\$1,883	\$2.24	25	\$125
South Wellington	35% / 55% / 10%	905	\$1,845	\$2.04	15	\$80
West Oxford	35% / 55% / 10%	905	\$1,928	\$2.13	20	\$80
East King-Dundas	35% / 55% / 10%	860	\$1,690	\$1.97	15	\$80
<b>Transit Village</b>						
Masonville (North)	35% / 55% / 10%	905	\$1,928	\$2.13	20	\$80
White Oaks (South)	35% / 55% / 10%	905	\$1,845	\$2.04	15	\$80
Oxford/Wonderland (West)	35% / 55% / 10%	905	\$1,928	\$2.13	20	\$80
Oxford/Highbury (East)	35% / 55% / 10%	860	\$1,690	\$1.97	15	\$80
1= One-Bedroom / Two-Bedroom / Three-Bedroom; 2= Sales per month; 3=Assumes underground parking						
Source: N. Barry Lyon Consultants						

Table 8

Condominium and Rental Rates (\$ per sq. ft.) in Municipalities with IZ				
Municipality	Condominium Price Range		Rental Price Range	
	Low	High	Low	High
City of Toronto	\$850	\$1,450	\$3.00	\$4.25
City of Mississauga	\$800	\$1,100	\$2.90	\$3.40
City of Markham	\$800	\$950	\$2.90	\$3.20
City of Brampton	\$750	\$900	\$2.60	\$2.90
Kitchener / Waterloo	\$600	\$800	\$2.10	\$2.50
City of London	\$543	\$560	\$1.95	\$2.25

## 5.0 Findings of Feasibility Analysis

**Figures 14-16** provide an illustration of the results of our financial proforma modelling, which illustrate a wide range of findings that generally correspond to the discussion in Section 2 of this memo and the hypothetical illustrations presented in **Figures 5-7**. Since the Planning Act does not permit municipalities to zone for tenure, we have evaluated three different combinations of tenure for the market and affordable components of projects subject to IZ:

- Condominium Project (**Figure 14 and 15**): The developer can choose whether to provide IZ units in rental or condominium (ownership) tenure. Both IZ tenures have been modelled to illustrate the difference in performance. Different set aside rates or other policy measures can be adjusted to encourage one tenure over another (e.g. Toronto’s approved IZ policy has a higher set aside rate for a condominium project providing affordable ownership than affordable rental).
- Rental Project (**Figure 16**): It is assumed a rental project would satisfy IZ by providing affordable rental units to maintain tenure consistency across the building and reduce complexity.

Overall, the results of the analysis indicate the following preliminary key findings:

- Viable results are observed in the Downtown for both condominium project scenarios. The value added through the density bonus is significant due to the higher pricing levels achieved in this area. The value creation is also aided by the incentive package, which waives development charges and property taxes for a period of years after completion. Similar results are also observed in the North Rapid Transit Corridor, which is also due to the high pricing level observed. However, the bonus density adds less value relative to the downtown due to the absence of incentives and because less density is provided through bonusing.
- In both of the above scenarios, we see the land value increase as density is added to the project, and then decrease as IZ is applied (with the value decreasing further as the policy becomes more onerous, going from a 5% set aside rate to 15%).
- In all the other test locations, the added density either does not add any value, or the land value remains similar or less than the base density (i.e. standard maximum height) once IZ is applied. This is due to several factors:
  - Pricing is modest relative to construction costs (hard and soft development costs, profit), leaving little residual value to be attributed to land. Unlike strong markets in the GTA, density as a sole offset is not as significant in the current London market.
  - Absorption is also slow, which requires a significant pre-sales period to reach the 70% sales threshold to receive construction financing. This introduces significant risk for a condo project, which also requires discounting over a longer period to account for the time value of money.

- Given parking requirements, increasing density also requires additional parking, which in all cases requires the addition of costly underground parking that significantly offsets the value added through density. This impact is lowest in the Downtown, where parking requirements are the lowest relative to the other PMTSAs.
- Outside of the Downtown, purpose-built rental projects do not illustrate viability for IZ at the current time, which is consistent with our findings across the Province, including the City of Toronto where IZ was recommended to not apply to rental housing. Most municipalities across Ontario are trying to encourage increased rental supply through incentives and other measures. However, we also note that the London market is unique and much of the apartment activity occurring is purpose-built rental. We expect to engage in discussions with developers to investigate other methodologies to assess viability that may be more appropriate, such as evaluating longer-term profit implications rather than evaluating feasibility based solely on land value.
- **Table 9** illustrates the findings with a specific focus on the uplift in GFA and land value for each test location. As shown, the increase in density is not uniform across the test sites, rather it fluctuates widely based on the planning permissions within the London Plan. The highest amount of bonusing is provided in the Downtown.
  - The other test locations accommodate a modest increase in density, with the Rapid Transit Corridors and Transit Villages permitting a bonus density of between 2,100 - 4,000 m<sup>2</sup> and 3,000 – 6,600 m<sup>2</sup>, respectively.
  - Where the land value uplift is positive (Downtown, North RTC, West RTC, North TV, West TV), additional density would improve the results. In all other locations, the results of the analysis could worsen with additional density, requiring other offsets (i.e. financial).

**Figure 14: Preliminary Results of a Condominium Project Providing IZ Ownership Units**

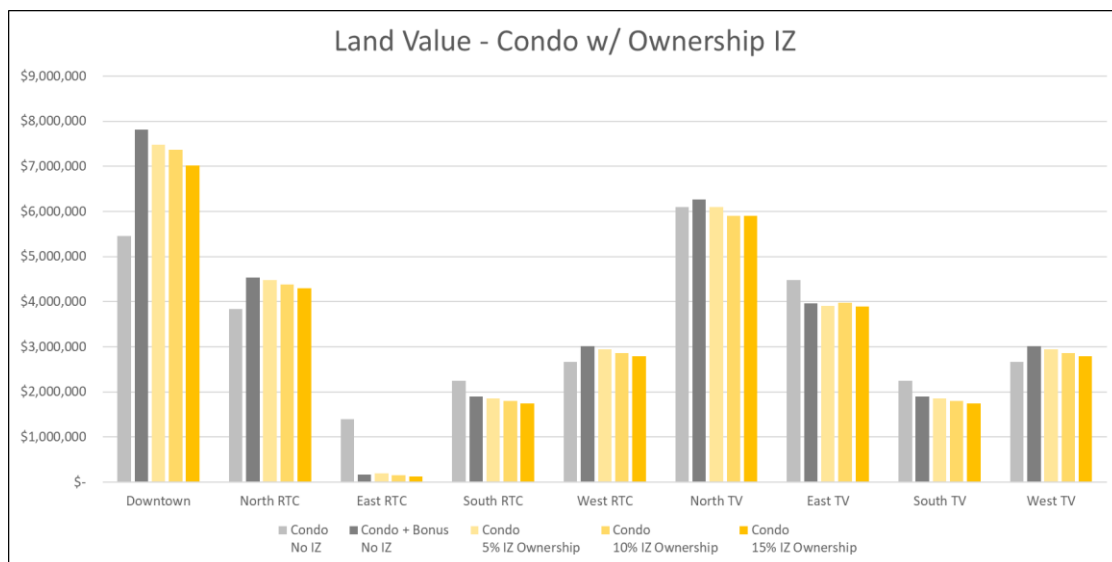


Figure 15: Preliminary Results of a Condominium Project Providing IZ Rental Units

