Planning and Environment Committee

Report

6th Meeting of the Planning and Environment Committee
March 7, 2022

PRESENT: Councillors A. Hopkins (Chair), S. Lewis, S. Lehman, S. Turner, S. Hillier

ABSENT: Mayor E. Holder

ALSO PRESENT: PRESENT: Councillor J. Fyfe-Millar; H. Lysynski and J.W. Taylor

REMOTE ATTENDANCE: Councillors M. van Holst and M. Hamou; L. Livingstone, J. Adema, G. Barrett, J. Bunn, M. Butlin, M. Corby, A. Curtis, I. de Ceuster, B. Debbert, K. Edwards, M. Feldberg, P. Kokkoros, S. Mathers, H. McNeely, B. O'Hagan, B. Page, A. Pascual, M. Pease, A. Rammeloo, A. Riley, K. Scherr, M. Schulthess, J.-A. Spence, S. Stafford, M. Vivian and B. Westlake-Power

The meeting was called to order at 4:30 PM, with Councillor A. Hopkins in the Chair, Councillors S. Lewis and S. Lehman present and all other members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis
Seconded by: S. Hillier

That Items 2.1 to 2.6, inclusive, BE APPROVED.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 3rd Report of the Trees and Forests Advisory Committee

Moved by: S. Lewis
Seconded by: S. Hillier

That the 3rd Report of the Trees and Forests Advisory Committee, from its meeting held on February 23, 2022, BE RECEIVED for information.

Motion Passed

2.2 Draft Victoria Park Secondary Plan (O-8978)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the draft Victoria Park Secondary Plan:

a) the draft Victoria Park Secondary Plan, appended to the staff report dated March 7, 2022 as Appendix “A” BE RECEIVED for information; and,

b) the draft Victoria Park Secondary Plan BE CIRCULATED for public comment;

it being noted that feedback received will inform a revised Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration and approval of Municipal Council at a future public participation meeting of the Planning and Environment Committee;

it being further noted that the Planning and Environment Committee received a staff presentation with respect to these matters. (2022-D09/R01)

Motion Passed

2.3 2022 LDD Moth Proposed Management Plan

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the 2022 Lymantria dispar dispar (LDD) Moth* proposed management plan BE RECEIVED for information and the following actions be taken with respect to the provision of LDD aerial spraying services:

a) the single source estimated price of 100,000 plus HST, pending further negotiation submitted by Zimmer Air Services Inc. to provide an aerial spraying service to control the spread of the LDD moth in select locations as outlined in the report below, BE ACCEPTED;

b) the financing for the project BE APPROVED within existing budgets;

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,

d) approval hereby given BE CONDITIONAL upon the Corporation entering a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2022-D05)

Motion Passed

2.4 1985 Gore Road (H-9467)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the application by Dancor Oxford Inc., relating to the property located at 1985 Gore Road, the proposed by-law appended to the staff report dated March 7, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 22, 2022, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Light Industrial LI2 and General Industrial GI1 (h*LI2/GI1) Zone TO a Light Industrial LI2 and General Industrial GI1 (LI2/GI1) Zone to remove the “h” holding provision. (2022-D09)

Motion Passed

2.5 3024, 3001, 2970 and 2954 Turner Crescent (H-9464)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Greengate Village Limited, to exempt Blocks 50, 51, 52 and 53 of Registered Plan 33M-790 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the Planning and Environment Committee Added Agenda BE INTRODUCED at a future Council meeting to exempt Blocks 50, 51, 52 and 53, Plan 33M-790 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(3) R4-5(4)) in Zoning By-law No. Z.-1, which permits street townhouses, with special provisions regulating lot frontage, garage front yard depth, exterior side yard depth, and interior side yard depth;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Blocks 50, 51, 52 and 53, Plan 33M-790 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 Planning and Development 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 Planning and Development 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 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 Planning and Development 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 Planning and Development for 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 that requirements d), e) and f) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;
xii) that not more than four (4) reference plans be approved to be registered as part of this application and that Greengate Village limited advise the City of the registration of each reference plan; and,
xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question. (2022-D25)

Motion Passed

2.6 3161 and 3138 Turner Crescent (H-9463)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Greengate Village Limited to exempt Blocks 48 and 49 of Registered Plan 33M-790 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law as appended to the Planning and Environment Committee Added Agenda, BE INTRODUCED at a future Council meeting to exempt Blocks 48 and 49, Plan 33M-790 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(3) R4-5(4)) in Zoning By-law No. Z.-1, which permits street townhouses, with special provisions regulating lot frontage, garage front yard depth, exterior side yard depth, and interior side yard depth;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Blocks 48 and 49, Plan 33M-790 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 Planning and Development 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 Planning and Development 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 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 Planning and Development 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 Planning and Development for 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 that requirements d), e) and f) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;
xii) that not more than two (2) reference plans be approved to be registered as part of this application and that Greengate Village limited advise the City of the registration of each reference plan; and,
xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question. (2022-D25)

Motion Passed

3. Scheduled Items

3.1 3425 Grand Oak Crossing (39CD-21520)

Moved by: S. Lewis
Seconded by: S. Lehman

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, based on the application of 2219008 Ontario Ltd. (York Developments), relating to the property located at 3425 Grand Oak Crossing:

a) the Approval Authority BE ADVISD that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3425 Grand Oak Crossing; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3425 Grand Oak Crossing;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

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

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; and,
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, Medium Density Residential Designation and will implement an appropriate form of residential development for the site. (2022-D07)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Turner
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.2 600 Oxford Street West (OZ-9437)

Moved by: S. Lehman
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application by Maverick Real Estate Inc., relating to the property located at 600 Oxford Street West:

a) the proposed by-law appended to the staff report dated March 7, 2022 as Appendix “A" BE INTRODUCED at the Municipal Council meeting to be held on March 22, 2022 to amend The London Plan to ADD a Specific Area Policy to permit “automotive uses, restricted” within existing buildings, in addition to the uses permitted in the Transit Village Place Type, and by ADDING the subject lands to Map 7 - Specific Area Policies – of The London Plan;

it being noted that the amendments will come into full force and effect concurrently with Map 7 of The London Plan;

b) the proposed by-law appended to the staff report dated March 7, 2022 as Appendix “B" BE INTRODUCED at the Municipal Council meeting to be held on March 22, 2022 to amend the Official Plan (1989) to ADD a policy to Section 10.1.3 – “Policies for Specific Areas” to permit “office”, “retail” and “commercial recreation establishments” within existing buildings, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation; and,

c) the proposed by-law appended to the staff report dated March 7, 2022 as Appendix "C" BE INTRODUCED at the Municipal Council

meeting to be held on March 22, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in parts a) and b) above), to change the zoning of the subject property FROM a Highway Service Commercial/Restricted Service Commercial (HS/RSC1) Zone TO a Highway Service Commercial Special Provision (HS(_)) Zone;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- N. Dyjach, Strik Baldinelli Moniz;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the criteria for Specific Area Policies and Planning Impact Analysis;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, City Design policies;
- the recommended amendment facilitates uses of a site within the Built-Area Boundary and the Primary Transit Area until such time as the site redevelops; and,
- the recommended amendments facilitate an appropriate proposal that facilitates the reuse of the existing buildings with uses that are compatible within the surrounding context. (2022-D21)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lehman
Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

3.3 1420 Hyde Park Road (O-9422/Z-9423)

Moved by: S. Lehman
Seconded by: S. Turner

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Hyde Construction (c/o Pete Hyde), relating to the property located at 1420 Hyde Park Road:

a) the proposed by-law appended to the staff report dated March 7, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 22, 2022 to amend the Official Plan for the City of London Planning Area – 1989 by ADDING a policy to Section 3.5. – Policies for Specific Residential Areas to permit a maximum residential density of 111 units per hectare to align the 1989 Official Plan policies with the Neighbourhood Place Type policies of The London Plan;

b) the proposed by-law appended to the staff report dated March 7, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on March 22, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Temporary/Urban Reserve (T-51/UR3) Zone TO a Residential R9 Special Provision (R9-4(_)) Zone;

it being noted that the following site plan matters were raised during the application review process:

i) provide a strong pedestrian relationship between the inside and the outside of the building at the intersection of Hyde Park Road and South Carriage Road;
ii) provide individual lockable front door entrances to ground floor units on the street-facing elevations and design amenity spaces as open courtyards or front porches to create a pedestrian-oriented streetscape;
iii) provide direct walkway access from ground floor units to the public sidewalk;
iv) co-ordinate the design of the site with the memorial plaza to be constructed by the City at Hyde Park Road/South Carriage intersection;
v) provide further details on the use of the outdoor amenity space at the corner of South Carriage Road and Hyde Park Ave. Remove the wall and fencing to provide for better activation with the street and memorial plaza;
vi) design the space between the building and the right-of-way with a main sidewalk, slightly raised planting beds with trees and foundation plantings generally consistent with the public/private interface approved for other developments within the Hyde Park community;
vii) provide privacy fencing along the west and south property boundaries;
viii) provide enhanced landscaping, including buffering and screening from the development to the existing and future uses on adjacent properties and screening of parking visible from South Carriage Road;
ix) continue the public sidewalk along the South Carriage Road frontage between Hyde Park Road and Prince of Wales Gate to provide better pedestrian connections within the neighbourhood and to Cantebury Park, noting sidewalk construction will require the removal of nine existing trees located in the City boulevard;
x) provide a centrally located outdoor common amenity space that is sufficiently sized for the number of units proposed;
xi) provide trees and plantings every 15 parking spaces and within all parking islands.
xii) locate the garbage facilities close to the building, away from neighbouring properties;
xiii) provide mitigation measures to address potential on-site conflicts

between sidewalks and the parking area, and individual ground floor units and their private amenity areas; and,
xiv) locate and design snow storage areas to retain snow-melt on site;

it being pointed out that the Planning and Environment Committee received a communication from S. Jones, by e-mail, with respect to these matters;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- K. Crowley, Zelinka Priamo Ltd.; and,
- P. Terek, no address provided;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation; and,
- the recommended amendment facilitates the development of a site immediately adjacent to the Built-Area Boundary in an area planned for the logical expansion of urban residential development. (2022-D09)

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and S. Turner

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Hillier
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Turner, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Lehman
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (3): A. Hopkins , S. Lehman, and S. Turner

Absent: (3): S. Lewis, S. Hillier, and E. Holder

Motion Passed (3 to 0)

3.4 6756 James Street (Z-9401)

Moved by: S. Turner
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Domus Development London Inc., relating to the property located at 6756 James Street, the proposed by-law appended to the staff report dated March 7, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 22, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R1 (R1-10) Zone TO a Residential R5 Special Provision (R5-2(_)) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

i) boundary landscaping along the north, east and west property boundaries that meet the standards of the Site Plan Control By-law and have screening/privacy qualities; and,
ii) board-on-board fencing along the north, east and west property boundaries where possible that meet the standards of the Site Plan Control By-law and do not negatively impact on-site stormwater management or any existing landscaping;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the staff presentation;
- a communication dated March 2, 2022 from L. and R. Harden, by e-mail; and,
- a communication dated February 28, 2022 from J. Posthumus, by e-mail;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- Casey Kulchycki, Senior Planner, Zelinka Priamo Ltd.;
- J. D'Orsay, 6775 James Street;
- J. Posthumus, no address provided;
- J. McNabb, no address provided;
- K. Karpierz, 6742 James Street; and,
- L. Grieve, 6780 James Street;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of the Southwest Area Secondary Plan, including but not limited to the Low Density Residential designation of the Lambeth Neighbourhood;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D12)

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and S. Turner

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and S. Turner

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

Moved by: S. Lewis
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and S. Turner

Absent: (2): S. Hillier, and E. Holder

Motion Passed (4 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 6:49 PM.

Trees and Forests Advisory Committee

Report

3rd Meeting of the Trees and Forests Advisory Committee
February 23, 2022
Advisory Committee Virtual Meeting - during the COVID-19 Emergency
Please check the City website for current details of COVID-19 service impacts.

Attendance

PRESENT: A. Cantell (Acting Chair), J. Kogelheide, and A. Valastro; A. Pascual (Committee Clerk)

ABSENT: A. Hames and A. Morrison

ALSO PRESENT: T. Arnos, A. Beaton, P. Donnelly, M. Fabro, and B. Williamson

The meeting was called to order at 12:21 PM; it being noted that the following Members were in remote attendance: A. Cantell, J. Kogelheide, and A. Valastro.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 London's Draft Climate Emergency Action Plan (CEAP)

That it BE NOTED that the presentation, as appended to the Agenda, from M. Fabro, Manager, Climate Change Planning and P. Donnelly, Manager, Watersheds and Climate Change, with respect to the London's Draft Climate Emergency Action Plan (CEAP), was received;

it being noted that the Trees and Forests Advisory Committee (TFAC) will be preparing a document, with respect to this matter, for discussion at the next TFAC meeting.

3. Consent

3.1 2nd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 2nd Report of the Trees and Forests Advisory Committee, from its meeting held on January 26, 2022, was received.

3.2 Letter of Resignation

That the Letter of Resignation from the Trees and Forests Advisory Committee, from P. Nicholson BE RECEIVED.

4. Adjournment

The meeting adjourned at 1:36 PM.

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers, MPA, P. Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **Draft Victoria Park Secondary Plan**
Date: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the draft Victoria Park Secondary Plan:

(a) The draft Victoria Park Secondary Plan, attached in Appendix "A" **BE RECEIVED** for information; and,

(b) The draft Victoria Park Secondary Plan **BE CIRCULATED** for public comment.

IT BEING NOTED that feedback received will inform a revised Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration and approval of Municipal Council at a future public participation meeting of the Planning and Environment Committee.

Executive Summary

The purpose and effect of the recommended action is for Municipal Council to receive the revised draft *Victoria Park Secondary Plan* for consideration, and for the public to be able to review the revised draft Secondary Plan and provide comments prior to and during a future public participation meeting of the Planning and Environment Committee where staff will recommend approval of the final *Victoria Park Secondary Plan* and implementing Official Plan Amendment.

Linkage to the Corporate Strategic Plan

The preparation of the draft *Victoria Park Secondary Plan* contributes to implementing the Strategic Plan through Building a Sustainable City and Strengthening Our Community. The area surrounding Victoria Park is partially within and directly adjacent to the Downtown and is considered a strategic location for growth and intensification. The preparation of the draft *Victoria Park Secondary Plan* coordinates growth and development in a well-planned and sustainable manner over the long term. The draft Secondary Plan will promote the efficient use of land, prioritize active transportation, and ensure that new development is of the highest design standard and will fit within and enhance the surrounding community.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. The draft *Victoria Park Secondary Plan* supports the City's commitment to reducing and mitigating climate change by providing compact development forms that will encourage land use intensification and 'inward and upward' residential growth at an appropriate location. It also encourages active transportation and supports the inclusion of sustainable development practices. The *Victoria Park Secondary Plan* supports and efficient use of existing urban lands to manage growth and reduce the demand for sprawl.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

November 1st, 2021 – PEC – Application by GSP Group Inc. re properties located at 560 and 562 Wellington Street (OZ-8462)

September 10, 2021 – PEC – Application for Site Plan Approval by Great-West Life 556 Wellington Street (SPA19-046)

February 3, 2020 - PEC – *Victoria Park Secondary Plan* (OZ-8978)

June 17, 2019 - PEC – *Victoria Park Secondary Plan* – Draft Secondary Plan (OZ-8978)

April 29, 2019 - PEC – *Victoria Park Secondary Plan*: Status update and Draft Secondary Plan Principles (OZ-8978)

April 30, 2018 - PEC – Application by GSP Group Inc. 560 and 562 Wellington Street – Status update and request to undertake further study (OZ-8462)

May 8, 2017 - PEC – Application by GSP Group Inc. re properties located at 560 and 562 Wellington Street (OZ-8462)

1.2 Purpose of the Victoria Park Secondary Plan

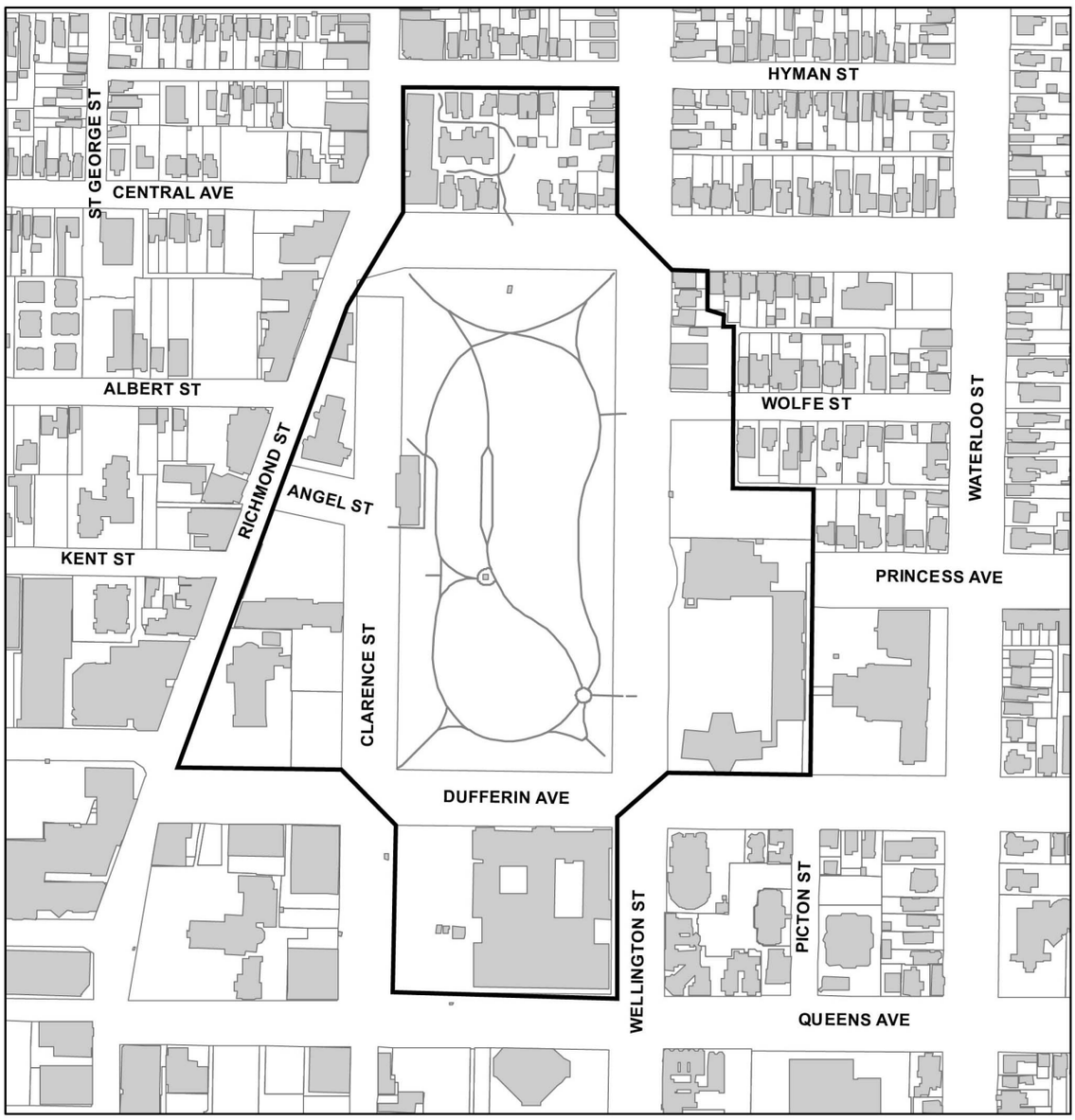
Secondary Plans provide an opportunity for more detailed area-specific policy guidance, going beyond the parent policies of the Official Plan. In the case of the *Victoria Park Secondary Plan*, the intent is to provide a more comprehensive vision for future development and redevelopment within the Secondary Plan area, expanding on the general policies of *The London Plan.* Existing plans, policies, regulations, and guidelines applying to properties around the park have been considered to create the development framework and to provide clarity and consistency in reviewing future applications.