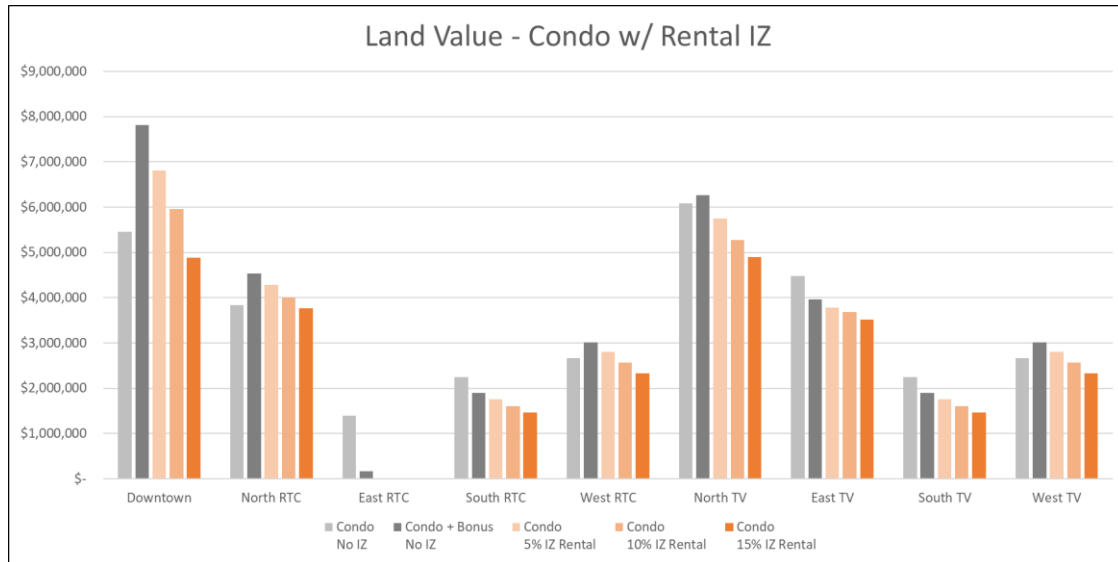
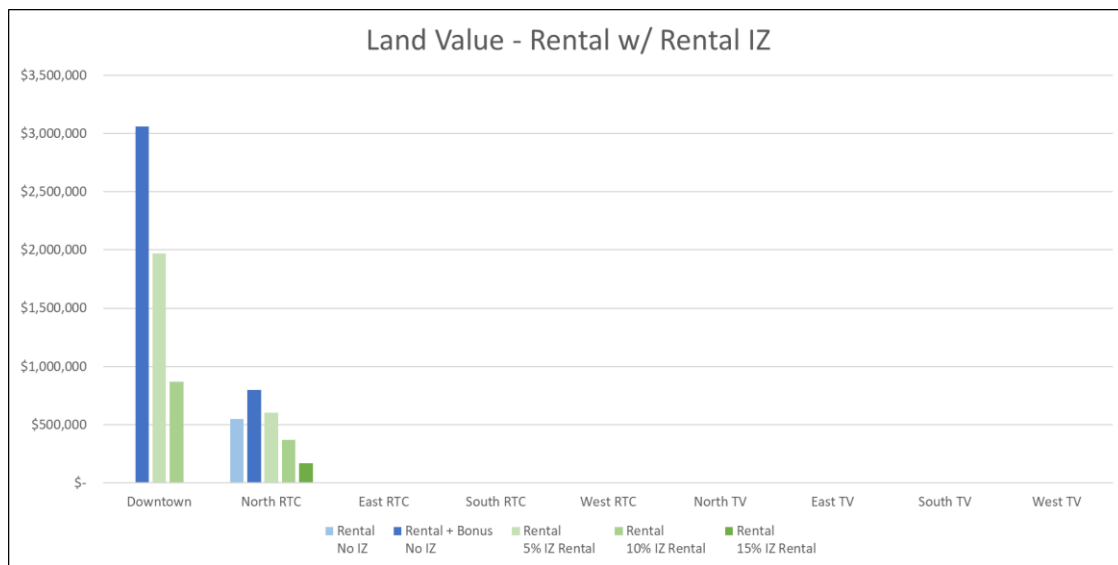


Figure 16: Preliminary Results of a Rental Project Providing IZ Rental Units



- These results indicate that only the downtown is likely to present viable conditions for IZ under the current London Plan permissions, however these results are also supported by the incentives offered through the existing CIP. Eliminating the CIP would likely result in unviable conditions for an IZ policy in the downtown as well.
- In the other PMTSAs, where there is a positive correlation between density bonus and land value, the results could improve if the density available through bonusing were increased. However, a sensitivity analysis regarding how much additional density might be required has not been completed.

- It should also be noted that every development project is unique. The analysis undertaken assesses a single “prototypical” development site and attempts to extrapolate the findings to a larger area. However, every site, project, and developer will be different. It is therefore possible that development activity could be negatively impacted, despite the results of this analysis illustrating viable results.
- It is acknowledged that some of the projects that have been recently developed and proposed have been on properties with historical land acquisition (e.g. commercial sites where the historical land value has been capitalized, land purchased many years ago, etc.). The analysis in this report assesses the situation where a developer will acquire a property and advance a high-density development. While the former situation (i.e. historical land purchase) would yield more positive results regarding IZ feasibility, implementing an IZ policy under this context would preclude the ability for a developer to purchase a site and advance a project within the PMTSA’s. Similarly, it is also noted that some developers in the London market proceed without financing and/or with other cost saving strategies. An IZ policy implemented with very aggressive and developer-specific assumptions would preclude any other developer not utilizing the same development model from advancing a housing project.

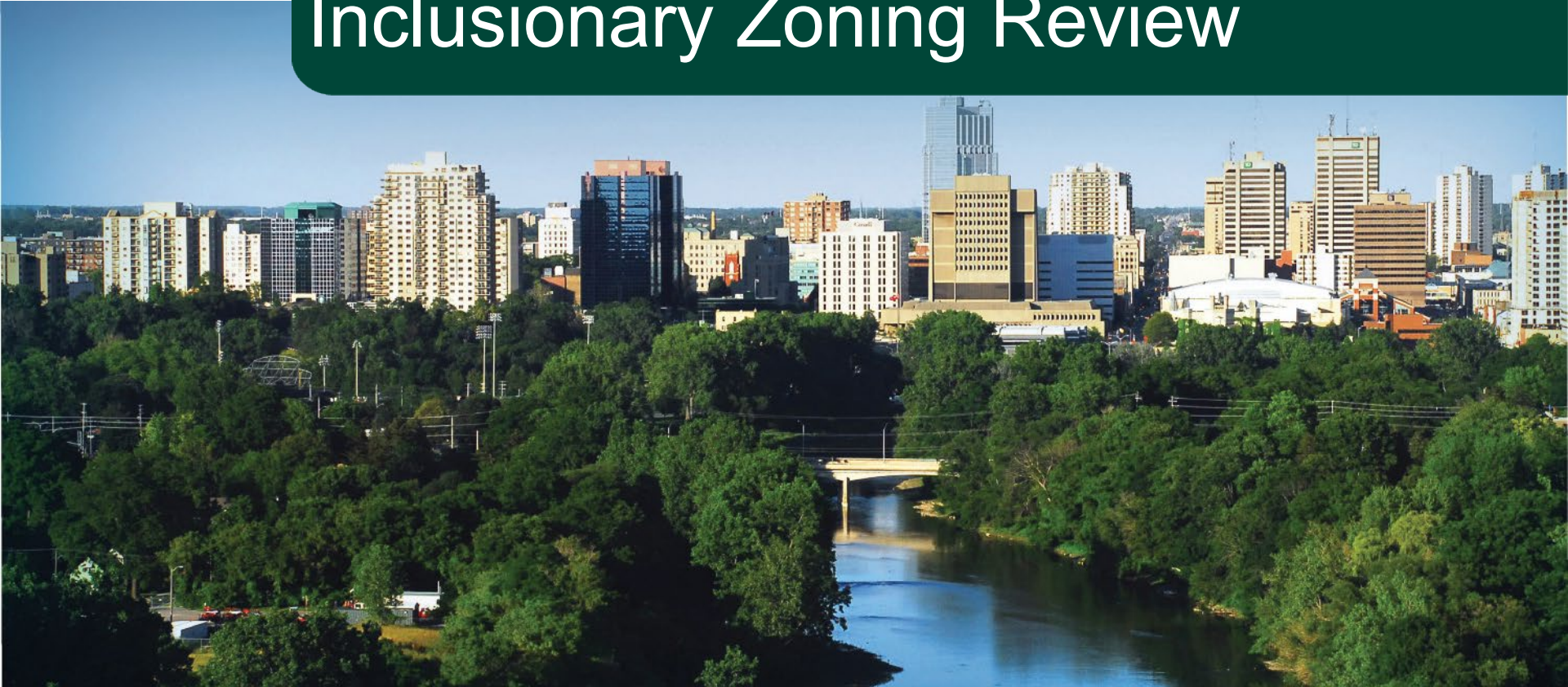
**Table 9: Value Created Through Bonus Density**

Prototype Location	As-Of-Right GFA (sq. m.)	Bonus GFA (sq. m.)	Total GFA	As-Of-Right Land Value	Total Density Land Value	Land Value Uplift (Total)	Land Value Uplift (per sq. m.)
Downtown	18,300	13,700	32,000	\$ 5,450,000	\$ 7,810,000	\$ 2,360,000	\$ 172
North RTC	7,000	3,000	10,000	\$ 3,840,000	\$ 4,540,000	\$ 700,000	\$ 233
East RTC	8,000	4,000	12,000	\$ 1,400,000	\$ 170,000	\$ (1,230,000)	\$ (308)
South RTC	12,400	2,100	14,500	\$ 2,240,000	\$ 1,900,000	\$ (340,000)	\$ (162)
West RTC	6,300	2,700	9,000	\$ 2,670,000	\$ 3,020,000	\$ 350,000	\$ 130
North TV	15,400	6,600	22,000	\$ 6,090,000	\$ 6,260,000	\$ 170,000	\$ 26
East TV	14,000	3,000	17,000	\$ 4,480,000	\$ 3,960,000	\$ (520,000)	\$ (173)
South TV	15,000	5,000	20,000	\$ 2,240,000	\$ 1,900,000	\$ (340,000)	\$ (68)
West TV	15,400	6,600	22,000	\$ 2,670,000	\$ 3,020,000	\$ 350,000	\$ 53



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# Slide One: Inclusionary Zoning Review



Planning and Environment Committee

February 7, 2022





# Slide Two: Presentation Outline

- Inclusionary Zoning (IZ) Review Objectives
- Provincial Requirements for IZ
- Preliminary Findings of Assessment Report Feasibility Analysis (N. Barry Lyon Consultants)
- Next Steps



# Slide Three: IZ Review Objectives

- Continue to create affordable housing units within market developments.
- Use new IZ legislation to continue the success seen through Bonus Zoning Agreements.
- Have IZ contribute to achieving the “**Roadmap to 3,000 Affordable Units**”.
- Work with Provincial partners to have the new IZ tool succeed in the London market.



# Slide Four: Affordable Housing Toolkit

Closed Schools Strategy  
(ongoing eval'n)

Additional Residential Units

Existing CIPs (with Residential component)

Surplus Land Sales (OVH)

Permit-Ready Lots (Monitoring)

London Plan and ReThink Zoning

Secondary Plans (Transit Villages)

Affordable Housing CIP and Incentives

Donations of Land/Properties

Inclusionary Zoning

Rental Conversions Policy and/or Unit Replacement

LMCH Regeneration/ Intensifications

DC By-law Update

Rent Supplements

City Rapid Housing Initiative (RHI) Projects

Roadmap to 3,000

# Slide Five: Achieving the Roadmap to 3,000

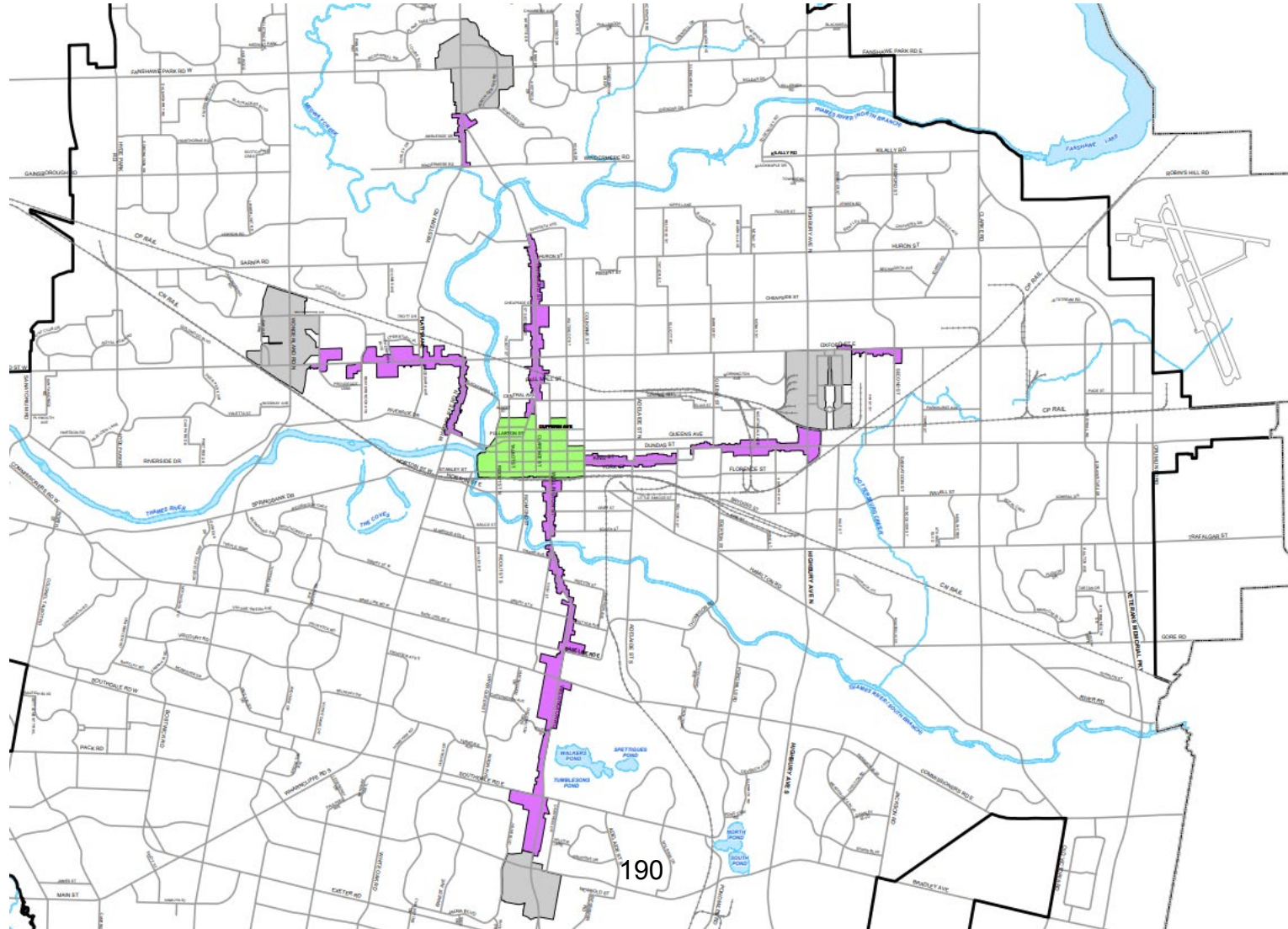
- 3,000 Affordable units by 2026.
- 300 units through Bonus Zoning or Inclusionary Zoning.
  - Average of 60 units per year.
- Bonus Zoning ends September 2022.
  - Bonus Zoning has resulted in 214 units per year since 2018
  - Average of 53 units per year.
  - Bonusing permitted City-wide.