The policies in the *West Woodfield Heritage Conservation District Plan* and the *Downtown Heritage Conservation District Plan* will continue to apply to many properties within the *Victoria Park Secondary Plan* boundary and are evaluated under the framework of the *Ontario Heritage Act*.

Any future development application will be evaluated on a site-by-site basis for conformity to the applicable Official Plan policies, Secondary Plan policies, and Heritage Conservation District Plans. Additionally, site-specific technical studies, and the general regulations of the Zoning Bylaw and Site Plan Bylaw will also be considered in the evaluation of future development applications.

1.3 Study Area

The Victoria Park Secondary Plan applies to properties around Victoria Park as identified in Figure 1 below. This area has been defined to include properties surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park. The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply to properties within this boundary.



1.3 Referral back to Civic Administration

On February 3, 2020 a public participation meeting was held at the Planning and Environment Committee and a previous version of the *Victoria Park Secondary Plan* was presented with a recommendation for adoption.

At its meeting on February 11, 2020, Council resolved:

a) *the Victoria Park Secondary Plan BE REFERRED back to the Civic Administration for further public consultation and consideration, with a report back to a future meeting of the Planning and Environment Committee, with the report back to include consideration to include, but not be limited to, the following matters:*
   - *i) permitted heights and the relationship with the proposed 45 degree angular plane;*
   - *ii) Housing affordability within the proposed Secondary Plan;*
   - *iii) sound mitigation from noise generated from festivals held at Victoria Park; and,*
   - *iv) other issues raised by the public during the public participation meeting held on this matter;*

a) *the Civic Administration BE REQUESTED to provide 3D modelling of different permitted heights and related shadow impacts with the report back;*

Further technical studies, analysis and consultation have been undertaken related to the issues raised at the Planning and Environment Committee and Council. Recent planning and development approvals related to properties within the Secondary Plan area, as well as new applicable policies and regulations have also been considered. These additional considerations are included in Section 4.0 Discussion and Considerations below, and have informed revisions to the draft *Victoria Park Secondary Plan*, attached to this report as Appendix A.

2.0 Community Engagement

2.1 Summary of Consultation

The *Victoria Park Secondary Plan* has involved extensive community engagement. A Get Involved webpage was created with project information and relevant documents publicly available. To date, more than 200 interested parties have provided their contact information to stay updated about the *Victoria Park Secondary Plan*.

The following section outlines major engagement opportunities for the *Victoria Park Secondary Plan*:

- Home County Music and Art Festival - July 16-18, 2018
- Sun Fest - July 4-7, 2019
- Ribfest including Virtual Reality (VR) visualization - August 1-6, 2019
- Community Information Meeting #1 - October 1, 2018
- Community Information Meeting #2 - January 24, 2019
- Public Participation Meeting at the PEC - April 29, 2019
- Public Participation Meeting at the PEC - June 17, 2019
- Community Information Meeting #3 - September 4, 2019
- Public Participation Meeting at the PEC - February 3, 2020
- Community Information Meeting #4 (virtual) - November 11, 2020
- Various meetings (both in-person and virtually), telephone calls, and emails from community members, landowners, and other stakeholders, including Friends of Victoria Park, Woodfield Community Association, Architectural Conservancy of Ontario (ACO), Downtown London BIA, Woodfield Ratepayers.

2.2 Summary of Comments and Themes

The feedback received during the Secondary Plan process was varied. The high level of public response indicate that Londoners across the City are passionate about the future of the *Victoria Park Secondary Plan* Area and want to ensure the continued vitality and functionality of the park. The feedback received has informed the development of the *Victoria Park Secondary Plan*. A more detailed summary of how specific themes of comments have been addressed in this revised *Victoria Park Secondary Plan* is attached in Appendix B.

The overarching themes from various consultation events include the following:

- Opportunities for intensification in certain locations.
- Need to transition to low-rise development and existing character.
- Pedestrian environment needs improvement.
- Concern about traffic and congestion as a result of increased development.
- Desire for information about sustainable development.
- Desire for consideration about affordable housing.
- Sound mitigation for noise from festivals.
- Consider active transportation.
- Impact of development on trees and green space.
- Opportunities to consider existing uses, character and context of surrounding areas.
- Concerns about permitted heights and related shadow and wind tunnel impacts.
- Impact of view corridors on development potential.
- Relationship of new development with St. Peter’s Basilica Cathedral.
- Loss of parking in the area.
- Application and clarity of angular plane and other policies.

The feedback received from the public and stakeholders has helped inform the development of, and revisions to, the draft *Victoria Park Secondary Plan*. Substantive changes to the plan since the February 2020 version are outlined in section 5.0 – Revisions to the draft Victoria Park Secondary Plan.

3.0 Policy Framework

3.1 Provincial Policy Statement, 2020 (PPS)

The *Provincial Policy Statement (PPS)*, 2020 provides policy direction on matters of provincial interest related to land use planning and development. The policies support the integration of land use planning, growth management, transit-supportive development and optimization of transit investments to minimize land consumption and servicing costs (1.1.1.e)).

The policies in the Victoria Park Secondary Plan are consistent with the PPS, including direction that healthy, liveable, and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and opens space and other uses to meet long-term needs (1.4.3). The PPS identifies that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. The PPS promotes appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety. Further, the PPS establishes that Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

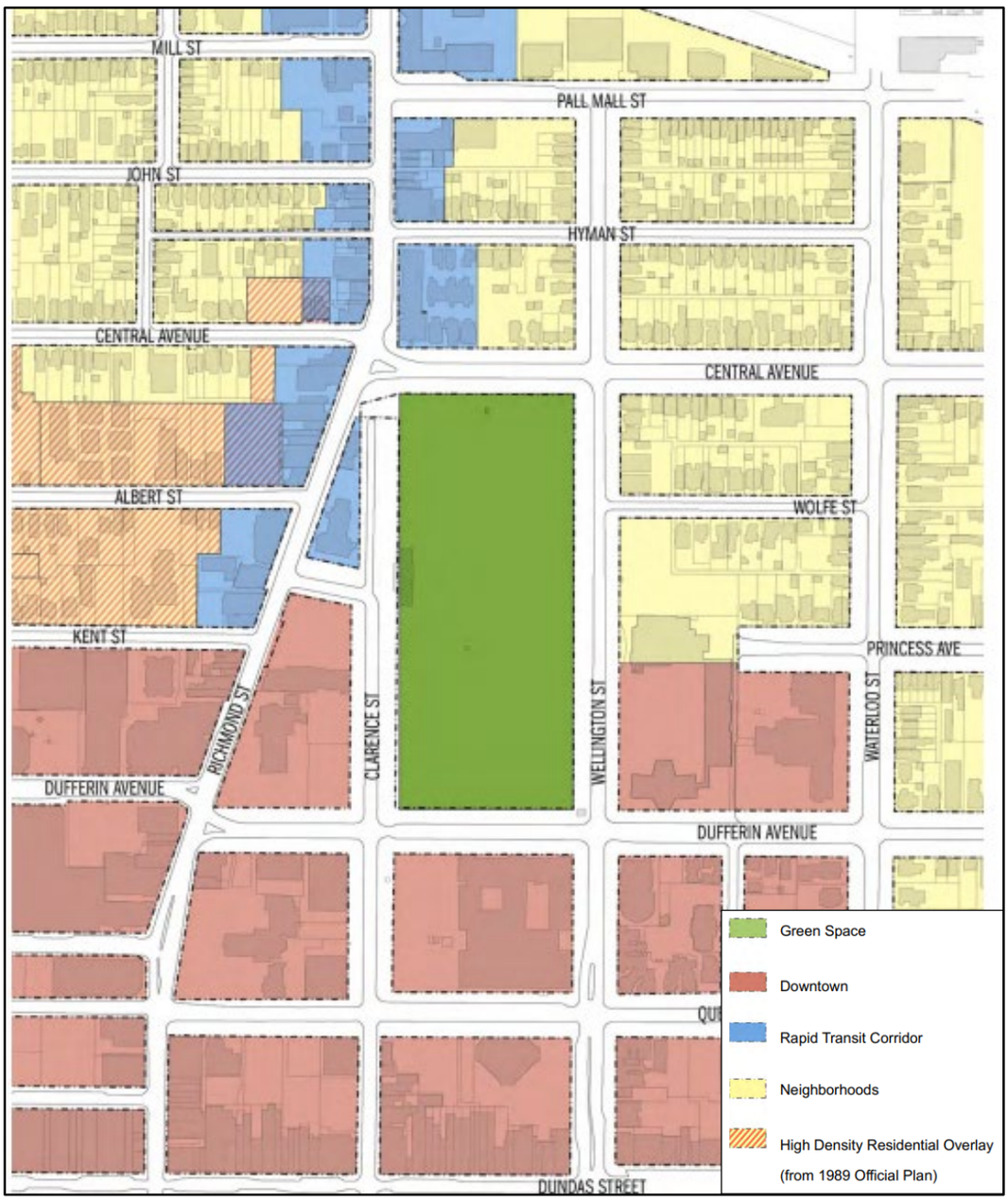
The PPS promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs pedestrians, foster social interaction and facilitate active transportation and community connectivity. The PPS also encourages a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (1.7.1). Long-term economic prosperity is also supported by minimizing negative impacts from a changing climate. Finally, the PPS promotes economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

3.2 The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *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 lands within the study area have a variety of Place Types including: Downtown, Rapid Transit Corridor and Neighbourhoods. The various Place Types permit a wide range of commercial, retail, shopping, office, mid-rise and high-rise residential forms. The draft Victoria Park Secondary Plan will build on the planning direction from *The London Plan,* but also help to establish effective transitions between the different uses, intensities and forms permitted in the different Place Types to create a comprehensive vision for the overall area.

Figure 2 – London Plan Place Types



Downtown

The properties located south of Angel Street and Princess Street, making up approximately the lower half of the plan area are designated Downtown in The London Plan. Downtown is the highest-order mixed-use activity centre in the city and contemplates a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses. The London Plan permits standard maximum heights of up to 22 storeys. Heights up to 35 storeys are permitted using bonus zoning. The Downtown is also subject to the minimum densities in the Protected Major Transit Station Areas (PMTSA) policies to support higher-order transit ridership and the possible implementation of Inclusionary Zoning.

Rapid Transit Corridor

The properties located along Richmond Street, north of Angel Street in the north-west quadrant of the plan area are designated Rapid Transit Corridor in The London Plan. The vision for the Rapid Transit Corridors is to create vibrant mixed-use and transit-oriented neighbourhoods that support walkability and transit ridership, particularly in locations adjacent to planned station areas. The Rapid Transit Corridor policies include a framework for lot consolidation which allows the Place Type boundary to be expanded to accommodate more viable development parcels, as well as transition to adjacent Neighbourhoods.

The Rapid Transit Corridor Place Type contemplates a broad range of residential, retail, service, office, cultural, recreational, and institutional uses. The area along Richmond Street from Oxford Street to Kent Street is further defined by special policies as the Richmond Row Main Street. This segment allows for standard maximum heights up to 12 storeys, and extends up to 16 storeys with bonusing. The Rapid Transit Corridor is also subject to the minimum densities in the PMTSA policies to support planned higher-order transit and the possible implementation of Inclusionary Zoning.

Neighbourhoods

The properties located north of Princess Ave and the east portion of the block north of Central Avenue, making up the north-east quadrant of the plan area are designated Neighbourhoods Place Type in *The London Plan*. The vision for Neighbourhoods is to create 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. Key elements of Neighbourhoods are attractive streetscapes, buildings and public spaces, with 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. Neighbourhoods will be well-connected with lots of safe, comfortable, convenient mobility options, and attractive amenities such as parks, and recreational opportunities.

The Neighbourhoods Place Type contemplates an appropriate range of residential, retail, service and office uses. The permitted heights in the Neighbourhoods Place Type depend on the street classification, and are generally up to 4 storeys, and extends up to 6 storeys with bonusing.

Guidelines and Special Policy Areas with The London Plan

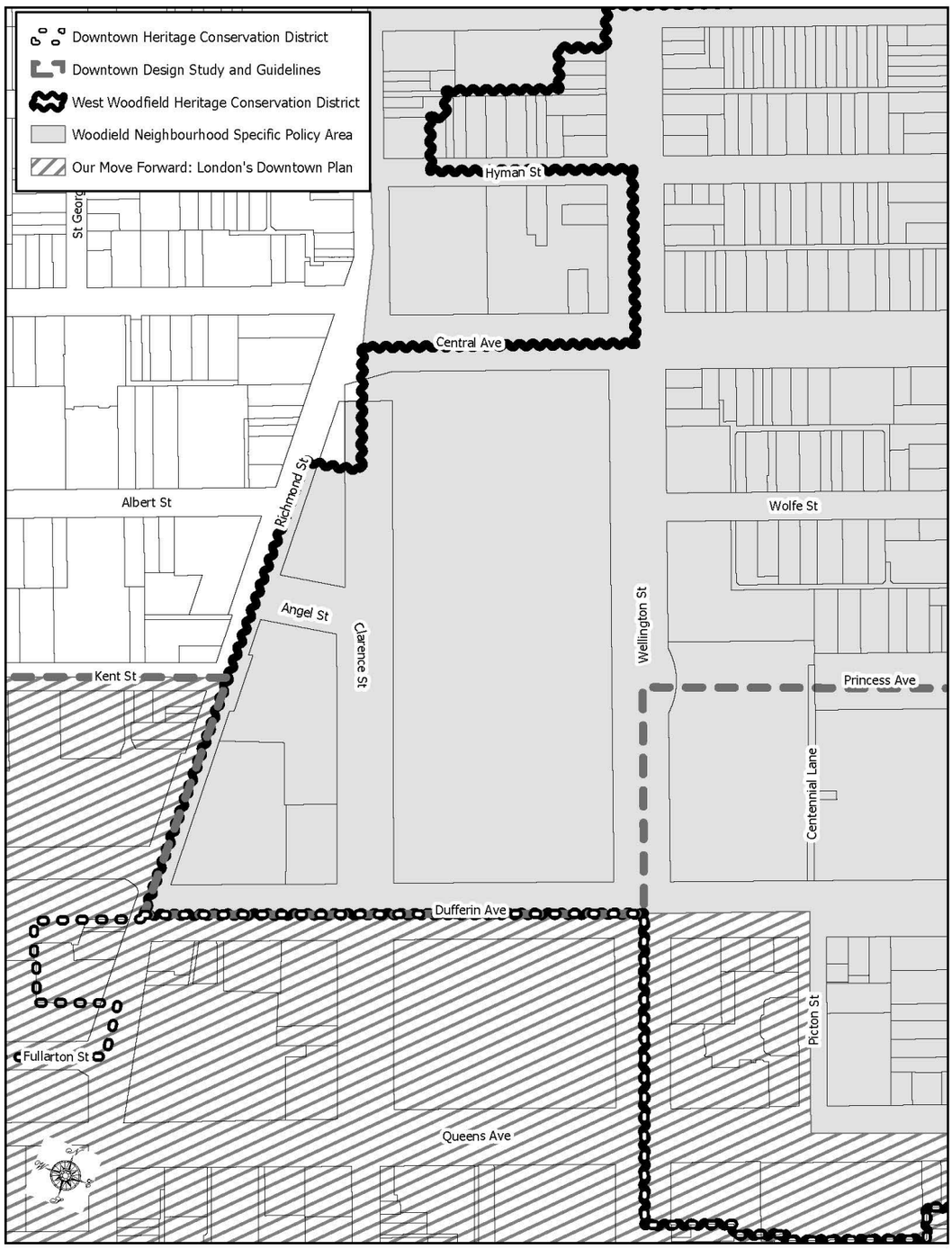
Our Move Forward: London's Downtown Plan and the *Downtown Design Study and Guidelines* are both guideline documents adopted under policy _1717 of The London Plan and apply mainly to the southern portion of the study area. The Woodfield Neighbourhood Specific Policy Area (policy _1033) is also part of *The London Plan* and applies to all properties within the Secondary Plan area except the property south of Dufferin Avenue and the most northerly property west of Clarence Street along Richmond Street. A map demonstrating the overlapping planning framework for the lands surrounding Victoria Park can be found in Figure 3 below.

3.3 1989 Official Plan

The lands within the study area have a variety of designations in the 1989 Official Plan including: Downtown Area, Low Density Residential, Multi-Family Medium Density, Community Facility, Office Area, and Main Street Commercial Corridor. The various designations permit a wide range of commercial, retail, shopping, office, mid-rise and high-rise residential forms.

With the Downtown and Rapid Transit Corridor Place Type policies being in force and effect, the 1989 Official Plan policies mainly apply within the under-appeal Neighbourhood Place Type in the north-east portion of the study area.

Figure 3 – Overlapping policy and guideline documents around Victoria Park



3.4 Cultural Heritage Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement* (2020), the *Ontario Heritage Act*, and *The London Plan* and the *Official Plan* (1989, as amended).

Ontario Heritage Act

Section 42 of the *Ontario Heritage Act* requires that a property owner not demolish, erect, alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit: a) the permit applied for; b) notice that the council is refusing the application for the permit; or, c) the permit applied for, with terms and conditions attached (*Ontario Heritage Act*, Section 42(4)).

As a result, any future development applications for a property located in the *Victoria Park Secondary Plan* area that is designated Part IV or Part V (pursuant to the *Ontario Heritage Act*) will still be required to receive Heritage Alteration Permits prior to

development. A Heritage Impact Assessment will also be required for any planning or development application.

West Woodfield Heritage Conservation District Plan (2008)

The West Woodfield Heritage Conservation District (WWHCD) is primarily bounded by Richmond Street, Pall Mall Street and Central Avenue, Maitland Street, and Dufferin Avenue and Queens Avenue. The majority of properties south of Central Avenue and north of Dufferin Avenue are within the WWHCD with the exception of the northern most property west of Clarence Street.

Downtown Heritage Conservation District Plan (2013)

The Downtown Heritage Conservation District is primarily bounded by the Thames River, Blackfriars Bridge, Fullarton Street, Dufferin Avenue and mid-block between Wellington and Waterloo, north of Dundas. The properties south of Dufferin Avenue are located within the Downtown HCD.

4.0 Discussion and Considerations

Further technical studies, policy review, analysis and consultation have been undertaken related to the issues raised at the Planning and Environment Committee and Council. Recent planning and development approvals related to properties within the Secondary Plan area, as well as new applicable policies and regulations have also been considered. These additional considerations are summarized below, and have informed revisions to the draft *Victoria Park Secondary Plan*, attached to this report as Appendix A.

4.1 Additional Community Consultation

Within the limitations and restrictions presented by the Covid-19 pandemic, City staff undertook additional community consultation related to the *Victoria Park Secondary Plan*. This consultation included a Community Information Meeting, which was held virtually using Zoom, as well as several meetings, telephone calls and emails with community groups, property owners and individuals.