# Slide Six: What is Inclusionary Zoning?

- IZ is a regulatory tool that requires private developments to include specified number of affordable units.
- IZ is only permitted in the Protected Major Transit Station Areas (PMTSAs) or areas prescribed by the Province.
- Assessment Report must evaluate development feasibility of IZ before the City's program is introduced

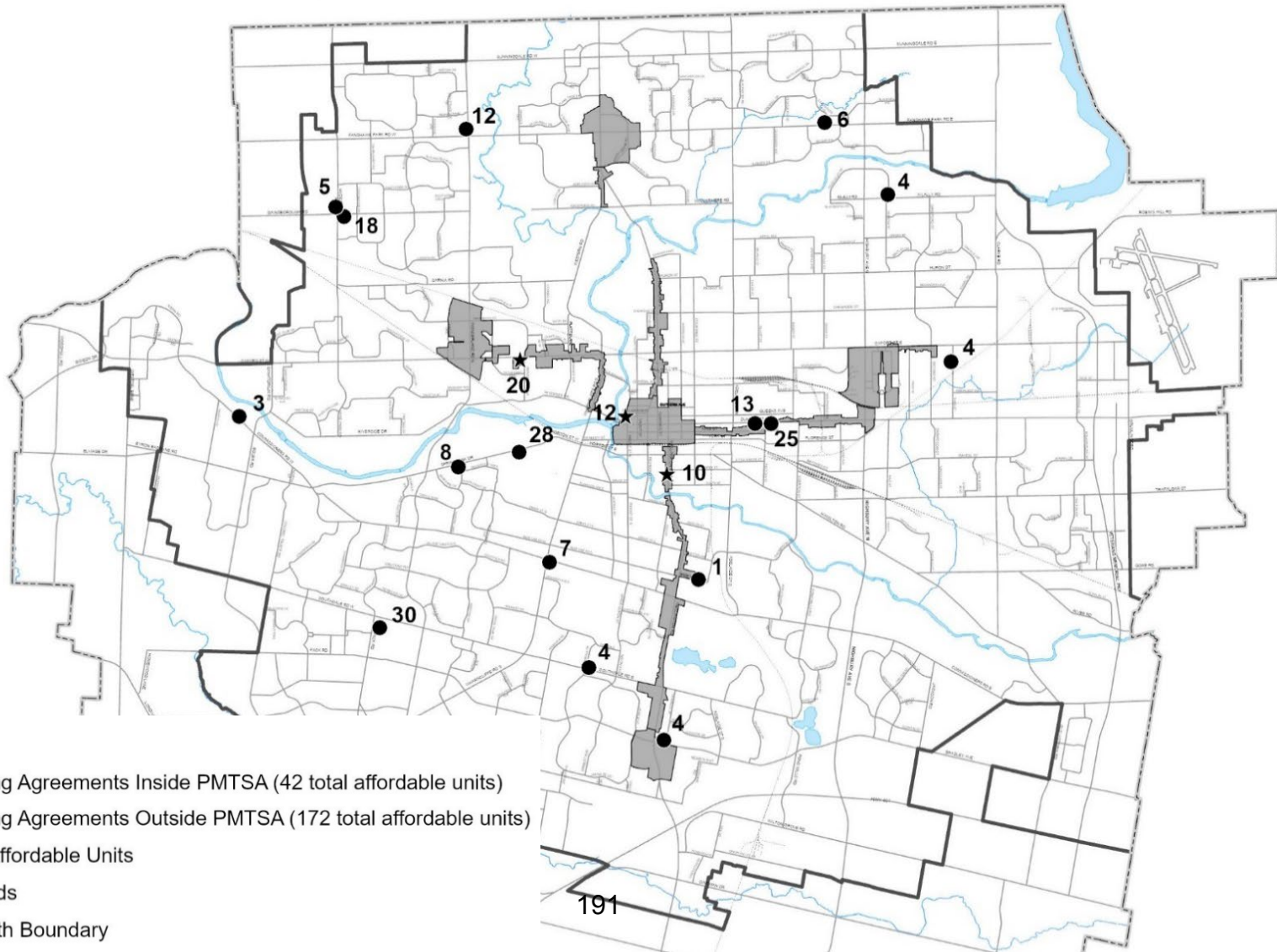


# Slide Seven: London's PMTSAs





# Slide Eight: PMTSAs and Bonus Zoning Agreement Locations (2018-2021)



## LEGEND

- ★ Bonus Zoning Agreements Inside PMTSA (42 total affordable units)
- Bonus Zoning Agreements Outside PMTSA (172 total affordable units)
- 12 Number of Affordable Units
- PMTSA Lands
- Urban Growth Boundary

# Slide Nine: Recommendation/Next Steps

- Province be requested to consider the City's Assessment Report evaluating the potential for, and feasibility of, IZ on a city-wide basis (lands outside PMTSA).
- Work with Provincial partners to ensure an IZ program can be successful in London.
  - Recognize London's unique housing market and challenges.
- Continue consultations regarding feasibility and the Assessment Report and IZ.
- Report back to a future meeting of PEC.



February  
7, 2022

nblc



# City of London: Inclusionary Zoning Analysis

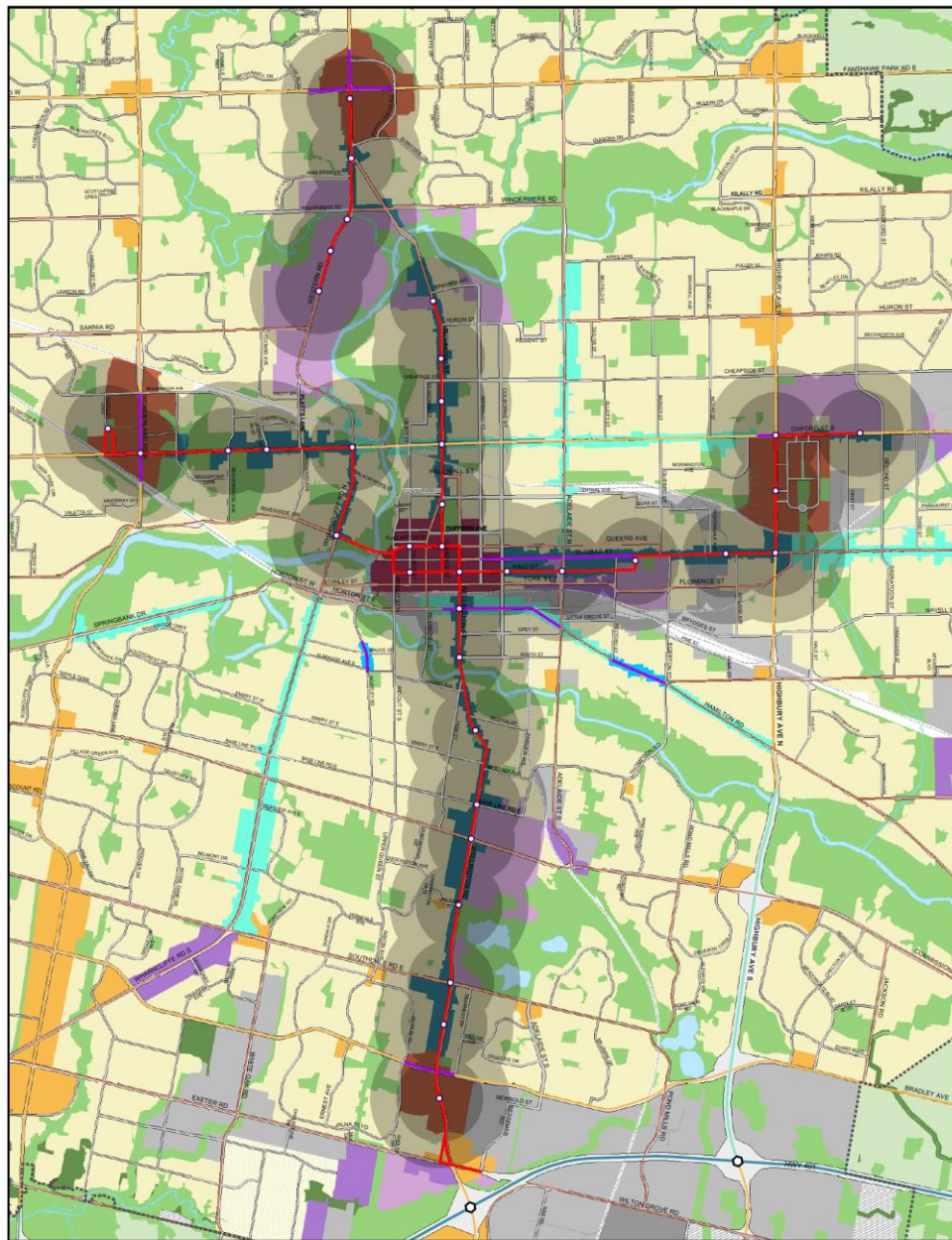
## Planning and Environment Committee

# Quick Background

- End of S.37 regime
- IZ (blunt requirement through zoning) and S.37 (site by site negotiation) are different
- IZ Regs (232/18):
  - Needs analysis
  - Financial feasibility analysis and peer review
  - IZ can only be implemented in PMTSA geography
  - Development application can exempt project from IZ
- Administration and implementation equally as important as policy and feasibility analysis.

# Maximum Permissions and Bonus Density

- Downtown:
  - Max Height: 20 storeys
  - Bonus Density: up to 35 storeys
- Transit Village (4):
  - Max Height: 15 storeys
  - Bonus Density: up to 22 storeys
- Rapid Transit Corridor (4):
  - Max Height: 8 – 12 storeys
  - Bonus Density: up to 12 – 16 storeys



# RLV Model

## Market Research & Proforma Analysis

- A) Revenue
- B) Costs
- C) Profit

$$A - B - C = D$$

D= Residual Land Value

# Feasibility Test (example)

## Max Height:

- 20-storey building (100% market)

## Density Bonus:

- 35-storey building (100% market)

## Bonus Density with IZ:

- 35-storey building (IZ applying to floors 21-35, the rest remaining market rate)
- Land Value must be above as of right to be viable
- With negative or marginal results, development will not occur:
  - No affordable housing through IZ
  - Reduced market supply making affordability worse
  - Reduced supply in key transit locations

# Feasibility Test – Illustrated (IZ feasible)



# Feasibility Test – Illustrated (IZ not feasible)



# Feasibility Test – Illustrated (IZ not feasible)





# Assessment Report Guiding Principles

- IZ should not affect the supply of market housing
- The policy is best informed by current market conditions, with conservative assumptions of market movement
  - Developing the policy based on expected market appreciation is not recommended
  - Rather, the policy should be regularly monitored and remain flexible to adapt with changing (positive or negative) market conditions
- The policy should be feasible when considered against a variety of development outcomes and developer expectations
- We cannot account for those who already own land. The analysis is forward looking where developers acquire and develop housing

# High-Level Market Findings

- Apartments (rental and condo) are becoming a larger share of the market, but pricing remains modest (large units, modest \$ per square foot values).
- Construction costs are rapidly increasing.
- Recent and proposed apartment activity is scattered across the municipality.
  - The PMTSA geography does not appear to be attracting new apartment activity in a significant way.
  - It is unclear if the transit investment will significantly alter these trends.
  - Most of the City's success with securing affordable housing through bonusing is not within the PMTSA.
- Pricing, market demand, land values, and other market considerations are relatively consistent across the City, with some exceptions identified.

# High-Level Market Findings

- Parking remains an important component of new apartment projects. Uncertainty regarding BRT impact on this trend.
  - Typically seeing 1.0 – 1.2 spaces per unit, less in the downtown.
- Many apartment projects characterized by large properties and abundance of surface/structure parking (largely outside of PMTSA geography).
  - Within PMTSA, some sites capable of the above built form.
  - However, many will require more urban form of development (tighter site, requirement for costly underground parking).
    - Surface: \$5,000
    - Structure: \$24,000 - \$45,000
    - Underground: \$65,000 - \$100,000

# Takeaways from Financial Testing

- In most situations, the impact of IZ is not sufficiently offset by additional density - other offsets/incentives would be necessary
- Downtown London is the only exception, driven by:
  - Lower parking requirements
  - Stronger \$PSF market pricing
  - Incentives available through the CIP (offsetting TIEG and Development Charges)
- Given the above, if IZ were to be implemented in the PMTSA's, several risks emerge:
  - Developers avoid the PMTSA geography entirely
  - No/reduced investment in strategic growth areas
  - No affordable housing created through IZ
  - Overall reduced supply, potentially exacerbating affordability challenges.

# Direction and Next Steps

- Overall, we believe the introduction of IZ under current legislation is problematic in the London market
- The upcoming loss of Section 37 is likely to result in London securing fewer affordable units
- The application of IZ across the entire City has the potential to eliminate many of the risks identified:
  - Must still be aligned with market realities (i.e. modest set aside rate, grow the policy slowly)
  - Remove disadvantage that PMTSA would face relative to other locations
  - Acknowledge the market realities of London (modest impact of BRT, relatively flat market context, etc.)
  - Continue success the City has had with Section 37 in locations outside of the PMTSA's



Trusted advisors since 1976.

**From:** londondev@rogers.com <londondev@rogers.com>  
**Sent:** Wednesday, February 2, 2022 1:28 PM  
**To:** PEC <pec@london.ca>  
**Subject:** [EXTERNAL] Delegation request for February 7 PEC meeting

Hello Clerk

I would like to request delegation status for Item 4.1 Inclusionary Zoning under Items for Direction.

Please confirm I will be able to speak to this item.

Mike

Mike Wallace  
Executive Director  
London Development Institute (LDI)  
519-854-1455  
[londondev@rogers.com](mailto:londondev@rogers.com)



**From:** Jared <jzaifman@lhba.on.ca>

**Sent:** Thursday, February 3, 2022 3:24 PM

**To:** PEC <pec@london.ca>

**Subject:** [EXTERNAL] RE: Delegation Request for Item 4.1 - PEC Feb 7

Good afternoon,

Given the significance of item 4.1 – Inclusionary Zoning to the home building industry , I am hoping to be able to make a delegation to committee on this matter. If this request could be passed on to committee for their consideration I would greatly appreciate it.

Thank you,

Jared



## 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  
December 2021

**Date:** February 7, 2022

## Recommendation

That the report dated December 2021 entitled “Building Division Monthly Report December 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 December 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 December 2021. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of December 2021”, as well as respective “Principle Permits Reports”.

### 2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – December 2021

#### Permits Issued to the end of the month

As of December 2021, a total of 4,760 permits were issued, with a construction value of \$1.63 billion, representing 3,999 new dwelling units. Compared to the same period in 2020, this represents a 16.4% increase in the number of building permits, with a 0.8% increase in construction value and an 5.8% increase in the number of dwelling units constructed. These numbers represent new records for construction value, number of

townhouse units and total number of dwelling units created, as well as pool fence permits issued.