The following summarizes the consultation that has occurred since the February 3, 2020 public participation meeting before PEC:

- November 11, 2020 - Community Information Meeting #4 (virtual)
- January 21, 2020 – Friends of Victoria Park
- February 28, 2020 – Woodfield and Friends of Victoria Park
- November 2, 2020 – Architectural Conservancy of Ontario (ACO)
- November 11, 2020 – Downtown BIA
- November 16, 2020 – Woodfield Ratepayers
- Various dates – Meetings with Property Owners

The issues and concerns raised through community engagement were consistent with those that had been previously raised and considered. A detailed summary of consultation themes and responses is provided in Appendix B: Public Engagement.

4.2 Heights and Angular Plane

Angular planes are an effective tool to address transition between existing low-rise neighbourhoods and areas for intensification to minimize shadowing and privacy impacts. An angular plan essentially provides a horizontal setback in relation to the vertical height of a building, pushing taller portions of the building further away from the low-rise area.

Through analysis of the Secondary Plan area, and different building typologies, it was found angular planes are most effective at shaping the massing of slab-type low-rise and mid-rise buildings, as well as the podium or base of high-rise development. However, angular planes are less effective at shaping high-rise buildings, or determining height of high-rise buildings, in the absence of other regulations. For tall

buildings - privacy, shadowing, sky-view and other impacts are better controlled through restrictions on the width and size of tower floorplates, tower separation and setbacks, to allow shadows to move quickly across impacted properties.

The use of angular planes can also have unintended consequences when applied in the absence of other massing restrictions, including incentivizing lot consolidation and redevelopment deeper into adjacent neighbourhoods than anticipated, and permitting large slab-type development with terraces overlooking the adjacent low-rise area.

The policies of the Secondary Plan have been revised to add clarity around the permitted heights for each Policy Area, removing cross-references to angular planes from Table 1: Permitted Heights and Schedule 4: Permitted Heights. The permitted heights are based on the underlying policy framework of *The London Plan*, the existing development permissions on various sites, and the ability to provide sensitive and compatible infill development within each site's unique context.

The most significant change to permitted heights is for the 556 Wellington Street property. To acknowledge the existing height and density permissions in the Zoning By-law and development agreement, the heights for this property have been revised from a maximum height based on an angular plane on the north portion and 30 storeys on the south portion, to 16 storeys and 25 storeys respectively. An additional change to the permitted heights is for the 560-562 Wellington Street property. An appeal has been received in relation to a site-specific development proposal and the permitted height for the property will be determined by a future decision of the Ontario Land Tribunal. Once a final decision is rendered and in-force, the Secondary Plan will be updated to reflect the permitted heights.

The draft *Victoria Park Secondary Plan* has been revised to ensure appropriate policy guidance is in place to shape the height and massing of new buildings to minimize shadow, privacy, sky-view, streetscape character, scale and other impacts for both mid-rise and high-rise buildings in all Policy Areas. Policies guiding the shape of development are included in chapters 3.7 Heights and 3.8 Built Form. Where more detailed information is required to assess the impact of a site-specific development proposal, additional technical studies have been outlined in 4.7 Required Studies and will be required for any planning and development application to address such things as wind sheer and noise impacts. Achieving the full range of heights permitted in the Secondary Plan will be based on a developments' ability to conform to the other policies of the Secondary Plan, in particular the Built Form policies.

A shadow study is provided in Appendix C demonstrating the maximum permitted heights, and the application of the Built Form policies. It is important to note that many of the properties in the *Victoria Park Secondary Plan* area could accommodate a variety of different configurations, building locations and sizes. Individual shadow studies will still be required for specific development proposals to assess shadow impacts and mitigative design measures. The shadow study in Appendix C is illustrative of one potential build-out scenario.

4.3 Surrounding Context and Character

Staff conducted a figure ground analysis as well as more detailed in person assessment of the area within and surrounding the *Victoria Park Secondary Plan* area to better understand the existing context and character of both public and private land. The figure ground analysis included looking at aerial photography to differentiate areas where buildings, hard surfaces (pavement), and soft surfaces (landscaping) were located within the area. In addition, a review of the existing land uses including conversions to multi-unit and office uses was undertaken.

The analysis found that the large majority of green and soft surfaces were within Victoria Park itself, on the St. Peter's Basilica Cathedral property and in the front yards and city boulevards. Some areas of green space were present in the rear yards of the surrounding neighbourhoods, mostly north of Central Avenue. Hard surfaces in the area included the roads and sidewalks, but a significant amount of hard surface was

attributed to the large surface parking lots to the east, south and west of the park, as well as Reg Cooper Square. Outside of the Secondary Plan area, the London Central Secondary School yard, and a number of large and small rear yard parking areas are hard surfaced.

Through visual assessment, as well as reviewing zoning, residential rental licenses and business license data in the surrounding area, it is apparent that many of the buildings in the area have been converted to either multi-unit residential properties, businesses or offices. Based on the above review, it's evident the surrounding area is functioning in a different way than it was originally developed and could be considered as a transitional mixed-use area, rather than an exclusively residential neighbourhood. However, despite the change in use, the majority of additions and alterations to the properties have occurred to the rear of buildings and in rear yards, and the defining heritage character and build form of the neighbourhood is still evident on the front facades of buildings and in areas visible from the public realm.

Chapter 3.8 Built Form in the *Victoria Park Secondary Plan* has been revised to strengthen policies related to compatibility with adjacent buildings, streetscapes and character. These revised policies direct new development to provide a consistent scale and composition as adjacent streetscapes including elements such as rhythm of façade openings (i.e. windows and doors), continuation of datum lines (i.e. floor heights), façade articulation (i.e. recesses and projections) and stepbacks above the existing defined street wall. The mid-rise and high-rise building policies also direct the design of buildings and sites to ensure residential amenity is being protected and created for both new and existing developments.

4.4 Noise Assessment

City staff retained RDWI Consulting Engineers to conduct a preliminary noise assessment for the Secondary Plan area, to address 1) how the development that the *Victoria Park Secondary Plan* envisions affects the sound distribution from festivals and events in Victoria Park, and 2) noise mitigation concepts for future development in the Victo*ria Park Secondary Plan* to support the continued role of the park as a location for summer festivals and events. Modification of park structures to increase noise mitigation is not contemplated due to the heritage designation.

Screening level modelling illustrates the changes in sound between the existing conditions and future development based on the contemplated built form. Large areas of deceased sound level are located to the east of the park, with smaller areas of reduction to the north and south. There is a lack of significant change to the west due to the directionality of the sound path and the barrier effect that the bandshell provides. The future mid-rise and high-rise buildings to the east, north and south would provide large areas with noticeable to very noticeable sound level reductions of 5 to 10 db. A narrow area to the east of the park shows a sound level increase of 5 to 10 db. where existing buildings are built close to the Wolfe Street sidewalk and future buildings will be set back further from Wolfe Street, providing less of a sound barrier.

RDWI provided preliminary recommendations to ensure residents are adequately separated from the sound of activity in the park, in particular residential building façades that are visible from the park. A building envelope itself provides acoustic separation, but includes weaker elements such as windows, doors, passive and active ventilation. Possible façade upgrades include reducing the proportion of the façade that is window, reducing sliding patio doors and using windows with sound-reducing glass combinations.

Section 3.8.6 High-Rise Building policies were revised to not require windows and doors for the minimum glazing requirement on towers, allowing flexibility for spandrel and to not conflict with the noise assessment recommendations. Given the variety of innovative building technologies available and to balance the other policies of the Secondary Plan, the *Victoria Park Secondary Plan* includes a requirement that noise studies shall be submitted for new mid-rise or high-rise residential development. These studies will consider how noise from festivals will be mitigated though sound dampening building

practices. As the submission of noise studies and a warning clause for future tenants and purchasers advising about the possibility of noise from festivals were already included in *the Victoria Park Secondary Plan*, no further changes are proposed.

4.5 Traffic

Victoria Park is centrally located in the City of London, adjacent to Downtown and a Rapid Transit Corridor. *The London Plan* policies identify these Place Types as highly walkable areas that support active transportation as well as transit ridership, and reduce automobile dependence. Future rapid transit and active mobility choices will provide a real and attractive alternative to the car for residents and visitors in the *Victoria Park Secondary Plan* area. Increased intensification and more people living in proximity to downtown is conducive to increased usage of public transit and discourages additional traffic and congestion.

To address the potential for additional traffic, *the Victoria Park Secondary Plan* requires a Traffic Impact Assessment be submitted for any development proposal within the Secondary Plan area. The Sustainable Development policies of the Secondary Plan have also been enhanced to encourage and prioritize active transportation through the design of development. The results of an ongoing city-wide review of parking standards will also inform future development applications.

4.6 Parking

A parking count was conducted as part of the review of the Victoria Park Secondary Plan. The total number of parking spaces within the Secondary Plan area is approximately 1,150 spaces. This number includes approximately 2/3 on street and surface parking lots spaces and 1/3 of all spaces are within the Reg Cooper parking garage. Most existing parking lots within the Secondary Plan area are privately owned, dedicated to monthly parking passes for employees or residents, and available as metered spaces for public use. It’s difficult to gauge how many spaces are available and accessible to the public versus private employees or residents. *The Downtown Parking Strategy* considers the provision of parking in Downtown and ensures adequate quantities of parking through various initiatives. Additionally, there are three Municipally owned parking lots in proximity to Victoria Park on Queens Ave (lot 5) and on Kent Street (lot 6 and lot 20).

No changes to the required parking rates are proposed within the Secondary Plan area. Section 3.8.4 Parking of the Secondary Plan includes policies that direct the location, access and visibility of parking. A policy has been added to encourage the provision of publicly accessible parking spaces and the potential need for a parking study for individual development proposals has also been added to section 4.7 Required Studies.

4.7 Impacts to Trees and Environment

Concerns were raised during public consultation regarding the impact of development and increased population on the park and trees. Further consultation has occurred with the Urban Forestry division on potential shadow, reflection, wind and compaction impacts to trees and is summarized below.

The impact of shadows on trees varies by species, and trees will grow best in whichever conditions are appropriate to the species. Shade tolerant species can grow in quite intense shade while intolerant species prefer full sun. Intolerant species that are not immediately adjacent to structures or other trees would likely continue to grow as sufficient ambient light is bounced or refracted off other structures. The ongoing management of trees in the park, including removals and replacements, will continue to select the right tree for the right location.

Trees adapt as they grow and are adapted to their growing conditions including weather which would include wind, heat and sun exposure. An abrupt change to wind levels without mitigative measures may result in snapping of stems, crowns, and large branches, or rotation at the roots. However, trees will adapt gradually over time to intensified winds from new directions. The impact of sunlight reflection on trees is short

term and where leaves and parts of trees are newly exposed to heat and light, the next year's leaves will adapt to these conditions. Long-term intense exposure, if not mitigated, may contribute to drier soils and the heat island effect.

The daily passive use of the pathways and lawn area in the park is not a significant contributor to tree decline. Large events where the public or vendors are permitted under the tree canopy and over rooting zones are a contributor to premature tree removals.

A Victoria Park Tree Health Assessment has been finalized and will help to understand impact on trees and inform potential mitigating solutions. This could include identifying trees that are more susceptible to decline due to compaction and limit foot traffic and the use within the root zone of the tree, or implementation of decompaction plans prior to park events, removal of turf underneath trees and substituting with mulch and decompaction practices such as aeration.

While operational and tree management considerations are outside of the scope of the *Victoria Park Secondary Plan*, the Secondary Plan policies do acknowledge that new development in the area can impact the health of trees and the design of development can help to mitigate those impacts. Sections 3.9 Compatibility with Park Activities and 4.7 Required Studies in the *Victoria Park Secondary Plan* have been updated to include considerations of tree impacts as part of wind studies for future development proposals.

4.8 Affordable Housing

Municipal Council resolved at its meeting of February 11, 2020 that further consideration of housing affordability be incorporated into the *Victoria Park Secondary Plan*. The following outlines new city-wide policy considerations related to affordable housing, as well as how housing mix and affordability are being addressed with the revised Secondary Plan.

Bonusing

Bonusing under section 37 of the *Planning Act* contemplates greater heights and densities for developments in exchange for the provision of certain services, facilities or matters provided as community benefits. Bonusing has been one of the primary tools used to secure affordable housing units through the development review process. Recent changes under Bill 108 to the *Planning Act* removed section 37 Bonusing and the tool will not be available beyond September 2022. Bonusing is therefore not included within the Secondary Plan.

Protected Major Transit Station Areas (PMTSAs)

The *Planning Act* defines Protected Major Transit Station Areas (PMTSAs) as areas "surrounding and including an existing or planned higher order transit station or stops" (S.16(15)). Municipal Council approved the designation of PMTSAs in the city of London on December 8, 2020, which align with the Downtown and Rapid Transit Corridor Place Types, within the Secondary Plan area. The PMTSA policies and designations in *The London Plan* will continue to apply to lands within the Secondary Plan area. Planning and development applications within the PMTSAs will be evaluated to ensure that they provide for an adequate level of intensity to support transit, utilize existing infrastructure and services, and ensure that the limited amount of land within this area is used efficiently.

Inclusionary Zoning

As a designated PMTSA, a large portion of the lands within the Secondary Plan area are eligible for the future consideration of Inclusionary Zoning. Inclusionary Zoning could require that a certain number of units or gross floor area within residential development be set aside as affordable housing for a set period of time. The terms of reference for Inclusionary Zoning were brought forward in January of 2021, and work is underway as per Provincial requirements.

An updated report to the Planning & Environment Committee regarding Inclusionary Zoning was received on February 7th, 2022. The report outlined how Inclusionary Zoning contributes to achieving the "Roadmap to 3,000 affordable units" by 2026 and requests the Province to consider the City's Assessment Report evaluating the potential for and feasibility of Inclusionary Zoning on a city-wide basis.

The *Victoria Park Secondary Plan* area is anticipated to experience residential growth during the planning horizon, which makes it an appropriate and desirable area to integrate Inclusionary Zoning. Inclusionary Zoning within the Secondary Plan area will be implemented through the Official Plan policies within *The London Plan* or through the development of a Community Planning Permit System (CPPS). Inclusionary Zoning has the potential to deliver a level of affordable housing that will create housing choice and diversity and serve to replace units previously secured through bonusing.

Housing Mix and Affordability

As demonstrated above, the planning tools available to implement affordable housing through development applications can change over time. The *Victoria Park Secondary Plan* policies have been updated to include Section 3.10 Housing Mix and Affordability that outline the overarching goals for inclusion of affordable housing within the Secondary Plan area and can be implemented through the tools available at the time of a development application. Another piece of providing affordable housing beyond regulated affordable units is to plan for a mix of housing types, sizes and configurations that support a variety of different household structures within the plan area. The Housing Mix and Affordability section includes policies related to supporting a diverse population to live in the area, including the provision of amenities geared to a wide variety of demographics. Additionally, each new development proposal will be assessed on its ability to contribute to housing mix and affordability and will be required to submit a statement addressing the housing policies of the Secondary Plan.

4.9 Sustainable Development

The Victoria Park Secondary Plan contributes to sustainability and addressing the climate emergency by promoting a compact form of development in Central London that reduces urban sprawl. The Secondary Plan recognizes the importance of climate change mitigation, adaption and the need for a more sustainable and resilient city. Sustainable development policies are included in the Secondary Plan that will assist in addressing the Climate Emergency.

Section 3.11 Sustainable Development of the Victoria Park Secondary Plan has been revised to strength the existing policies of the plan, as well as introduce additional policies related to bird-friendly development practices and supporting active transportation within the building design and layout.

4.10 Planning and Development Approvals

Since the previous iteration of the *Victoria Park Secondary Plan*, two notable development applications within the Secondary Plan area have been considered and approved by Council and are summarized below.

556 Wellington Street (SPA19-046)

A Public Participation Meeting was held before the Planning and Environment Committee on September 21, 2021 regarding the Site Plan Approval of 556 Wellington Street.

This property is designated Office Area in the *Official Plan (1989)* and Neighbourhood Place Type in *The London Plan*. The existing zoning on the site is Downtown Area DA1(1) with a special provision to permit a convention centre. The application was to implement the existing zoning through a Site Plan.

Development proposal summary:

- Two apartment buildings with a total of 405 residential units.

- The first building fronting onto Wellington is 18 storeys tall with 17-storeys of residential above one-storey of retail, and 264 underground parking spaces.
- The second building in the rear of the site is 12 storeys tall with 7-storeys of residential above a 5-storey parking structure, containing 286 parking spaces.
- The buildings are proposed in a tiered formation with step-backs to distinguish the tiers and a number of material changes.

The existing policy and zoning framework on this property allows for the height and density contemplated in the development proposal. The permitted heights in the Secondary Plan have been revised to reflect the existing zoning on the site.

291 Wolfe Street / 560 & 562 Wellington Street (OZ-8462)

A Public Participation Meeting was held before the Planning and Environment Committee on November 1, 2021 in regards to the Official Plan and Zoning By-law amendment for 560 and 562 Wellington Street.

This property was designated Low Density Residential in the *Official Plan (1989)* and Neighbourhood Place Type in *The London Plan*. The existing zoning on the site is Office (OF1). The planning application was the amend the 1989 Official Plan to a Multi-Family, High Density Residential designation, and add a Specific Area Policy in Chapter 10, as well as change the zoning to a holding Residential R10 Special Provision zone.

Development proposal summary:
- 17 storey, mixed-use residential/commercial apartment building containing 173 residential apartments and 1 commercial unit.
- Reductions to yard depths for all sides between the building and property lines.
- Maximum height of 61m and lot coverage of 95%.
- Minimum landscaped open space of 20% including roof-top areas.
- Minimum 0 meter parking area setback from the road.

The proposal was approved by Council and subsequently appealed to the Ontario Land Tribunal and is awaiting a hearing.

As this proposal is currently subject to an appeal, the permitted heights for this site have been left out of the Secondary Plan and will be determined based on the decision of the Ontario Land Tribunal. Once a final decision is rendered and in-force, the *Victoria Park Secondary Plan* will be updated to reflect the permitted heights.

4.11 Cultural Heritage

The Cultural Heritage resources surrounding Victoria Park are foundational to its character. As such, the policies in *Victoria Park Secondary Plan* are intended to support the conservation of significant heritage resources. These cultural heritage policies complement the cultural heritage policies in *the London Plan*, the *Official Plan (1989)*, the *Downtown Heritage Conservation District Plan*, and the *West Woodfield Heritage Conservation District Plan*. In addition, the Secondary Plan policies conform with the Provincial Policy Statement (2020) policies for built heritage as follows:
- *Significant built heritage resources and significant cultural heritage landscapes shall be conserved*.
- *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

London Advisory Committee on Heritage

At the September 11, 2019 meeting of London Advisory Committee on Heritage (LACH), the Committee indicated support for the vision, principles and policies of the draft *Victoria Park Secondary Plan*. "*It is being noted that the proposed policies outlined in Section 3.5 of the above-noted Secondary Plan continue to support the objectives and policies of the West Woodfield and Downtown Heritage Conservation Districts and*

promotes the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources."

Heritage Peer Review

The City of London retained E.R.A Architects to conduct a heritage peer review of the *Victoria Park Secondary Plan* prior to the last iteration of the Secondary Plan in 2020. All the resulting recommendations from the review were incorporated into the *Victoria Park Secondary Plan* that was presented to Council in February 2020. Policies related to cultural heritage have not been revised since the previous version of the Secondary Plan.

The Cultural Heritage policies in the *Victoria Park Secondary Plan* are consistent with *the London Plan*, the *Official Plan (1989)*, the *Downtown Heritage Conservation District Plan*, the *West Woodfield Heritage Conservation District Plan* and *Ontario Heritage Act*. The Heritage review and LACH indicate that the Cultural Heritage policies in the Secondary Plan do not conflict with applicable policies and promote the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources. Staff are satisfied that no changes in the cultural heritage policies of the *Victoria Park Secondary Plan* are required.