#### Total permits to construct New Single and Semi-Dwelling Units

As of the end of December 2021, the number of building permits issued for the construction of single and semi-detached dwellings is 1,047, representing an 8.3% increase over the same period in 2020.

#### Number of Applications in Process

As of the end of December 2021, 1,418 applications are in process, representing approximately \$960 million in construction value and an additional 2,235 dwelling units compared with 1,009 applications, with a construction value of \$752 million and an additional 1,646 dwelling units in the same period in 2020.

#### Rate of Application Submission

Applications received in December 2021 averaged to 27.3 applications per business day, for a total of 492 applications. Of the applications submitted 180 were for the construction of single detached dwellings and 235 townhouse units.

#### Permits issued for the month

In December 2021, 275 permits were issued for 300 new dwelling units, totalling a construction value of \$117.1 million.

#### Inspections – Building

A total of 2,870 inspection requests were received with 2,482 inspections being conducted.

In addition, 9 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,870 inspections requested, 97% were conducted within the provincially mandated 48 hour period.

#### Inspections - Code Compliance

A total of 729 inspection requests were received, with 510 inspections being conducted.

An additional 85 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 729 inspections requested, 97% were conducted within the provincially mandated 48 hour period.

#### Inspections - Plumbing

A total of 962 inspection requests were received with 1,207 inspections being conducted related to building permit activity.

An additional 3 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 962 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

## **2019 Permit Data**

To the end of December, a total of 4,531 permits were issued, with a construction value of \$1.37 billion, representing 2,746 new dwelling units. The number of single/semi detached dwelling units was 688.

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

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

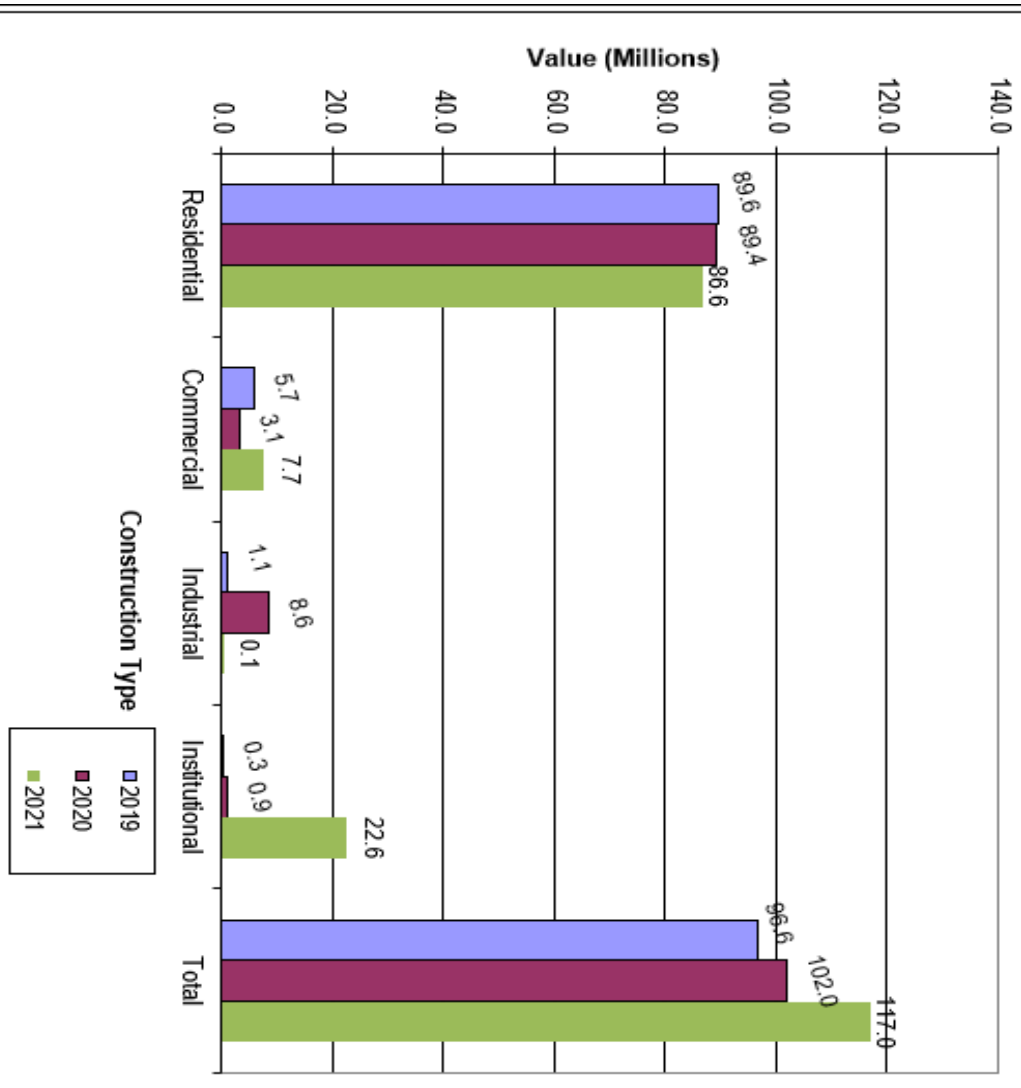
**Submitted by:** George Kotsifas, P.Eng.  
Deputy City Manager  
Planning and Economic Development

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

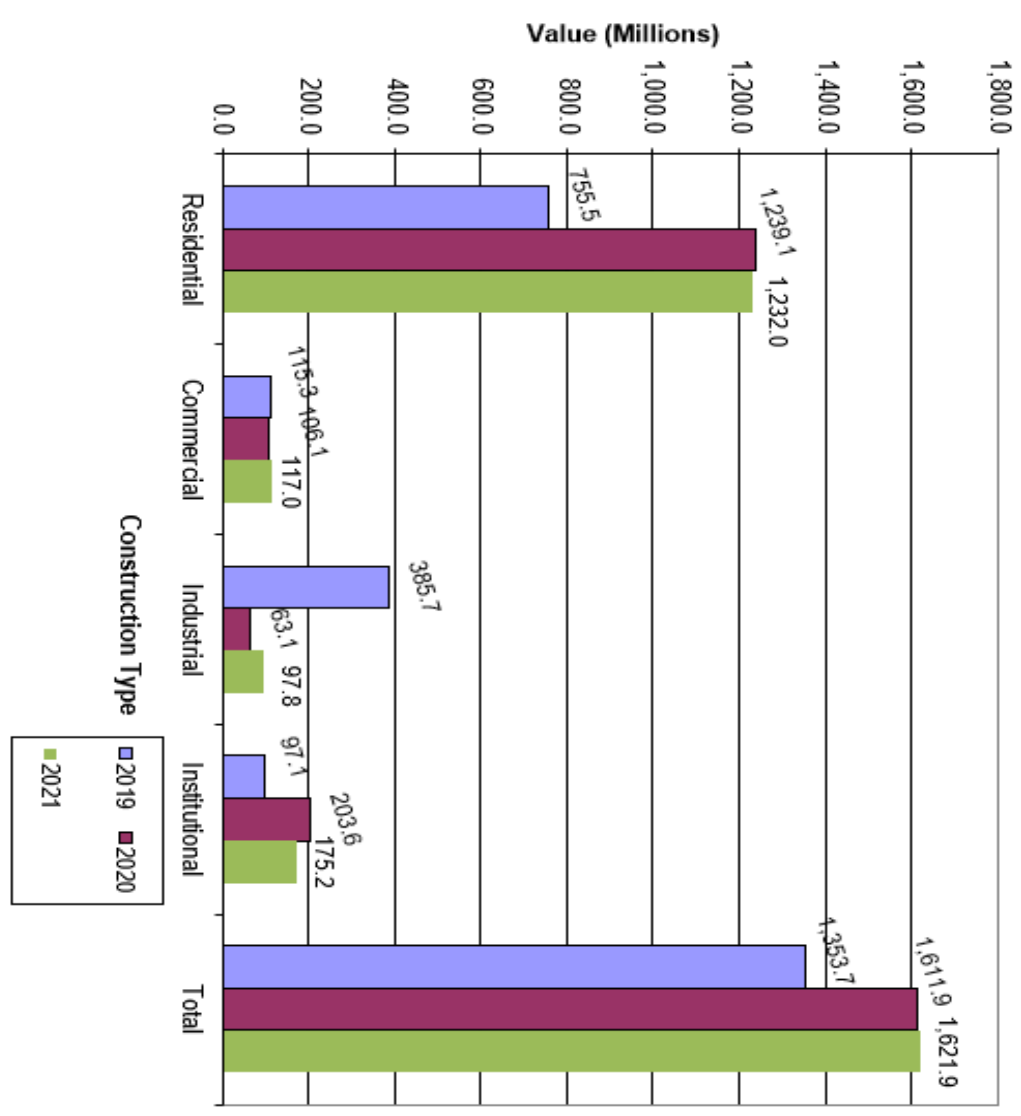
APPENDIX "A"