5.0 Revisions to the draft Victoria Park Secondary Plan

5.1 Major Revisions to the Secondary Plan

The following substantive changes have been incorporated into the draft *Victoria Park Secondary Plan* since the February 2020 version:

Section 3.7 Heights

The permitted heights have been revised for the East Policy Area to reflect the recent decision and appeal for 560-562 Wellington Street, and the existing height and density zoning permissions for 556 Wellington Street. More information about these approvals can be found in section 4.2 Heights and Angular Plane and section 4.10 Planning and Development Approvals of this report. The language around permitted heights has been revised for added clarity and cross-references to angular plane have been removed for simplicity. Table 1: Permitted Heights and Schedule 4: Permitted Heights have been updated.

Section 3.8 Built Form

The Built Form policies were reviewed and revised to ensure appropriate policies were included to address contextual fit and mitigation of development impacts. The language in this section was also revised to ensure flexibility was provided where necessary to address site-specific constraints without the need for an Official Plan amendment.

Section 3.10 Housing Mix and Affordability

A new section was added to guide the provision of diverse and affordable housing options and supportive amenities.

Section 3.11 Sustainable Development

The Sustainable Development policies were revised and enhanced to encourage the provision of electric vehicle charging stations, car share facilities, bird-friend design and green building technologies. Additional policies to prioritize active transportation in the design of new development were also included.

Section 4.7 Required Studies

Section 4.7 has been expanded to provide more detail regarding the required studies, plans, reports and assessments that may be required prior to consideration and approval of development applications within the Secondary Plan area. Consideration of

tree impacts has been included for wind studies. Section 4.0 Our Tools has been revised to clarify that site-specific special provisions may be required to implement the policies of the plan during development application review.

5.21 Minor Revisions

A number of minor revisions have been incorporated into the Secondary Plan since the 2020 draft Secondary Plan including the following:

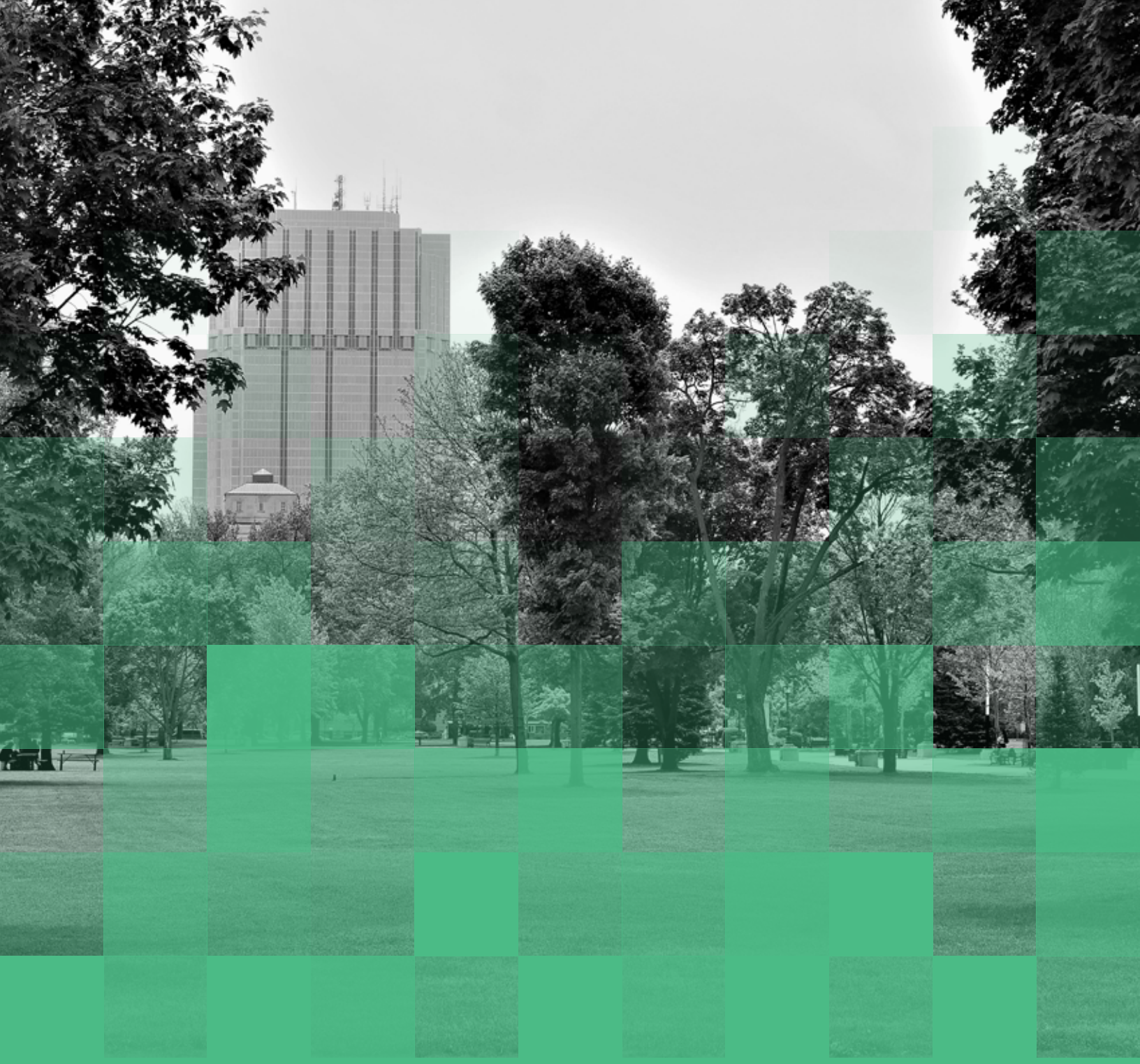
- Formatting changes for consistency with other secondary plans
- Spelling, grammar, and language review for added clarity and readability
- Stylistic mapping changes
- Reordering of chapters and sections for better flow and readability
- Additional housekeeping changes

Conclusion

The draft *Victoria Park Secondary Plan* is based on the parent policies of *The London Plan* and has been developed with community and stakeholder input. The draft Secondary Plan provides policies and direction that will help coordinate intensification around Victoria Park. Comments received through this circulation will be included for consideration when the final *Victoria Park Secondary Plan* is brought forward for consideration and adoption at a future public participation meeting of the Planning and Environment Committee.

Prepared by:	**Isaac de Ceuster** **Planner, Planning Policy**
Reviewed by:	**Britt O'Hagan, MCIP, RPP** **Manager, Community Building, Urban Design & Heritage**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P. Eng.** **Deputy City Manager, Planning and Economic Development**

Appendix A – draft Victoria Park Secondary Plan



Victoria Park

Secondary Plan

March 2022 (DRAFT)

London
CANADA

Contents

1.0 Introduction

1.1 Background

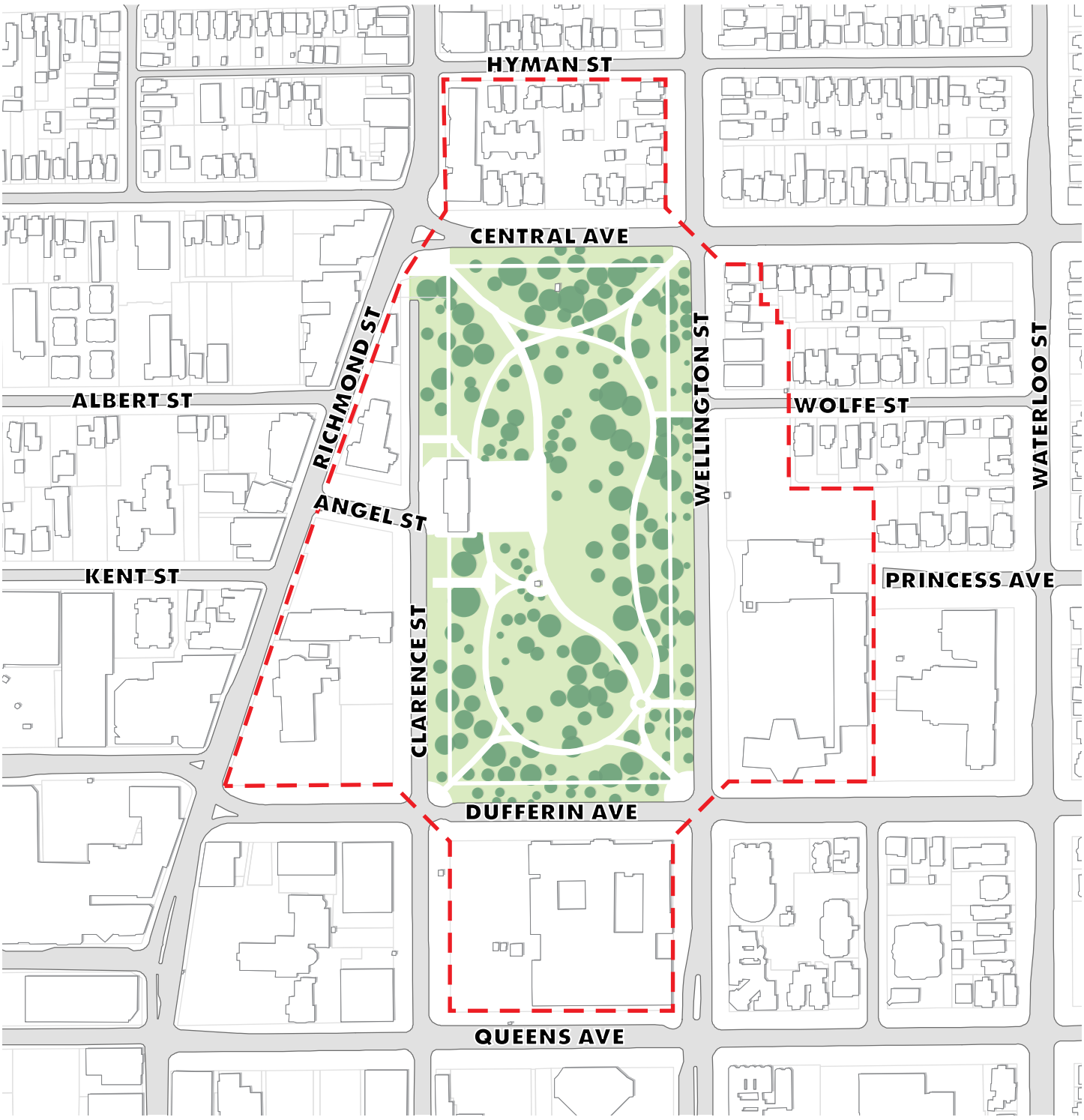
Victoria Park is centrally located in the City of London, adjacent to the downtown. The park is an important feature at the heart of the city as a central gathering place for events and celebrations of city-wide significance, as well as an open space for active and passive recreation.

Development pressure on lands surrounding Victoria Park has warranted the creation of a comprehensive vision for future growth. The purpose of this Secondary Plan is to establish a policy framework to guide the future of the lands surrounding Victoria Park, recognizing that the existing overlapping policy framework is complex and has not yet considered the properties surrounding the park based on their unique relationship to the park.

This Secondary Plan considers how future development and redevelopment will relate to existing buildings, adjacent neighbourhoods, the downtown, and Victoria Park. Existing plans, policies, and guidelines applying to properties around the park have been taken into account to create the development framework and to provide clarity and consistency in reviewing future development applications.

The policies in the *West Woodfield Heritage Conservation District Plan* and the *Downtown Heritage Conservation District Plan* will continue to apply to properties within the Secondary Plan boundary. Future development applications will be evaluated on a site-by-site basis for conformity to the applicable Official Plan policies and the Heritage Conservation District Plans for the conservation of cultural heritage resources within the Secondary Plan boundary.

Schedule 1: Secondary Plan Area



Legend

Victoria Park Secondary Plan Boundary

1.2 Location

The V*ictoria Park Secondary Plan* applies to properties around Victoria Park as identified in Schedule 1: Secondary Plan Area. This area has been delineated to include properties surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park. The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply within this boundary.

1.3 Cultural Heritage Resources

The cultural heritage resources within the Secondary Plan boundary are foundational to the character of the area. Cultural heritage resources within the Secondary Plan boundary include the West Woodfield Heritage Conservation District, the Downtown Heritage Conservation District, and a number of properties that are individually designated under Part IV of the *Ontario Heritage Act* or are listed on the City's Register. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

Victoria Park is designated under Parts IV and V of the *Ontario Heritage Act*, as it is individually designated and also designated as part of the West Woodfield Heritage Conservation District. The individual designation under Part IV of the *Ontario Heritage Act* is based on Victoria Park's significant historic, architectural, and cultural heritage landscape importance. The Part IV heritage designation that applies to Victoria Park also recognizes that it has assumed a role as the "jewel of the parks system" in the city of London. Appendix B: Reasons for Designation - Victoria Park includes the reasons for designation for Victoria Park.

1.4 Purpose and Use

The Secondary Plan presents a vision for the development and redevelopment of properties surrounding the park and provides a consistent framework to evaluate future development applications. It provides comprehensive built form and land use direction that consider how future development should relate to the park and enhance the surrounding context, while ensuring conservation of the cultural heritage resources in the area.

Policies in the *Victoria Park Secondary Plan* apply to all properties in the Secondary Plan boundary unless where specifically noted as only applying to a specific property or Policy Area. The policies of this Secondary Plan provide a greater level of detail than the policies of the Official Plan. Where the policies of the Official Plan provide sufficient guidance to implement the vision of this Secondary Plan, these policies were not repeated. As such, the policies of this Secondary Plan should be read in conjunction with the Official Plan, the applicable Heritage Conservation District Plans, and any other applicable policy documents. In instances where the overall policies of the Official Plan and the *Victoria Park Secondary Plan* are inconsistent, the Secondary Plan shall prevail.

The policies of this Secondary Plan that use the words "will" or "shall" express a mandatory course of action. Where the word "should" is used, suitable alternative approaches to meet the intent of the policy may be considered.

The policies of this Secondary Plan will be implemented through mechanisms set out in this Secondary Plan, public investments in infrastructure and public realm improvements, as well as other tools available to the City including, but not limited to, the *Zoning By-law*, and the *Site Plan Control By-law*.

The schedules form part of this Secondary Plan and have policy status whereas other figures and photographs included in the Secondary Plan are provided for graphic reference, illustration, and information.

1.5 Vision

The Victoria Park area is a prominent destination that is cherished by Londoners. The area will develop in a way that balances the desire to grow inward and upward with the need to conserve significant cultural heritage resources, be compatible with the surrounding context, and foster Victoria Park's continued use as a city-wide destination for recreation, relaxation and events.

Future development of the area will celebrate the prominence of Victoria Park through design excellence and sympathetic development, contributing to the continued success of this area as a destination for Londoners both now and in the future.

1.6 Principles

The development of this Secondary Plan has been guided by the following principles:

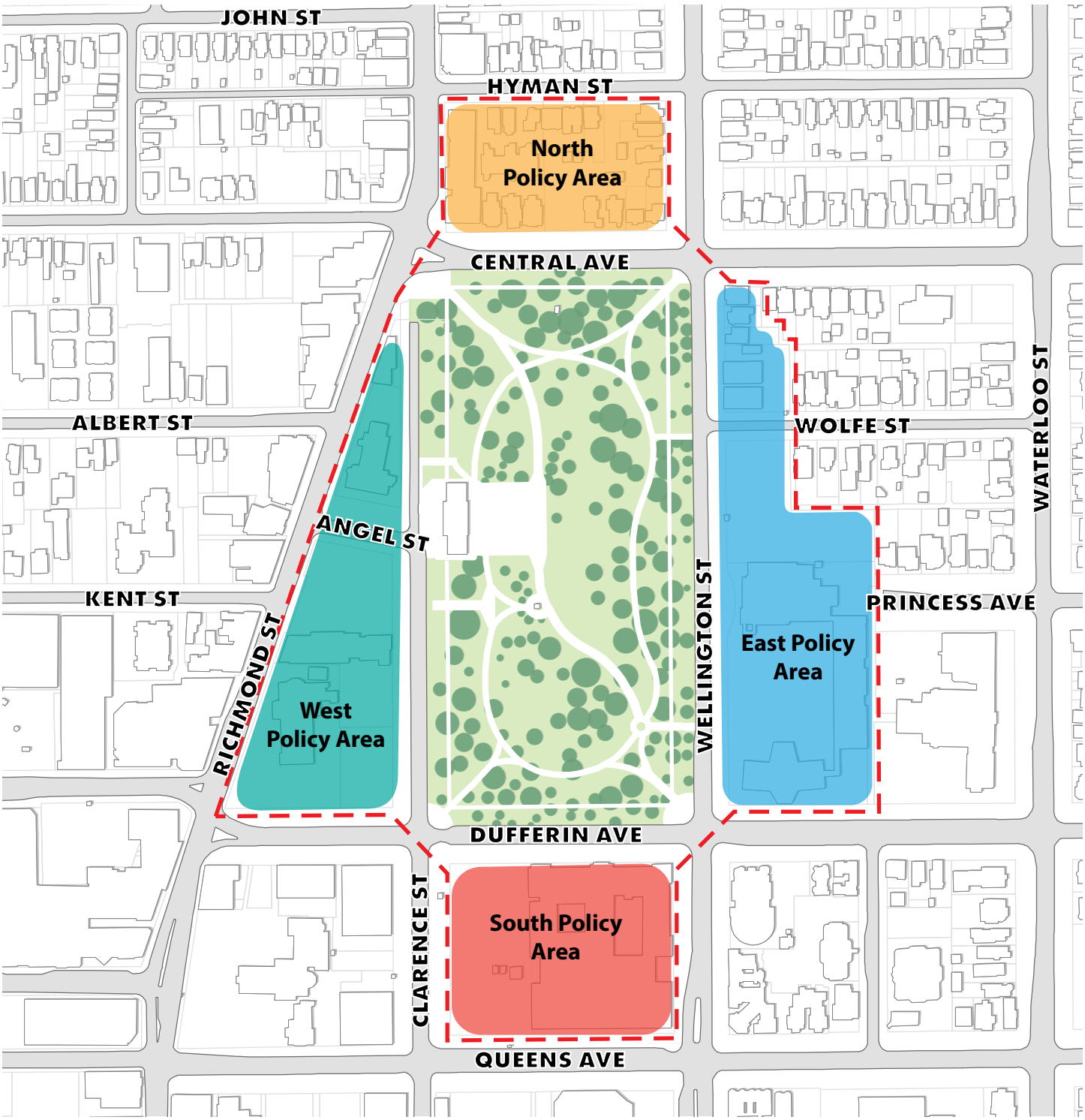
- Identify opportunities for compatible and sensitive intensification
- Design buildings to celebrate the prominence of Victoria Park as a city-wide gem
- Enhance and conserve cultural heritage resources within and surrounding Victoria Park
- Respond to climate change by encouraging sustainable development, building design, and active transportation options
- Frame Victoria Park with an appropriately-scaled base that creates a comfortable and animated pedestrian environment
- Protect the residential amenity of the Woodfield neighbourhood by mitigating impacts of new development
- Preserve and strengthen visual and physical connections to Victoria Park and create new connections where possible
- Continue to enhance the amenity of Victoria Park as a neighbourhood green space, as well as a destination for all Londoners to attend festivals and events
- Preserve and enhance the landscaped edges around Victoria Park

2.0 Policy Areas

2.1 Overview

The area subject to the *Victoria Park Secondary Plan* has been divided into four Policy Areas, each encompassing a different side of the park: North, East, South, and West, as identified in Schedule 2: Policy Areas. Most of the policies in the Secondary Plan apply to the entire area within the *Victoria Park Secondary Plan* boundary. However, some identified policies address the unique characteristics of one particular side of the park and therefore only apply to properties within the associated Policy Area. The boundaries and the unique characteristics of each of the four sides surrounding Victoria Park are detailed in the following sections.

Schedule 2: Policy Areas



Legend

- Victoria Park Secondary Plan Boundary
- North Policy Area
- South Policy Area
- West Policy Area
- East Policy Area

2.2 North Policy Area

The North Policy Area adjacent to Victoria Park is lined by 2.5-storey house-form buildings, many of which have been converted for office uses or multi-unit dwellings, with the exception of the Richmond Street frontage, which is occupied by a 4-storey mixed-use building and forms part of Richmond Row. A 3-storey residential building is located on the western portion of the interior of the block. While this Policy Area is not within a Heritage Conservation District, many of the properties in this Policy Area are listed on the City's Register of Cultural Heritage Resources.

The western portion of this Policy Area is in the Rapid Transit Corridor Place Type, while the eastern portion of this Policy Area is in the Neighbourhoods Place Type. There is opportunity for intensification in the North Policy Area, primarily on the interior of the block.

2.3 East Policy Area

The East Policy Area is characterized by a broad mix of uses including City Hall, Centennial Hall, surface parking, and R.H. Cooper Square. A mix of other uses are also found, including professional offices, a multi-unit residential building, and a single-detached dwelling. The southern portion of this block is located in the Downtown Place Type, and the northern portion is in the Neighbourhoods Place Type and is also subject to the provisions of the Woodfield Neighbourhood Specific Policy Area. The entirety of this Policy Area is in the West Woodfield Heritage Conservation District.

There is opportunity for intensification of underutilized sites in the East Policy Area, primarily south of Wolfe Street.

2.4 South Policy Area

The South Policy Area includes the iconic Great West Life Insurance Company building, which is a character defining feature of the block, and a surface parking lot. The Policy Area is located entirely in the Downtown Place Type. This Policy Area is also entirely within the Downtown Heritage Conservation District.

The large surface parking lot in the west portion of the block presents an opportunity for intensification.

2.5 West Policy Area

The West Policy Area includes the triangular area bounded by Richmond Street, Dufferin Avenue and Clarence Street. Richmond Street is a main street commercial corridor connecting to downtown. Clarence Street runs immediately adjacent to the park and is a planned transit corridor. The West Policy Area consists of places of worship, including St. Peter's Basilica Cathedral and First Baptist Church, as well as a small amount of commercial uses and surface parking. The majority of this area is in the Downtown Place Type. This block is also in the West Woodfield Heritage Conservation District, with the exception of the northern most property.

Portions of this Policy Area present opportunities for intensification, particularly the surface parkings lots north of St. Peter's Basilica Cathedral.

3.0 Policies

3.1 Overview

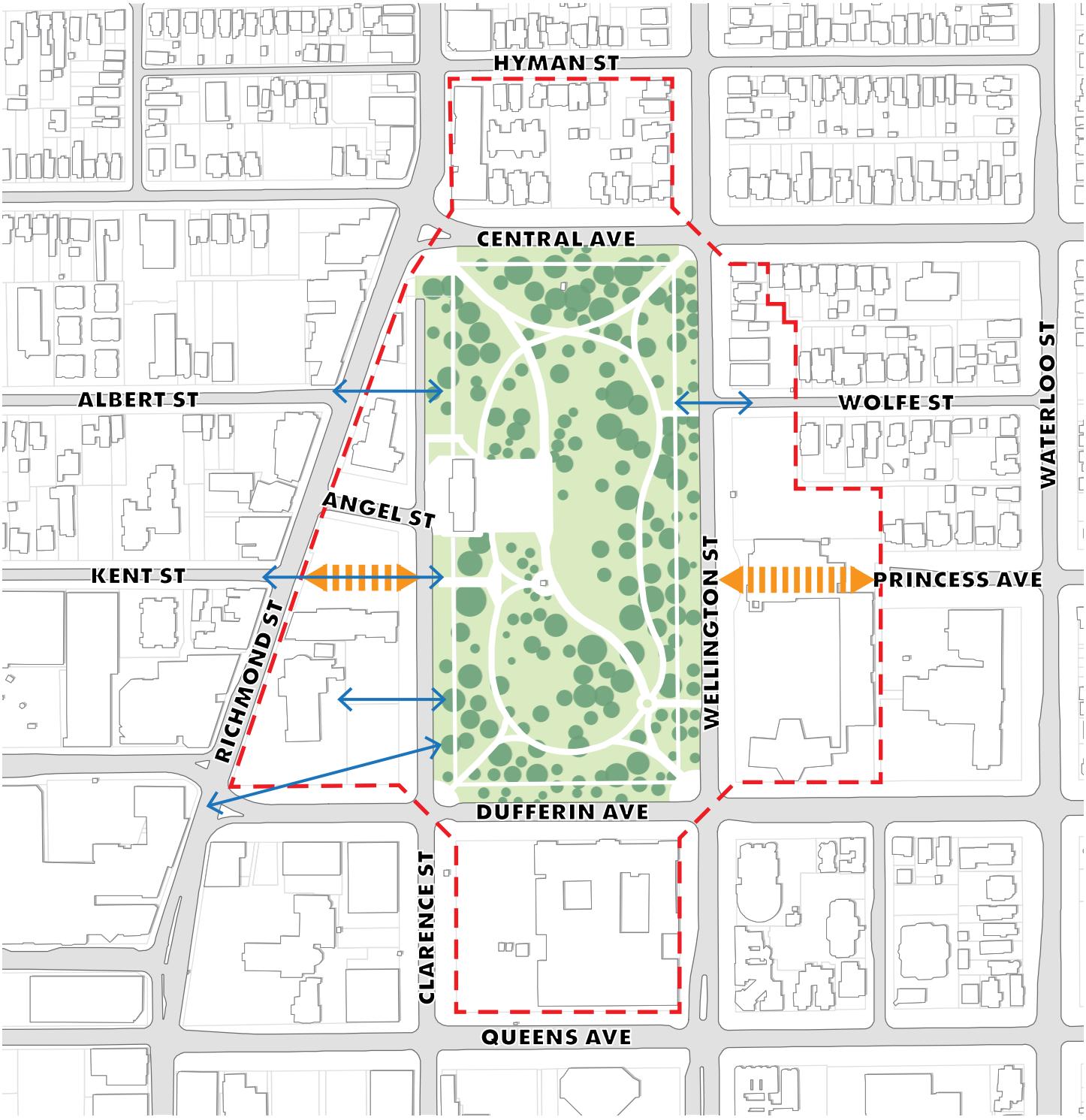
The intent of the *Victoria Park Secondary Plan* is to provide a policy framework to guide future development and public projects within the Secondary Plan boundary. Policies in this Secondary Plan support the vision by providing guidance on view corridors, connections, public realm, cultural heritage, land use, height, built form, compatibility with park activities, housing mix and affordability, and sustainable development.

3.2 View Corridors

Victoria Park is a prominent civic landmark and cultural heritage resource in the city of London and is an important part of the identity and image of the city. The preservation of existing view corridors, and the creation of new view corridors, will aid in orientation and help to maintain strong visual connections between Victoria Park and the surrounding area. Views to Victoria Park from Richmond Street are of particular importance as they help to connect the popular pedestrian corridor to Victoria Park.

i) Public works and private development will maintain and frame current views, and where possible through design, create new views to and from Victoria Park, as well as to and from St. Peter's Basilica Cathedral.

Schedule 3 – View Corridors and Connections



Legend

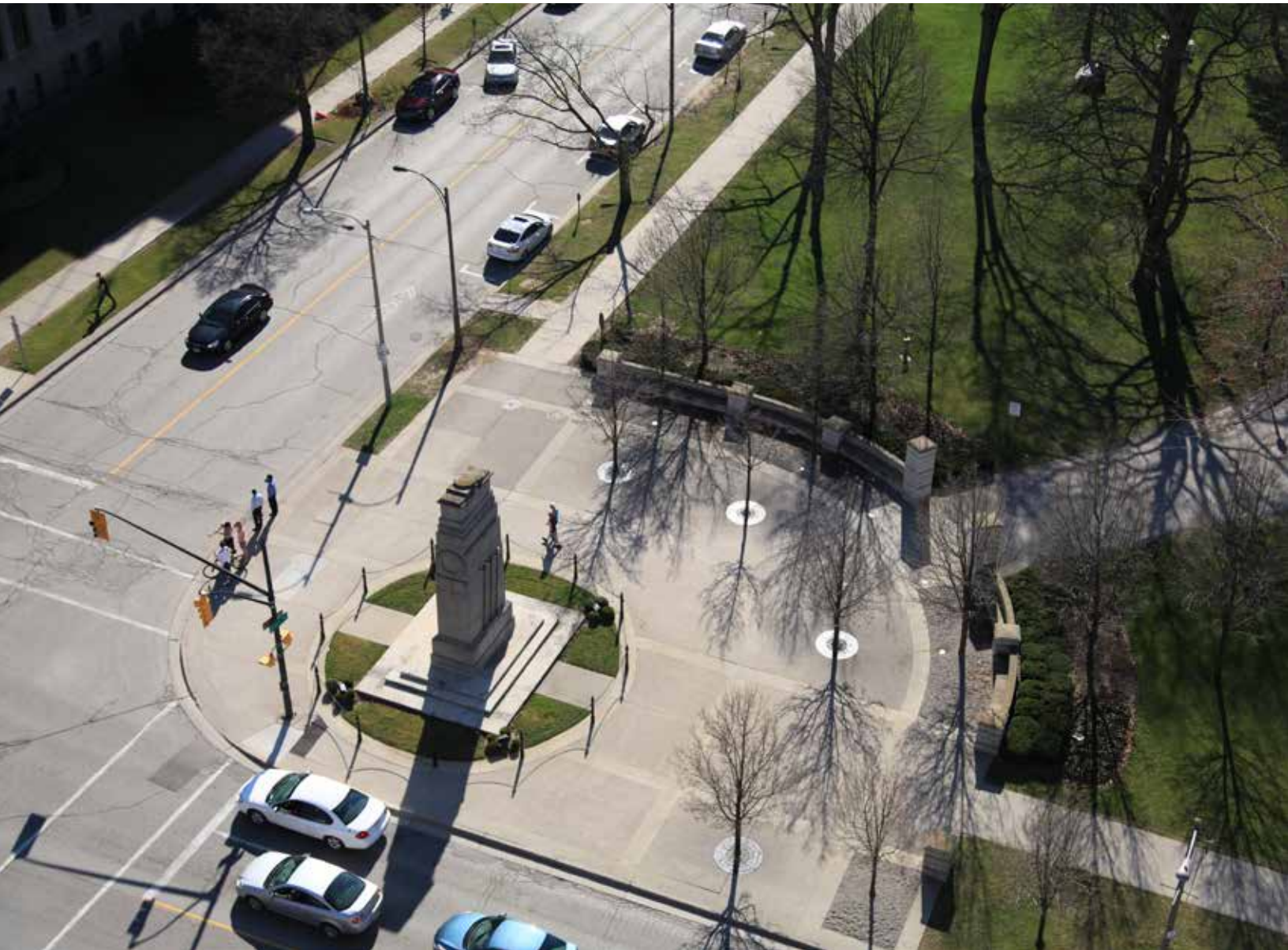
Victoria Park Secondary Plan Boundary

Physical Connection

View Corridor

ii) Unobstructed view corridors to and from Victoria Park as identified below and illustrated in Schedule 3 – View Corridors and Connections, will be maintained, as viewed from a pedestrian perspective at street level.
   a) The northwest corner of Albert Street and Richmond Street
   b) The northwest and southwest corners of Kent Street and Richmond Street
   c) The northwest and southwest corners of Richmond Street and Dufferin Avenue
   d) The northeast and southeast corners of Wolfe Street and Wellington Street
   e) The eastern elevation of St. Peter's Basilica Cathedral, including the east aisle and the Lady Chapel

iii) Any applications for Official Plan amendments, Zoning By-law amendments, and/or Site Plan Control on lands within the Secondary Plan area will consider the potential for adding new view corridors and, implementing creative or innovative designs to enhance existing view corridors, if applicable.



3.3 Connections

Connections to Victoria Park help improve access to the park and enhance the relationship of the park to its surroundings. Priority locations for new connections to Victoria Park are identified in Schedule 3: View Corridors and Connections.

i) New connections to Victoria Park from Kent Street and Princess Avenue should be considered to improve access to the park if development occurs on lands that could facilitate these connections.

ii) Connections will prioritize pedestrian access, but may incorporate flex-street or shared street design elements. Innovative approaches to connectivity may be considered such as enclosed or covered walkways through buildings.

iii) Wide sidewalks should be provided and maintained on streets adjacent to and leading to the park as part of any future public works projects to create a comfortable pedestrian environment and promote accessibility.

iv) Pedestrian amenities, such as benches, will be provided as part of redevelopment projects.

v) Additional high quality pedestrian connections, that are clearly defined, well-lit and safe should be provided to connect Richmond Street to Victoria Park, if development occurs on lands that could facilitate these connections.

3.4 Public Realm

Improvements to the streetscape and public realm around Victoria Park will help to strengthen the connection between Victoria Park and its surroundings, enhance pedestrian amenity, and expand the green landscaping of the park into the surrounding area. These green edges are anticipated to primarily be located on public land within the wide right-of-way due to the minimal setbacks of existing buildings to property lines.

i) Landscaping and green space on public and private land will be maintained and, where possible, enhanced. Hard surfaces should be limited to pedestrian entryways, benches, patios, and framed with landscaping/planters to soften their appearance.

ii) The preservation of existing street trees and the planting of new large canopy trees is encouraged.

iii) The green edge between St. Peter's Basilica Cathedral and Dufferin Avenue should be maintained.

iv) The public realm around Victoria Park will continue to exhibit a high standard of design, featuring high-quality pedestrian environments.

v) Boulevards should be maintained as sod and soft landscaping.

vi) The City Hall block will continue to include a publically-accessible open space with a civic focus that compliments the architectural significance of City Hall and provides a link between City Hall and Victoria Park.

3.5 Cultural Heritage

The cultural heritage resources surrounding Victoria Park are foundational to its character. In addition to the cultural heritage policies in this Secondary Plan, the objectives and policies in the *Downtown Heritage Conservation District Plan* and *West Woodfield Heritage Conservation District Plan* will continue to apply. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

i) On-site and adjacent cultural heritage resources and their heritage attributes will be conserved.
   a) Any new development must be both physically and visually compatible with the surrounding cultural heritage resources.
   b) New and renovated buildings shall be designed to be sympathetic to the heritage attributes through measures including, but not limited to, massing, rhythm of solids and voids, significant design features, and high-quality materials.

ii) New development shall be compatible with the heritage character of the surrounding Heritage Conservation Districts through consideration of height, built form, setback, massing, material, and other architectural elements.

iii) The policies and design guidelines in the *Downtown Heritage Conservation District Plan* and the *West Woodfield Heritage Conservation District Plan* will be used to review and evaluate proposals for new development in these Heritage Conservation Districts, where applicable, to ensure compatibility with the surrounding context.

iv) Heritage Impact Assessments will be required for new development within the Secondary Plan boundary.

3.6 Land Use

Land uses around Victoria Park will be supportive of the active pedestrian realm around the park, while recognizing the prominence of Richmond Street as a main street. The Zoning By-law will provide more detail on individual permitted uses, which may not include the full range of uses identified in this Secondary Plan.

i) A broad range of residential, retail, service, office, community facility and other related uses may be permitted within the Secondary Plan boundary.

ii) For buildings fronting Richmond Street, a minimum of 60% of the Richmond Street frontage at grade should be street-related retail and service uses oriented toward Richmond Street. Community facility and institutional uses may be permitted where they provide for a street-oriented, active ground floor.

iii) Auto-oriented uses and drive through facilities are prohibited within the Secondary Plan boundary.

iv) Residential lobbies should take up no more than 30% of the ground floor façade, to a maximum of 15 metres.

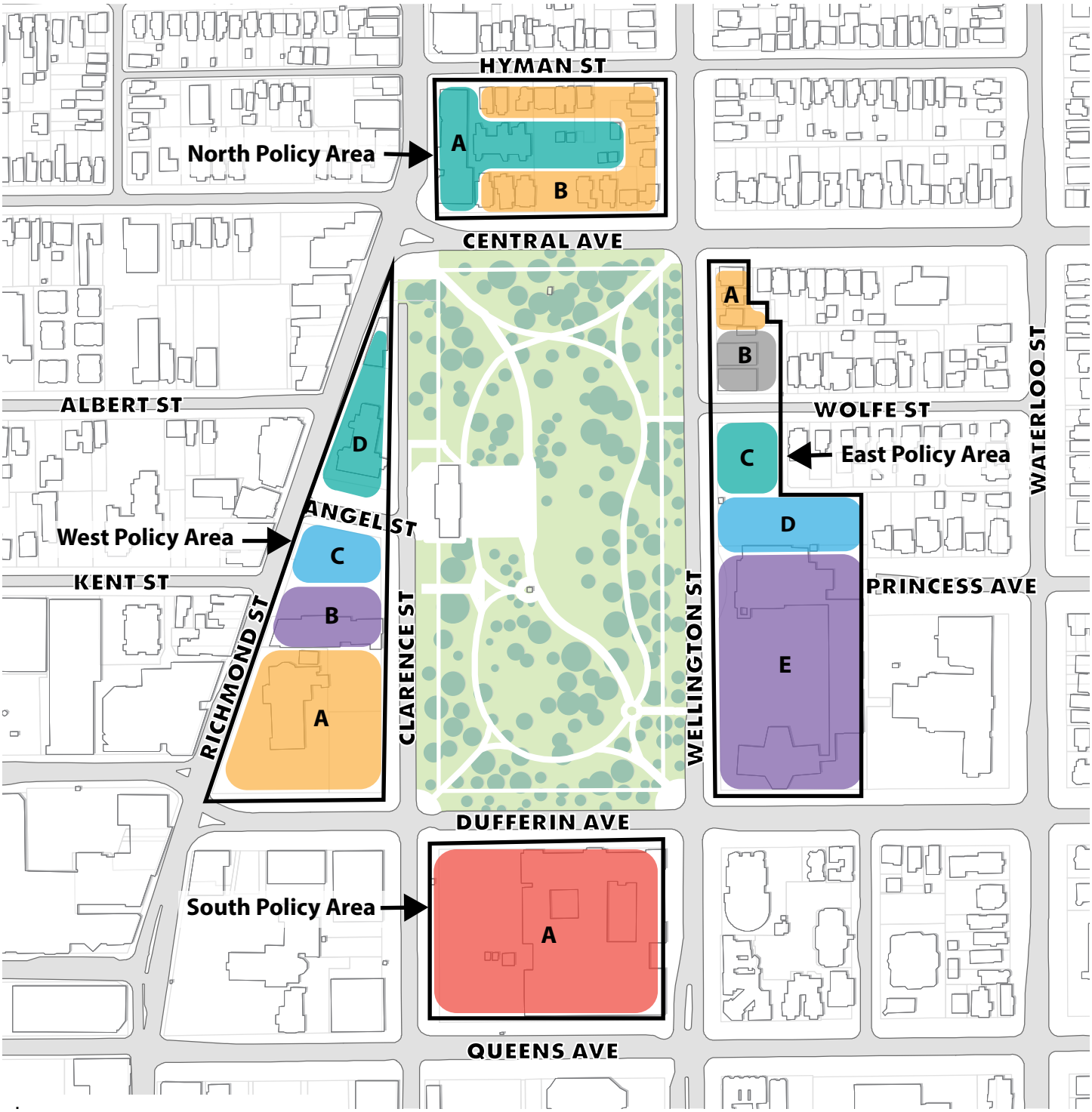
3.7 Height

Minimum and maximum permitted heights for new development within the Secondary Plan boundary are described below and identified in Schedule 4: Permitted Heights and Table 1: Permitted Heights. The Zoning By-law will provide more detail on individual permitted heights, which may not include the full range of heights identified in this Secondary Plan.

i) The full range of heights identified in Table 1 and Schedule 4 will only be achieved through a site-specific Zoning By-law amendment, where it can be demonstrated that measures are put in place to support or mitigate this height and density, subject to the other policies of this plan.

ii) Development proposals will require technical studies identified through consultation and outlined in Section 4.7: Required Studies. The results of these studies may influence the maximum height and density that is permitted through zoning.