CLASSIFICATION	December 2021			to the end of December 2021			December 2020			to the end of December 2020			December 2019			to the end of December 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	43	19,622,100	43	1,045	473,954,650	1,045	100	45,612,700	100	963	414,170,954	963	43	19,821,640	43	688	286,606,026	688
SEMI DETACHED DWELLINGS	0	0	0	2	434,500	2	0	0	0	2	1,023,000	4	0	0	0	0	0	0
TOWNHOUSES	16	14,288,800	69	237	215,823,400	891	10	9,437,117	52	145	136,651,902	536	16	15,296,024	71	173	157,778,554	709
DUPLEX, TRIXPLEX, QUAD, APT BLDG	3	46,786,500	173	17	468,158,000	1,924	3	29,200,000	176	20	626,102,400	2,210	2	50,222,480	334	20	242,709,332	1,209
RESALTER & ADDITIONS	118	6,541,195	15	1,889	83,617,986	137	109	5,116,900	15	1,509	60,969,367	68	76	4,266,344	20	1,798	58,200,166	82
COMMERCIAL - ERECT	2	3,972,000	0	29	23,783,100	0	0	0	0	11	8,460,300	0	1	1,930,000	0	20	33,536,380	0
COMMERCIAL - ADDITION	0	0	0	8	4,101,500	0	1	894,300	0	6	3,097,100	0	1	300,000	3	17	10,144,000	3
COMMERCIAL - OTHER	28	3,888,115	0	364	89,067,040	0	28	2,227,200	0	373	94,514,889	0	28	3,455,600	0	509	71,661,203	2
INDUSTRIAL - ERECT	0	0	0	14	46,342,409	0	0	0	0	8	40,231,400	0	1	90,000	0	15	320,480,000	0
INDUSTRIAL - ADDITION	0	0	0	9	30,886,560	0	0	0	0	5	7,931,300	0	0	0	0	13	44,445,100	0
INDUSTRIAL - OTHER	4	50,500	0	41	20,539,880	0	11	8,584,000	0	51	14,958,007	0	9	982,300	0	84	20,782,320	0
INSTITUTIONAL - ERECT	1	21,800,000	0	2	33,600,000	0	0	0	0	7	129,443,300	0	0	0	0	2	27,456,800	0
INSTITUTIONAL - ADDITION	1	3,000	0	9	51,276,366	0	1	600,000	0	9	15,778,000	0	0	0	0	9	39,233,800	0
INSTITUTIONAL - OTHER	10	1,036,700	0	133	90,325,650	0	5	314,700	0	162	58,399,501	0	7	255,100	0	180	30,438,060	0
AGRICULTURE	0	0	0	4	557,000	0	1	7,000	0	3	269,000	0	0	0	0	6	15,700,000	0
SWIMMING POOL FENCES	4	123,564	0	377	11,316,960	0	5	142,728	0	368	9,235,019	0	2	50,000	0	210	4,535,267	0
ADMINISTRATIVE	4	0	0	94	298,000	0	9	0	0	62	109,000	0	4	80,000	0	144	447,000	0
DEMOLITION	8	0	4	83	0	54	4	0	3	78	0	53	5	0	3	95	0	53
SIGN/CANOPY - CITY PROPERTY	0	0	0	8	0	0	1	0	0	7	0	0	0	0	0	30	0	0
SIGN/CANOPY - PRIVATE PROPERTY	33	0	0	395	0	0	23	0	0	312	0	0	53	0	0	518	0	0
<b>TOTALS</b>	<b>275</b>	<b>117,109,474</b>	<b>300</b>	<b>4,760</b>	<b>1,634,083,121</b>	<b>3,999</b>	<b>311</b>	<b>102,136,845</b>	<b>343</b>	<b>4,091</b>	<b>1,621,544,439</b>	<b>3,761</b>	<b>248</b>	<b>96,769,488</b>	<b>474</b>	<b>4,531</b>	<b>1,374,352,008</b>	<b>2,746</b>

**Construction Value of Building Permits  
December**



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



**City of London - Building Division**  
**Principal Permits Issued from December 1, 2021 to December 31, 2021**

Owner	Project Location	Proposed Work	No. of	Construction
			Units	Value
1803299 ONTARIO INC	1803299 ONTARIO INC 100 Kellogg Lane	Alter Retail Store Interior alter for Shaw's Ice Cream	0	200,000
BLUESTONE PROPERTIES INC.	101 Base Line Rd W	Install-Apartment Building Install site services.		1,377,260
London District Catholic School Board	1063 Oxford St E	Alter Schools Elementary, Kindergarten ADDING A NEW WASHROOM TO FDK CLASSROOM.	0	200,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1325 Riverbend Rd	Alter Restaurant UNIT 130 - INTERIOR ALTERATION LANDLORD PREP FOR NEW GNOSH RESTAURANT AND NEW GUARD RAILING AROUND PATIO	0	295,000
FOXWOOD DEVELOPMENTS (LONDON) INC. FOXWOOD DEVELOPMENTS (LONDON) INC.	1595 Capri Cres 164 Winston Ave	Install-Site Services INSTALL SITE SERVICES Alter Duplex ALTER MAIN, SECOND FLOOR, CREATE SECOND DWELLING UNIT IN THE BASEMENT w/ PLUMBING, HVAC	1	188,500
LEGACY HOMES OF LONDON LEGACY HOMES OF LONDON	1965 Upperpoint Gate G	Erect-Townhouse - Condo ERECT TOWNHOUSE BLOCK G, 2 STOREY, 8 UNITS, DPNs 25, 27, 29, 31, 33, 35, 37, 39	8	1,515,600
IRONSTONE COMPANY INC. IRONSTONE BUILDING COMPANY INC.	234 Edgevalley Rd A	Erect-Townhouse - Condo ERECT 3 STOREY TOWNHOUSE CONDO, BLOCK A, 10 UNITS DPNs 81, 83, 85, 87, 89, 91, 93, 95, 97, 99	10	2,100,000
2588555 Ontario Limited	2410 Main St	Alter Retail/Apt Complex Creation of a residential unit on 2nd and 3rd Floor of Building, addition of a 2nd storey covered porch on rear side of the building acting as the entrance to the residential unit.	0	120,000
ST JOSEPH'S CARE LONDON ST. JOSEPH'S HEALTH CARE LONDON	268 Grosvenor St	Alter Hospitals Removal and replacement of a Reverse Osmosis System to create pure water for facility use.	0	180,000
University of Western Ontario-Board of Governors	271 Windermere Rd	Install-University Balcony Repairs and Railing Replacement Ausauble Hall, FRR		120,500
University of Western Ontario-Board of Governors	271 Windermere Rd	Install-University Balcony Repair and Railing Replacement for Beaver Hall, FRR		143,000
DOMDAY DEVELOPMENTS INC DOMDAY DEVELOPMENTS INC	2835 Sheffield Pl 46	Erect-Street Townhouse - Condo ERECT SDD TOWNHOUSE CLUSTER, 2 STOREY, 2 CAR GARAGE, 4 BEDROOMS, FINISHED BASEMENT, NO DECK, NO A/C, SB12-A1, HRV&DWHR REQUIRED.	1	433,000
SIFTON PROPERTIES LIMITED SIFTON PROPERTIES LIMITED	285 King St	Alter Offices CM - INTERIOR ALTERATIONS TO EXISTING OFFICE.	0	300,000