Schedule 4– Permitted Heights



Legend

- Policy Areas - as labeled
- Maximum 4 Storeys
- Maximum 16 Storeys
- Maximum 25 Storeys
- Maximum 30 Storeys
- Maximum 35 Storeys
- Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

Table 1: Permitted Heights

Part	Minimum Height	Maximum Height
North Policy Area		
Part A	2 storeys	16 storeys
Part B	2 storeys	4 storeys
East Policy Area		
Part A	2 storeys	4 storeys
Part B	2 storeys	determined by Ontario Land Tribunal*
Part C	2 storeys	16 storeys
Part D	2 storeys	25 storeys
Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

3.7.1 North Policy Area

i) The minimum permitted height is two storeys for the entire North Policy Area.

ii) The maximum permitted height for the Richmond Street frontage and the interior of the block, identified as Part A, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type and may only be achieved through the Rapid Transit Corridor boundary interpretation policies of *The London Plan* (833, 834, 835).

iii) The height and massing of new development in Part A will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties not consolidated with Rapid Transit Corridor Place Type, and remaining as Neighbourhood Place Type.

iv) The maximum permitted height for approximately 20 metres of depth along the north, east and south sides of the block's perimeter, identified as Part B, is four storeys. This height recognizes the scale of existing desirable buildings along these streetscapes.

3.7.2 East Policy Area

i) The minimum permitted height is two storeys for the entire East Policy Area.

ii) The maximum permitted height for the north half of the Central Avenue to Wolfe Street block, identified as Part A, is four storeys. This height acknowledges the existing built form and property constraints on these smaller lots.

iii) The maximum permitted height for the south half of the Central Avenue to Wolfe Street block, identified as Part B, will be determined based on the decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824. Once a final decision is rendered and in-force, this plan will be updated to reflect the permitted heights.

iv) The maximum permitted height for the north half of the Wolfe Street to Princess Avenue block, identified as Part C, is 16 storeys.

v) The maximum permitted height for the south half of the Wolfe Street to Princess Avenue block, identified as Part D, is 25 storeys.

vi) The maximum permitted heights for Part C and Part D indicated above, acknowledge the existing height and density permissions in the Zoning By-law for the property. New development will require a site-specific Zoning By-law amendment, subject to the built form policies of this Secondary Plan, which will shape the height and density to be more sensitive to and compatible with the surrounding context, than the existing setback provisions of the Zoning By-law.

vii) The maximum permitted height for the City Hall block, identified as Part E, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.

3.7.3 South Policy Area

i) The minimum permitted height is three storeys for the entire South Policy Area.

ii) The maximum permitted height for the South Policy Area is 35 storeys. This height is consistent with the maximum height permitted in the Downtown Place Type.

iii) New high-rise buildings are only anticipated to be developed on the west portion of the property and any redevelopment or additions to the existing buildings may be limited by the evaluation of heritage impacts.

3.7.4 West Policy Area

i) The minimum permitted height for the entire West Policy Area is two storeys or eight metres. This minimum height acknowledges the desire to create a sense of enclosure around the park and along the Richmond Row commercial corridor, while providing flexibility to accommodate community facility, institutional and other compatible uses in single storey buildings with the volume of two storeys.

ii) The maximum permitted height to the south and east of St. Peter's Basilica Cathedral, identified as Part A, is limited to four storeys, in order to retain the prominence of the Cathedral and its important relationship to Victoria Park. The location of new development is also subject to the view corridor policies of this plan in order to protect the visual connections between Victoria Park and Richmond Street and to the building's east façade.

iii) The maximum permitted height north of St. Peter's Basilica Cathedral and south of Kent Street, identified as Part B, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.

iv) The maximum permitted height for the Angel Street to Kent Street block, identified as Part C, is 25 storeys. This height provides a transition between the Downtown and Rapid Transit Corridor Place Types.

v) The maximum permitted height for the Central Avenue to Angel Street block, identified as Part D, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type.

3.8 Built Form

The following built form policies will help to shape future development in a way that balances intensification and compatibility with the surrounding context. New development will be designed to minimize impacts on Victoria Park and the adjacent low-rise residential neighbourhoods. New development will be of a high standard of urban and architectural design, to complement and celebrate the prominence of the Victoria Park as the "jewel of the parks system".

The following built form policies will be implemented through site-specific zoning provisions.

3.8.1 General Built Form

i) New buildings will be designed to express three defined components - a base, middle and top. Alternative design solutions that address the following intentions may be permitted:
   a) The base should establish a human-scale façade with active frontages including windows, canopies, pedestrian scale lighting, and the use of materials and architectural details that reinforce a human scale
   b) The middle should be visually cohesive with, but distinct from, the base and top
   c) The top should provide a finishing treatment, such as a sculpted roof or a cornice, and will serve to hide and integrate mechanical penthouses

ii) The front and exterior side yard setbacks of new development, including additions, will respond to the setbacks of adjacent buildings to maintain the existing street wall. Where context does not exist, new development should include a minor setback to frame the park, while ensuring building elements such as canopies, porches and steps do not encroach into the right-of-way.

iii) The height and massing of new development at the street wall (i.e. most forward facade), will respond to the existing scale and rhythm of adjacent buildings and streetscapes through articulation, stepbacks and other architectural responses.

iv) New development should be set back a minimum of six metres from properties outside of the Secondary Plan boundary that are within the Neighbourhood Place Type in *The London Plan*, to ensure privacy for new and existing residential dwellings.

3.8.2 Facade Design

The design of building façades is important to ensuring development is pedestrian scale and fits within the character of the Victoria Park area.

i) New development shall be designed so that the rhythm of façade articulation and proportional size of façade openings (i.e. windows and doors) responds to adjacent buildings and/or streetscapes, particularly cultural heritage resources. Grade-related façade articulation should generally occur every eight to 12 metres and projections and recesses should be at least 0.5 metres deep.

ii) New development shall respond to existing datum lines of adjacent buildings, particularly cultural heritage resources, including the continuation of storey heights and other defining features, such as porches.

iii) High quality materials, such as brick and natural stone, will be used to complement the character and quality of buildings around the park and within adjacent areas. The use of stucco and exterior insulation and finishing system (EIFS) will not be permitted.

3.8.3 Activation

Active building façades provide passive surveillance, encourage social interaction, and create a walkable, pedestrian-friendly environment surrounding the park.

i) Attractive and active frontages shall be located around all edges of the park. All building façades oriented towards the park should exhibit a high level of pedestrian amenity including pedestrian-scale features and fixtures, weather protection and large transparent windows.

ii) Main building entrances shall front onto the park, unless the building also has frontage on Richmond Street, in which case the main building entrance will be located on Richmond Street with a secondary entrance fronting the park.

iii) Multiple building entrances are encouraged at a pedestrian-scale rhythm. Corner buildings and buildings with two street frontages should have entrances onto both streets.

iv) Entrances to lobbies, and retail and commercial units should be flush with grade and accessible directly from the public sidewalk.

v) Residential units on the ground floor should have individual front entrances accessible directly from the public sidewalk. Entrances to individual residential units should be raised to a maximum of 1.2 metres above grade to provide privacy for residents. A landscape buffer between the building and the public sidewalk is encouraged for privacy and separation. Access to units from below-grade will not be permitted.

vi) Regardless of the intended use, the ground floor of new buildings should be designed with the height and flexibility to accommodate conversion to non-residential uses in the future. This may be achieved by providing a raised floor over the slab that can be removed to provide additional ground floor height in the future, or through other strategies.

vii) Blanks walls, parking, and service and utility areas should not be visible from the park or Richmond Street.

viii) Glazing should be maximized for non-residential uses located at-grade, while ensuring compatibility with heritage resources.

3.8.4 Parking

While parking is recognized as a continued need in proximity to Victoria Park, it should be provided in a way that does not detract from the pedestrian realm or existing character surrounding the park.

i) Parking and service entrances should not front directly onto Victoria Park or Richmond Street, and should be accessed from side streets and laneways where possible, to minimize their appearance and the amount of pavement within the green boulevards surrounding the park.

ii) Despite policy i) above, in the event a site only has frontage on Victoria Park and/or Richmond Street, parking and service entrances may be provided from one of the frontages. In these instances, the access points shall be minimized as much as possible and incorporate design features to ensure pedestrian safety.

iii) Parking should be located underground.

iv) Structured parking on the ground floor shall be fully wrapped on all street frontages with active uses including residential, retail, service, community facility and/or office uses to limit the visual impact of parking on the public realm.

v) Structured parking above the ground floor should be wrapped with active uses on all street frontages. Where it is unavoidable due to building constraints, structured parking that is visible above grade shall be designed to appear as active space and be fully wrapped with a high level of architectural detail, large transparent windows, and high-quality materials, consistent with the rest of the building's facade.

vi) New surface parking will not be permitted, except to accommodate required accessible, visitor and drop-off spaces.

vii) The provision of new publicly-accessible parking is encouraged.

3.8.5 Mid-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for mid-rise buildings.

i) Mid-rise buildings are buildings with heights of four storeys up to and including eight storeys.

ii) New mid-rise buildings shall step back at the second, third or fourth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear, support the existing character at street level and allow the street wall to be the primary defining element of the site. Minimum stepbacks should be as follows:
   a) Five metres for frontages facing Victoria Park and Richmond Street.
   b) Three metres for frontages facing all other streets and pedestrian connections.
   c) Larger stepbacks are encouraged and may be required in specific locations.

iii) The massing of new mid-rise buildings will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties outside of the Secondary Plan area.

iv) Mid-rise buildings shall be located and designed with sufficient rear and interior yard setbacks and building separation to achieve the following:
   a) Provide access to natural light and a reasonable level of privacy for occupants of new and existing buildings;
   b) Provide adequate on-site amenity space;
   c) Provide safe and clear pedestrian circulation from building entrances to the public sidewalk;
   d) Protect the development potential of adjacent sites; and,
   e) Provide pedestrian-level views of the sky between buildings particularly as experienced from adjacent streets and Victoria Park.

3.8.6 High-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for high-rise buildings.

i) High-rise buildings are buildings nine storeys in height or taller.

ii) High-rise buildings will be designed with a podium base and tower above. The tower will consist of all storeys above the maximum podium height.

iii) Podiums of new high-rise buildings shall have a maximum height of five storeys in the South Policy Area and East Policy Area to frame the park, and a maximum height of three storeys in the North Policy Area and West Policy Area to respond to the existing scale and character.

iv) Residential tower floor plates in high-rise buildings shall be a maximum of 750 square metres for all portion of the building above the podium to ensure shadows move quickly, to allow pedestrian-level sky views, and to be less visually massive from neighbouring properties and the surrounding public realm. The length to width ratio of tower floorplates should be no more than 1:1.5, and oriented north-south, where possible, to minimize shadow impacts.

v) Office uses in high-rise buildings may have larger floor plates based on operational requirements, up to a maximum of 1,000 square metres for all portions of the building above the podium containing office uses, but will be designed to limit large shadows on streets, the park, and nearby properties.

vi) The tower portion of new high-rise buildings shall be set back above the podium to reduce the visual and physical impacts of the building on adjacent properties and the public realm. Minimum tower setbacks should be as follows:
   a) Five metres for frontages facing Victoria Park and Richmond Street.
   b) Three metres for frontages facing all other streets and pedestrian connections.
   c) 10 metres from properties outside of the Secondary Plan area.
   d) 10 metres from St. Peter's Basilica Catherdral.
   e) Larger tower setbacks are encouraged and may be required in specific locations.

vii) The towers of high-rise buildings should have a minimum separation distance of 25 metres between towers on the same site, and 12.5 metres between towers and adjacent properties that could accommodate a high-rise building. This separation distance is intended to:
   a) Protect development potential of adjacent sites;
   b) Provide access to sunlight on surrounding streets and Victoria Park;
   c) Provide access to natural light and a reasonable level of privacy for building occupants;
   d) Provide pedestrian-level views of the sky between buildings, particularly as experienced from adjacent streets and Victoria Park; and,
   e) Limit the impacts of uncomfortable wind conditions on streets, Victoria Park, and surrounding properties.

viii) New development in the West Policy Area will be designed and located to limit the amount of shadow cast on the concrete pad, east of the Victoria Park band shell so that no more than 50% of the pad is in shadow between the hours of 08:00 and 16:00, from June 1 to August 31.

ix) The top of high-rise building towers shall be articulated using setbacks, terracing, differences in articulation or other architectural features to contribute to a varied and interesting skyline. The mechanical penthouse shall be integrated into the design of the tower.

x) Towers shall not have any blank facades, and a minimum proportion of 70% of each tower face should be glazing. Glazing should be spread across the building faces rather than concentrated in one area.

xi) Balcony materials should be selected to minimize the visual mass of the building.

xii) The design of high-rise buildings should include materials and techniques that limit bird-strikes.

3.9 Compatibility with Park Activities

Victoria Park serves as an important city-wide resource for active and passive recreational activities. It is important to ensure the continued vitality and functionality of Victoria Park as a destination for Londoners.

i) New mid-rise and high-rise multi-unit residential developments shall provide indoor and/or outdoor communal amenity space for residents to help mitigate the impacts of increased intensification on the grounds of Victoria Park.

ii) Noise studies will be required with all development applications for new mid-rise or high-rise residential developments which will demonstrate how noise from festivals will be mitigated through sound dampening design and construction practices. Purchasers and/or tenants should be advised of the possibility of noise from festivals though the addition of a warning clause to the lease or agreement of purchase and sale and registered on title.

iii) Wind studies will be required with all development applications for new mid-rise or high-rise developments to provide information on the existing wind conditions and demonstrate how the expected wind conditions are being mitigated to maintain a comfortable environment for pedestrians on sidewalks and within the park. Wind studies will also consider adverse impacts on existing tree and mitigative measures.

3.10 Housing Mix and Affordability

The Secondary Plan area is located at the edge of downtown and along a planned rapid transit corridor. This area is a priority for intensification and provides an opportunity to increase housing supply within Central London. Development within the Secondary Plan area will contribute to providing accessible, affordable, and quality housing options. The following policies apply to all lands within the Secondary Plan area:

i) A 25% affordable housing component should be achieved within the Secondary Plan area through a mix of housing types and sizes to contribute to a balanced residential community in the core.

ii) Available tools and provisions under the *Planning Act*, will be used to secure affordable housing units at the time of development applications.

iii) New development shall include a mixture of unit sizes and configurations, including a mix of bachelor, 1, 2, and/or 3-bedroom units, to allow for a variety of families to live in the core and provide units that are inherently more affordable.

iv) The utilization of innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing will be encouraged.

v) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities.

vi) Grade-related multi-level and townhouse-style units are encouraged to be incorporated into the base of new residential developments to promote walkability, activation and different dwelling style choices.

vii) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.

viii) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.

ix) Each site-specific development proposal will be assessed on its ability to contribute to a mix of housing options and supportive amenities.

3.11 Sustainable Development

The policies in this Secondary Plan that promote the construction of new mid-rise and high-rise development within the Secondary Plan boundary will contribute to sustainability and addressing the climate emergency by providing a compact form of development in Central London that reduces urban sprawl, in a way that is compatible with the surrounding area. The use of green building technologies will also help to contribute to sustainability.

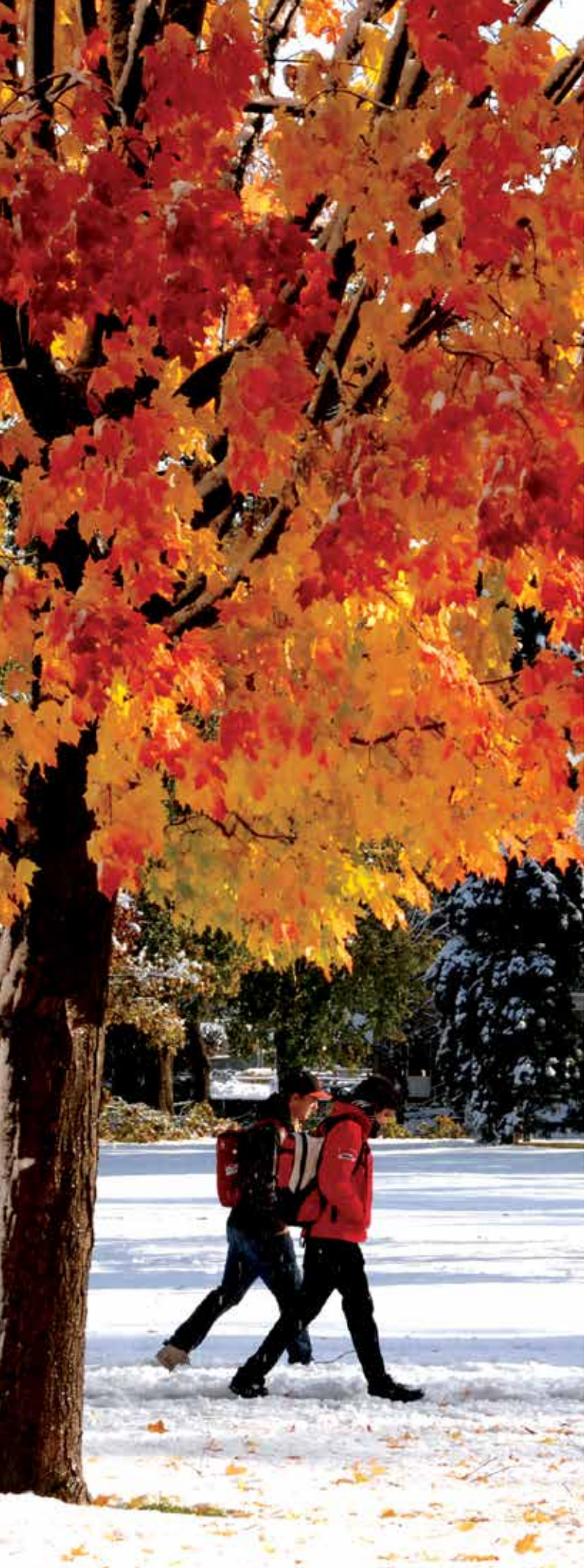
i) New development shall be designed to prioritize active transportation access and circulation over automobiles, through the orientation of primary building entrances, location of supportive amenities and other building design elements.

ii) Development is encouraged to reduce impacts on the environment through achieving green building best practices such as LEED certification, net-zero or net-positive greenhouse gas emissions, and through efficient design and energy usage.

iii) Building construction is encouraged to minimize the waste of materials, water and other limited resources.

iv) Development should use durable materials that help to conserve energy by lowering maintenance and replacement costs. Development is encouraged to use locally harvested, recovered, manufactured or extracted building materials.

v) Green roofs or cool roofs should be installed on all new mid-rise and high-rise developments, including surface materials with high solar and thermal reflectivity to help reduce the impact of buildings on the climate. Integrated rooftop areas featuring green roof elements and outdoor amenity space is encouraged.



vi) The use of alternative green energy sources such as district energy and solar is encouraged where available.

vii) Short-term bicycle parking shall be provided and should be located in a highly visible and publicly accessible location.

viii) Secure and covered bicycle parking should be included in all new mid-rise and high-rise buildings. The provision of shower and change facilities for tenants and patrons of non-residential uses are encouraged.

ix) Electric vehicle charging stations should be included in all new mid-rise and high-rise buildings. The provision of car share facilities are encouraged.

x) Dedicated areas should be provided within buildings for the collection and storage of recycling and organic waste that is equally as convenient as the garbage facility.

xi) Low Impact Development stormwater controls should be implemented and innovative approaches to stormwater management are encouraged.

xii) The use of bird strike mitigation measures and dark sky compliance as described in London's Bird Friendly City guidelines are encouraged for any new building.

4.0 Our Tools

4.1 Implementation of the Plan

The Victoria Park Secondary Plan shall be implemented through the following implementation mechanisms:

i) This Secondary Plan shall be implemented according to the provisions of the *Planning Act*, the *Provincial Policy Statement*, other applicable Provincial legislation, and the provisions of the City of London Official Plan, *The London Plan*.

ii) All municipal works and all planning and development applications shall conform with the policies of this Plan.

4.2 Interpretation

The following policies are intended to provide guidance in the interpretation and understanding of the policies, objectives, principles and schedules of this Secondary Plan.

The policies and principles contained in the *Victoria Park Secondary Plan* are intended to implement this Secondary Plan, as described in Section 1. It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

iii) The boundaries between height areas shown on Schedule 4 are not intended to be rigid, except where they coincide with physical features such as public streets. The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council.

Council may permit minor departures from such boundaries if it is of the opinion that the general intent of this Secondary Plan is maintained and that the departure is advisable and reasonable. Where boundaries between height areas coincide with physical features, any major departure from the boundary will require an Official Plan amendment to this plan.

iv) Minor variations from numerical requirements in this Secondary Plan may be permitted by Council without an amendment to the Official Plan, provided that the general intent and objectives of this Secondary Plan and Official Plan are maintained.

v) Where lists or examples of permitted uses are provided in the policies related to specific land use designations, they are intended to indicate the possible range and types of uses to be considered. Specific uses which are not listed in this Secondary Plan, but which are considered by Council to be similar in nature to the listed uses and conform to the general intent and objectives of the policies, may be recognized as permitted uses in the Zoning By-law.

4.3 Official Plan

i) Any amendments to the text or schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the schedules of this Plan may require amendments to the associated maps of the Official Plan.

ii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of the City of London Official Plan.

4.4 Zoning By-law

i) Any applications for amendments to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.

ii) Special provisions may be required as part of site-specific Zoning By-law amendments to ensure the implementation of the policies of this Secondary Plan and of the City of London Official Plan.

iii) The evaluation of applications to amend the Zoning By-law shall be subject to the Evaluation Criteria for Planning and Development Applications as described in the Our Tools section of The City of London Official Plan.

iv) The Zoning By-law will provide more detail on individual permitted uses and heights which may not include the full range identified in this Secondary Plan.

4.5 Site Plan Approval

i) Any applications for Site Plan approval shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.

ii) Public Site Plan review will be required for all new development in the *Victoria Park Secondary Plan* boundary.

4.6 Guideline Documents

i) Guideline documents may be adopted by Council to provide greater detail and guidance for development and the public realm elements of the Secondary Plan.

4.7 Required Studies

This Secondary Plan identifies the following studies, plans, reports and assessments that may be required to be completed to the satisfaction of the City of London and any agency having jurisdiction, prior to the City considering a development application to be complete and prior to the approval of development applications within parts of, or the entire, Secondary Plan area. The City shall determine on an application by application basis the need for supporting studies, plans and assessments, and when in the approvals process they may be required:

ii) Archaeological Assessment

iii) Cultural Heritage Evaluation Report

i) Heritage Impact Assessment

ii) Planning and Design Report that includes the following in addition to the standard requirements (including analysis of the policies in the *Victoria Park Secondary Plan*):
   a) Information about how view corridors for pedestrians will be maintained and/or added in response to Section 3.2
   b) Information about how new connections will be added and/or enhanced in response to Section 3.3
   c) Information on the provision and size of indoor and/or outdoor common amenity space
   d) A statement on housing mix and affordability in response to Section 3.10
   e) A statement on sustainable development in response to Section 3.11

iii) Noise Study in response to policies in Section 3.9, and demonstrating mitigative measures

iv) Parking Study

v) Servicing Study and sanitary design brief to ensure adequate servicing. Holding provisions may be required to ensure necessary servicing is in place prior to development

vi) Shadow Study in response to Section 3.8 and demonstrating mitigative measures.

vii) Traffic Impact Assessment

viii) Tree Inventory, Preservation, Protection and Edge Management Plans for private and public trees

ix) Urban Design Brief that includes the following in addition to the standard requirements: section drawings, 3D massing model, elevations, landscape plans and floor plans

x) Wind Impact Assessment in response to Section 3.8 and 3.9, and demonstrating mitigative measures for impacts on the sidewalk and park environment, and impacts to trees

Additional studies beyond those described above may be required by the City for individual sites and will be identified at the time of pre-application consultation.

Any study that requires a peer review shall be carried out at no cost to the City and subject to approval by the City or any other authority having jurisdiction.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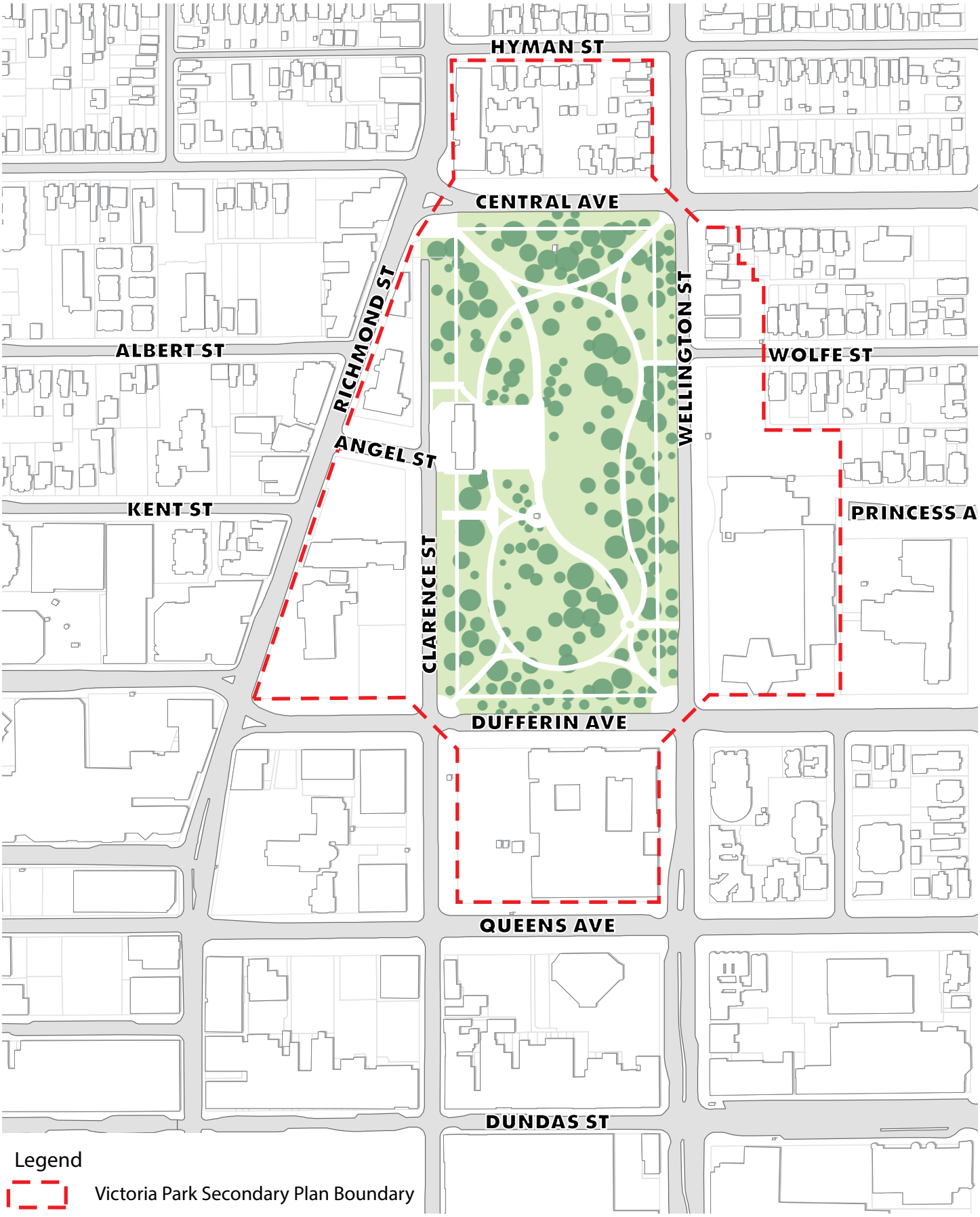
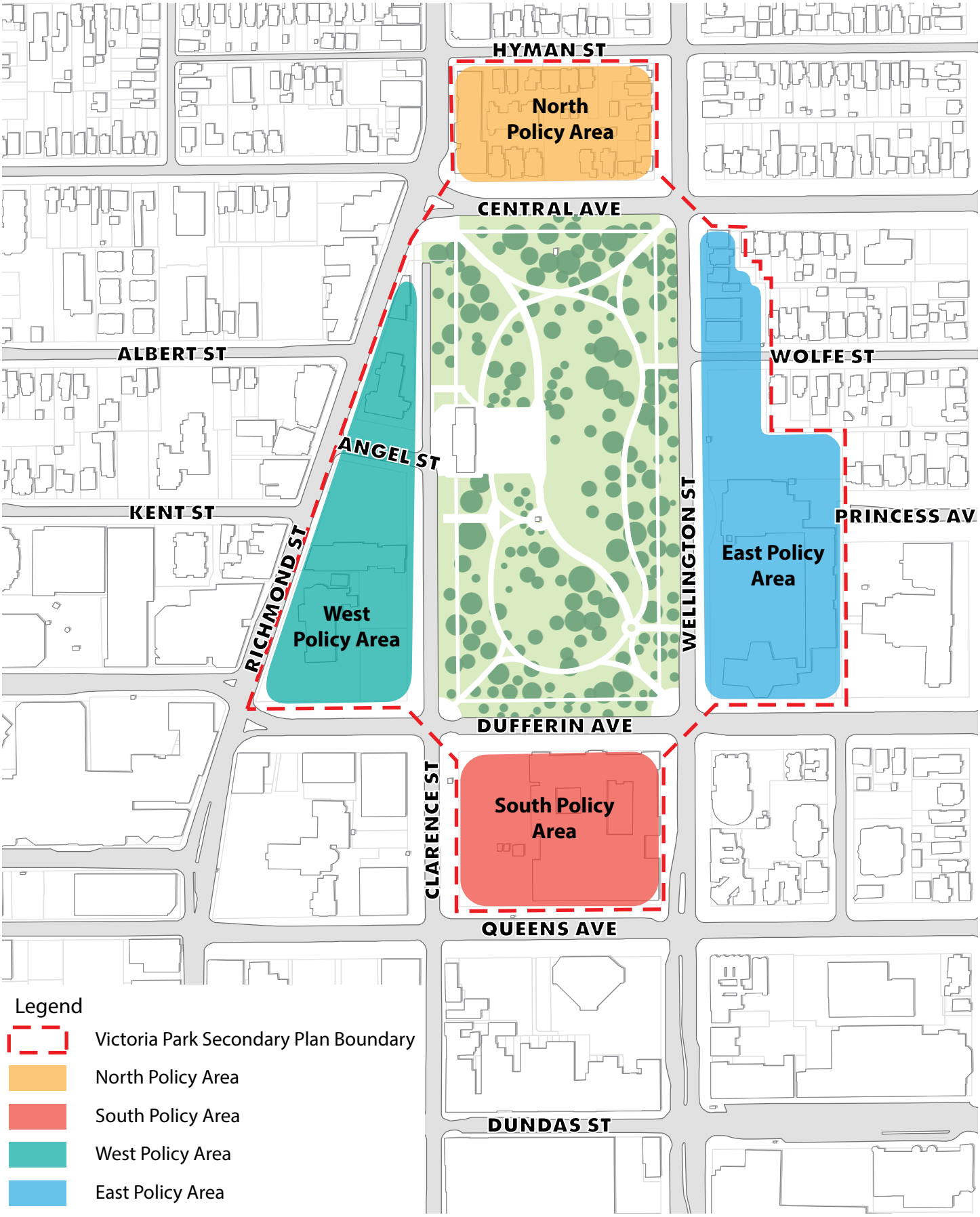
5.0 Schedules