**City of London - Building Division**  
**Principal Permits Issued from December 1, 2021 to December 31, 2021**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1699259 ONTARIO LIMITED	3339 Wonderland Rd S	Alter Restaurant <= 30 People Interior Fit-up for take-out pizza restaurant - Group E *****A BUSINESS LICENSE IS REQUIRED*****	0	175,000
GREG BROPHEY PROSPERITY HOMES LIMITED	335 Kennington Way E	Erect-Street Townhouse - Condo ERECT TOWNHOUSE BLOCK E, 4 UNITS, UNFINISHED BASEMENT, NO DECK, W/ A/C, DPNS 345, 343, 341, 339 SOILS REPORT REQUIRED.	4	762,000
GREG BROPHEY PROSPERITY HOMES LIMITED	335 Kennington Way F	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE BLOCK F, UNFINISHED BASEMENT, NO DECK, W/ A/C, DPNS 361, 359, 357, 355. SOILS REPORT REQUIRED.	4	744,000
GREG BROPHEY PROSPERITY HOMES LIMITED	335 Kennington Way G	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE CONDO BLOCK G, 4 UNIT, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A5, DPN 377, 375, 373, 371, Soils Report Required.	4	763,200
Wcpt London Inc	337 Consortium Ct	Alter Retail Store INTERIOR FIT-UP OF EXISTING OFFICE FOR NEW TENANT, INCLUDING EXISTING STORAGE GARAGE, FRR	0	235,000
MILLSTONE INC. MILLSTONE HOMES INC.	3543 Emilycarr Lane A	Erect-Street Townhouse - Condo ERECT STREET TOWNHOUSE BLOCK A - 4 UNITS - DPN 3525, 3527, 3529 & 3531 - 3 BEDROOMS WITH DECKS, SOILS REPORT REQUIRED BY LDS ENGINEERING.	4	1,015,000
MOHAMED ABUHADJAR Goldfield Ltd.	3543 Emilycarr Lane B	Erect-Street Townhouse - Condo ERECT TOWNHOUSE BLOCK C - 4 UNITS - DPN 3535, 3537, 3539 & 3541 - 3 STOREY, 3 BEDROOMS WITH DECKS, SOILS REPORT REQUIRED BY LDS ENGINEERING.	4	1,012,200
MOHAMED ABUHADJAR Goldfield Ltd.	3543 Emilycarr Lane C	Erect-Street Townhouse - Condo ERECT TOWNHOUSE BLOCK C - 4 UNITS - DPN 3545, 3547, 3549 & 3551 - 3 STOREY, 3 BEDROOMS WITH DECKS, SOILS REPORT BY LDS ENGINEERING REQUIRED.	4	1,012,200
	382 Victoria St	Erect-Duplex ERECT DUPLEX, 3 STOREY, 1 CAR GARAGE, FINISHED BASEMENT, 5 BEDROOMS, W/COVERED PATIO, NO A/C, SB-12 A1, LOT 6, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	2	686,500
GREG BROPHEY PROSPERITY HOMES LIMITED	3959 Mia Ave H	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE CONDO BLOCK H, 4 UNIT, 2 STOREY, 2 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A5, HRV AND DWHR REQUIRED, DPNS 3943, 3945, 3947, 3949	4	762,000
GREG BROPHEY PROSPERITY HOMES LIMITED	3959 Mia Ave I	Erect-Street Townhouse - Condo ERECT 3 UNIT TOWNHOUSE BLOCK I DPNS 3957, 3955, 3953	3	576,000

### City of London - Building Division

#### Principal Permits Issued from December 1, 2021 to December 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Greg Brophrey Prosperity Homes Limited	3964 Mia Ave J	Erect-Street Townhouse - Condo ERRECT NEW STREET TOWNHOUSE CONDO BLOCK J, 3 UNITS, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A5, HRV AND DWHR REQUIRED DPN 3934, 3936, 3938 Mia Ave	3	578,400
Greg Brophrey Prosperity Homes Limited	3964 Mia Ave K	Erect-Street Townhouse - Condo ERRECT NEW STREET TOWNHOUSE CONDO BLOCK K, 4 UNIT, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A5, HRV AND DWHR REQUIRED, DPN 3944, 3946, 3948, 3950	4	744,000
Greg Brophrey Prosperity Homes Limited	3964 Mia Ave L	Erect-Townhouse - Cluster SDD ERRECT NEW STREET TOWNHOUSE CONDO BLOCK L, 4 UNITS, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ NO A/C, SB12 A5, DPN 3956, 3958, 3960 & 3962. Soils Report Required.	4	762,000
Greg Brophrey Prosperity Homes Limited	3964 Mia Ave M	Erect-Street Townhouse - Condo ERRECT NEW STREET TOWNHOUSE CONDO BLOCK M, 4 UNITS, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A5, DPN 3970, 3972, 3974, 3976	4	744,000
Greg Brophrey Prosperity Homes Limited	3964 Mia Ave N	Erect-Townhouse - Cluster SDD ERRECT NEW STREET TOWNHOUSE CONDO BLOCK N, 4 UNITS, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ NO A/C, SB12 A5, DPN 3984-3986-3988-3990	4	763,200
Stonehedge Towers Limited	619 William St	Alter Apartment Building EXTERIOR STRUCTURAL REPAIR	0	450,000
MAPLEROSE HOLDINGS (CANADA) INC MAPLEROSE HOLDINGS (CANADA) INC	784 Wharnccliffe Rd S	Alter Retail Store CM - INTERIOR FIT UP FOR NEW RETAIL STORE.	0	110,000
LHSC LHSC - LONDON HEALTH SCIENCES CENTRE	800 Commissioners Rd E	Alter Hospitals Replacement of existing fan coil units and associated ERV.	0	160,000
	9 Westdale Ave	Erect-Duplex ERRECT SDD C/W SECONDARY DWELLING UNIT IN BASEMENT, 1 STORY, 2 CAR GARAGE, FINISHED BASEMENT, 5 BEDROOMS, COVERED REAR PORCH, NO A/C, SB-12 EGH80-15, LOT 35 REGISTERED PLAN NO. 630, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	2	364,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	915 Upperpoint Ave	Install-Townhouse - Cluster SDD INSTALL SITE SERVICES		900,000





**City of London - Building Division**

**Principal Permits Issued from December 1, 2021 to December 31, 2021**

**Commercial building permits issued - subject to Development Charges under By-law C.P. -1551-227**

**OWNER**

UPTOWN COMMERCIAL  
CENTRE 2560334 ONTARIO  
LMT 2560334 ONTARIO INC O/A  
UPTOWN COMMERCIAL  
CENTRE  
LIMITED 5001740 5001740  
ONTARIO LIMITED

*Commercial Permits regardless of construction value*