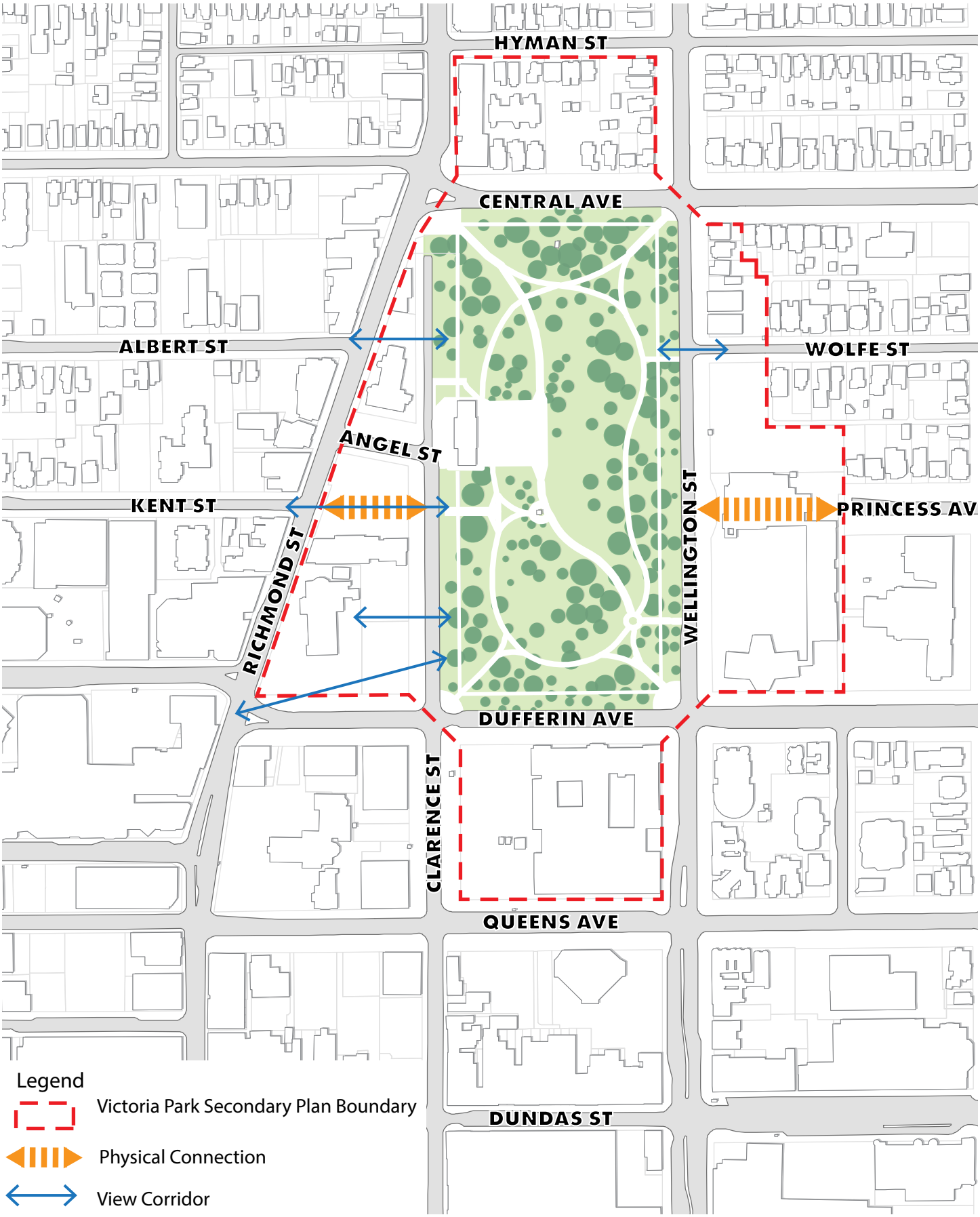
Schedule 1: Secondary Plan Area



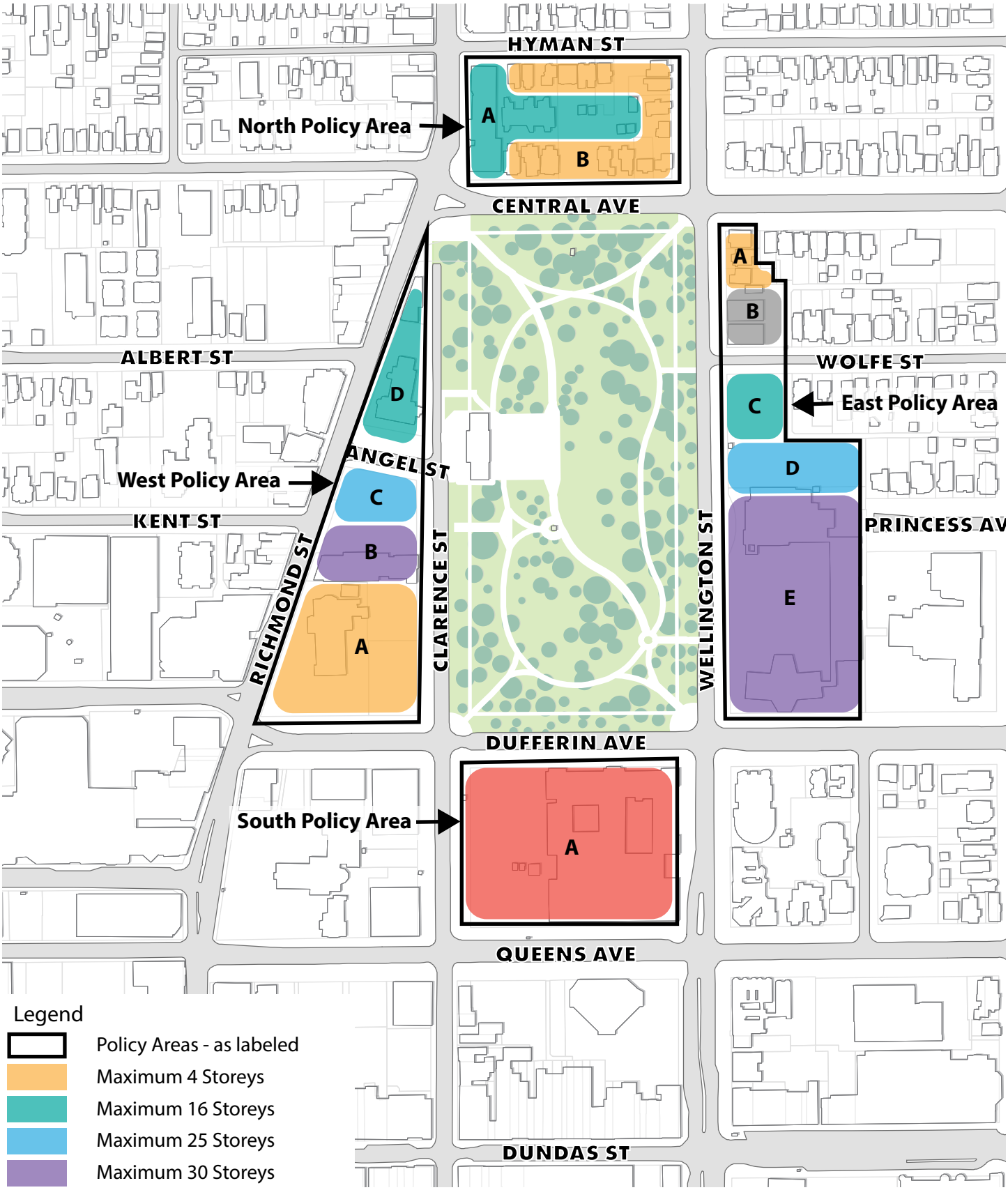
Schedule 2: Policy Areas



Schedule 3: View Corridors and Connections



Schedule 4: Permitted Heights



*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

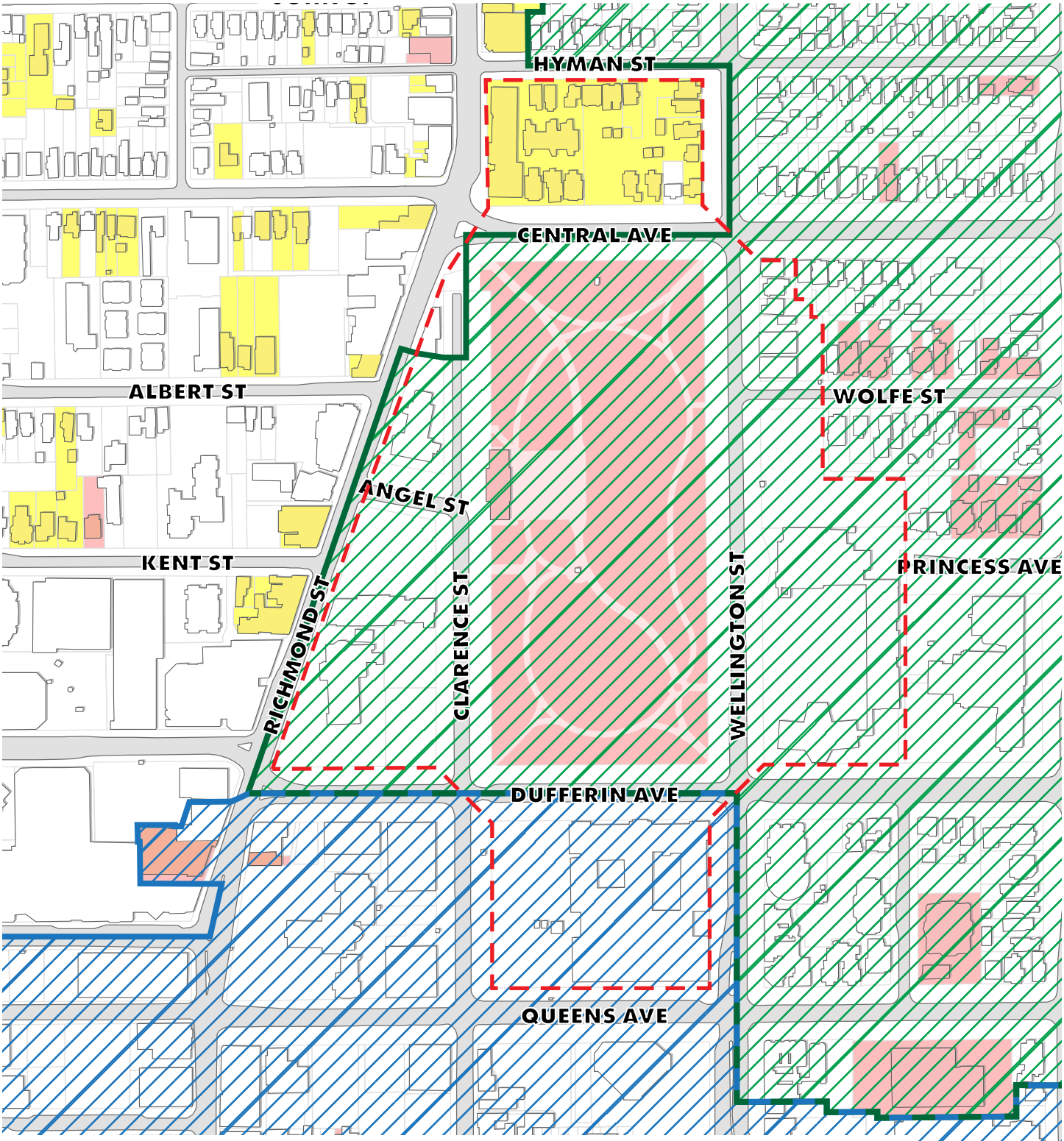
Schedule 5: Table 1: Permitted Heights

North Policy Area		
Part A	2 storeys	16 storeys
Part B	2 storeys	4 storeys
East Policy Area		
Part A	2 storeys	4 storeys
Part B	2 storeys	determined by Ontario Land Tribunal*
Part C	2 storeys	16 storeys
Part D	2 storeys	25 storeys
Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

6.0 Appendices

Appendix A: Cultural Heritage



Appendix B: Reasons for Designation - Victoria Park

SCHEDULE "A"

To By-law No. L.S.P.-3311-283

Victoria Park is bounded by Central Avenue, Clarence Street, Dufferin Avenue and Wellington Street including part of Princess Avenue (formerly known as Bond Street) closed by By-law registered as Instrument GD34133 in the City of London and County of Middlesex being all of PIN 08266-0001.

SCHEDULE "B"

To By-law No. L.S.P.-3311-283

REASONS FOR DESIGNATION - VICTORIA PARK
(The Block bounded by Dufferin Avenue, Clarence Street, Central Avenue, and Wellington Street)

Historical Reason

Victoria Park represents a unique combination of beauty, amenity and heritage in the City of London. The 6.25 hectare park has been a gathering place for Londoners since 1874. Victoria Park is of significant historic, architectural and cultural heritage landscape importance in five key areas:

(a) As a registered archaeological site;
(b) Military history;
(c) A designed landscape;
(d) A place of public gathering and celebration; and
(e) Monuments

Victoria Park is a significant resource for archaeology in London, exhibiting three critical layers of historic importance. Prehistoric remains from the native occupation of the area can be found below ground, as well as, remains from the British Military occupation. The Framed Infantry Barracks which covered the northern two-thirds of the park property in the period circa 1838-1873 represents the largest and best preserved historic site in the City of London. Victoria Park is also the City's most celebrated designed landscape from the 19th Century, created by American landscape architect Charles Miller 1878. The layout of the landscape was reminiscent of an English parkland with drives and tree lined walks, fountains, floral areas and bandstand. Limited remains for this grand parkland era remain today. Victoria Park, from its conception, has continually evolved in its role and relationship to London. Its development must be seen in conjunction to the history of design, society and conventions, and the City's fiscal and management considerations of various periods. To date the park has been idealized as a pleasure ground, a venue of horticultural and artistic expression, a recreational facility and most recently a civic space for special events.

Archaeological investigations of Victoria Park indicate that the property represents the single largest and best preserved historic archaeological site in the City of London. It is arguably the most important historic archaeological site in the City by virtue of its significance to the history of the region and to the development of the municipality. Altogether, these remains represent some of the most important complex issues for future management within the property.

Archaeological assessment indicates a number of components within the park including evidence of prehistoric Iroquoian occupation sometime within the period 800-1550 AD.

Historic research has determined that the Framed Infantry Barracks covered an area of some 10 acres including the entire norther two-thirds of Victoria Park; the southern third was used as the drill ground and cricket ground. This Barracks formed an integral part of the British Military Reserve established in London following the Rebellion of 1827. The British Garrison was based in London from 1838 to 1853, when troops were withdrawn to be sent to the Crimean War, and again from 1861 to 1869. During the mid to late 1850s , the complex served as a refugee camp for escaped slaves from the United States and as the site of a racially integrated school. The barracks survived until the early 1870s, when a fire destroyed the officers' quarters, and the remainder of the structures were cleared in preparation for the creation of Victoria Park.

The barracks complex included several dozen structures surrounded by a stockade with projecting bastions. The major structures centred around a parade square. It was bounded by the soldiers' quarters to the north, the officers quarters to the south, the hospital compound to the west, and the canteen, cells, defaulters room and powder magazine to the east.

When the British Government saw no reason to retain the garrison lands, the drive to have the land become a public park began. The Municipal Council began to initiate civic improvements such as street beautification in 1871 and the establishment of a standing committee on Public parks in 1873. It was not until 1878 that London received the deed for Victoria Park. It was a this time that William Saunders presented to City Council plans for the park prepared by American Landscape Architect Charles H. Miller. In March 1878 Charles Miller came to London with the layout plans for the park. The plans were adopted, and park development proceeded as per Millers plan.

Charles Miller (1829-1902) gained prominence when he became the chief gardener for the Bureau of Horticulture for the Centennial Exhibition in 1876 in Philadelphia. Miller is known to have done two projects in Southwestern Ontario, both seemingly instigated by William Saunders. The first was Victoria Park in 1878 followed by the commission to prepare a landscape and site plan for the Ontario Agricultural College, Guelph in 1882. Through various documents and letters it is known that Miller made several visits to Canada during this period of time. He was recognized as being a leading landscape designer and horticulturalist in his day.

By the end of 1879 the first phase of the parks development was completed. A total of 331 trees and 72 shrubs were added to the double row of maple trees which already surrounded the grounds. In addition walks, drives and a bandshell were installed. The final feature added at this time was the famed fountain topped with a cupid which was installed in the centre of the park along with three military guns from the Battle of Sebastopol which had been donated by sir John Carling.

Victoria Park evolved as it assumed its role as the "jewel of the parks system". In 1912 the park was placed under the responsibility of the Board of Water Commission (later Public Utilities Commission). Recreational activities became increasingly important with the introduction of the skating rink in 1914. By the 1920s a great number of the park's original elements such as iron benches, urns, fencing, had been removed due to age and condition and others were replaced with a single level illuminated one. From this time on, the park began a slow, inexorable decline. By the late 1950s and into the 1960s the residential character along the north and eastern edge was changing with the loss of residential uses, buildings not being oriented to the park , and parking lots.

An important aspect of the park's history are traditions that have evolved over time. Skating has been a part of the park since 1914. Public concerts have been associated with the site since the period of the British Garrison. The first bandstand was erected in the park in 1876. With the bandstand City Council established a fund for free weekly concerts and encouraged local bands. The Salvation Army held Sunday afternoon services in the park for many years. In recent years a bandshell was built in 1950 with funds donated by the Kiwanis Club; and the present bandshell was built in 1989, again will funds from the Kiwanis Club. A very strong tradition of festivals and special events continues in the park to the present day, with over 30 events occurring annually, most notably the Festival of Lights/Winterfest, Home County Folk Festival, and Remembrance Day Services.

Architectural Reasons

Several Monuments have become important features of Victoria Park. The Boer War Soldiers' Monument was added to the park in 1912. The sculpture was commissioned by veterans of the Boer War from Montreal sculptor George W. Hill. On November 10, 1934 the Cenotaph was dedicated. It is a replica of the cenotaph that Sir Edwin Lutyens had designed for Whitehall in London, England. This monument was commissioned by the I.O.D.E. and dedicated to "The Glorious Dead".

Planning and Development
March 2022

London
CANADA

Appendix B – Public Engagement

Responses to Feedback Received:
The following provides an overview of the feedback received and the staff response to that feedback. Hundreds of comments were received throughout the study process, and while all comments were considered in the preparation of the revised Secondary Plan it is not feasible to respond to each comment individually within this report. The following provides an overview of many of the general comments received through the study process and the response of how they were considered in the development of the revised *Victoria Park Secondary Plan*. A full record of the feedback received can be viewed by contacting the Planning and Development Department.

Comment	Response
Rationale for Study-area & boundaries	The Secondary Plan applies to all properties directly surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park.
Review of surrounding context	The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply within this boundary. Further analysis of green space, land uses, parking and character has been completed and informed revisions to the Plan.
Assess why area is optimally located for intensification	The Secondary Plan area is within Central London and includes both Downtown and Rapid Transit Corridor Place Types which are identified as priorities for intensification.
Vision should include intensification	The Vision in the Secondary Plan includes growing inward and upward. The policies in the Secondary Plan allow for intensification around the park, while ensuring that this intensification is compatible with its context and is of a design standard worthy of its prominent location.
Identifying Kent Street as a view corridor and connection compromises development options	The preservation of existing physical and visual connections between will aid in orientation and help to maintain strong relationship with Richmond Street. Policies allow flexibility for creative alternatives. Innovative approaches to connectivity and view corridors may be considered such as enclosed or covered walkways through buildings.
Relationship of new development to stained glass windows on northern portion of St. Peter's Cathedral	St. Peter's Basilica Cathedral is part V designated rather than individually (Part IV of the Act), so it doesn't have defined heritage attributes that can be relied upon to generate policies about interface between the Church and new development. However, all new development must be both physically and visually compatible with the surrounding cultural heritage resources and Heritage Impact Assessments will be required. An additional policy has been added to require a significant setback from the north of the Cathedral.
Improve connectivity between City Hall & Reg. Cooper	Feedback on the use of Reginald Cooper Square has been mixed. The Secondary Plan allows flexibility for this space in the future.

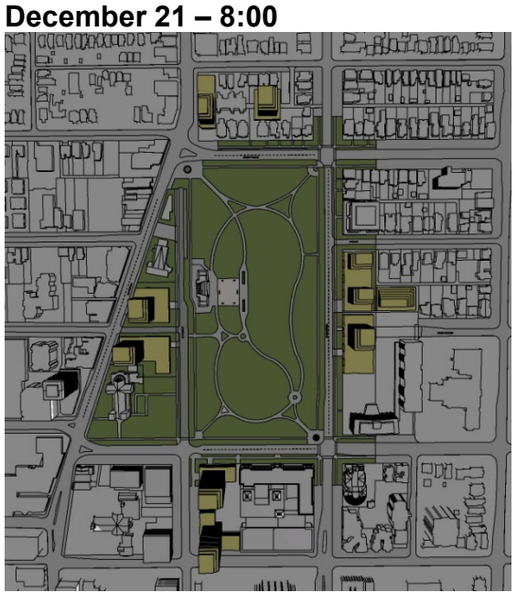
Missing description of park (history, heritage, today)	Appendix B of the Secondary Plan contains reasons for Designation Victoria Park.
Maintain sense of place and history	The Secondary Plan includes cultural heritage policies to ensure new development is compatible with cultural heritage resources and has been reviewed by ERA Consultants Inc. and LACH.
No heritage assessment for North Policy Area	Heritage Impact Assessments will be required for new development within the Victoria Park Secondary Plan boundaries. Prior to any development in the North Policy Area, a cultural heritage evaluation should be completed to confirm the extent of cultural heritage resources within this area.
Site specific analysis & objective criteria for evaluating heights	Specific height policies for each Policy Area, as well as Built Form policies have been revised to strengthen compatibility and address site-specific contexts.
Prescriptive nature of design-related policies	A review of ‘should’, ‘shall’ and ‘will’ language has been completed and flexibility added where necessary. Where ‘should’ is used, the intent of the policy must be implemented through alternative design solutions.
Concern main entrances flush with grade	Flexibility has been added into the policies where grading constraints may exist.
Environmental impacts of minimum 70% glazing	Reference to bird-friendly design practices has been incorporated and flexibility added around the requirement for glazing, including the use of spandrel as well as vision glass, or alternative design solutions.
Loss of parking in study area	A review of existing parking has been completed. The majority of parking is surface parking on private land. Policy has been added to encourage the provision of public parking. A city-wide review of parking standards is underway.
Impact of additional cars & potential traffic congestion	A Traffic Impact Assessment is required as part of any development application around the park. The location of the Plan area and policies of the plan encourage active transportation and reduced auto-dependence.
Parking should be located underground	The Secondary Plan provides policies that regulate how parking is provided, including the location of parking, access and visibility. Surface parking is prohibited, and policies encourage underground parking and set design criteria for the treatment of above-grade parking.
Appropriateness of high-rises & intensification around the park when vacant parking lots are underdeveloped.	Planning policies are unable to require property owners to develop certain lots before other lots can be developed. A significant amount of the land within the plan area is surface parking lots and prime for redevelopment.
Height allowances for North & East policy areas should be increased	Permitted heights in these areas consider the transition from the Downtown to surrounding low-rise residential neighbourhoods, the London Plan height permissions, and existing development permissions. Heights have been modified.

Permitted heights should be lower to prevent compromising heritage resources.	Section 3.7 Heights has added language to clarify the existing height permissions based on the London Plan, and sets out that achieving the full range of permitted heights may be limited, subject to the other policies of this plan.
All development should be low- and mid-rise to protect the park.	The minimum and maximum permitted heights for new development are based on existing zoning permissions and generally consistent with the London Plan Place Type policies. Further, the full range of heights may be limited, subject to the other policies of this plan such as cultural heritage, built form and our tools sections.
Extend the rapid-transit corridor to entire North Policy Area	Section 3.7 Height has been revised to clarify that the boundary interpretation policies of the Rapid Transit Corridor Place Type continue to apply to the North Policy Area, should the lots be consolidated.
Restrictive approach in HCD, other Transit Corridors PT allow for increased heights (e.g. Oxford & Wharncliffe)	The Secondary Plan policies have been revised to balance the need for intensification and the mitigation of adverse impacts on the HCDs. Appropriate heritage review and the requirements of the Ontario Heritage Act will continue to apply.
Maximum heights seem arbitrary	The policies in Section 3.7 Heights have been revised to add clarity to the justification of permitted heights. Heights are based on providing a transition down towards the north, as well as underlying London Plan Place Types and existing zoning permissions.
All proposed intensification measured against health park, security HCD, public access and festivals	The policies included in the Secondary Plan, including required studies have been crafted to ensure a high standard of design and compatibility around the park.
High-rises create shadowing impact on the park & neighbourhood	Measures such as restricting tower floor plate sizes, requiring tower separation, and setbacks have been used to minimize shadow impacts from new development on the park and surrounding area. Shadow studies are also required for all mid-rise and high-rise development proposals.
Wind tunnel effect (even with proposed) setbacks	A wind study is required for any new mid-rise or high-rise building, which requires the applicant to address the wind impacts.
Transition in height within Downtown	The policy framework was reviewed and helped to inform the development of the policies in this Secondary Plan, however this Secondary Plan provided an opportunity to develop new policies that better reflect the unique context of the area to help direct its future development. Language around height transition has been clarified in section 3.7.
Application of angular plane	The use of a 45-degree angular plane has been reviewed and policies revised. The angular plane policies are most effective at mitigating impacts for low-rise and mid-rise buildings and high-rise building podiums,

	whereas other controls are proposed for impacts from towers.
Angular plane from the park to protect open vistas	Built Form policies require step backs from the park above the streetwall for mid-rise buildings and high-rise podiums. The rights-of-ways surrounding the park are 40m wide and provide a generous buffer from the park.
Impact of high-rises on music festivals, and potential for noise complaints.	Noise studies are required as part of a development application to address mitigative measures, and purchasers should be advised through the addition of a warning clause to the lease or agreement of purchase and sale. A preliminary noise assessment indicated that additional development in the area will lessen noise impacts on the adjacent neighbourhoods
Tree Assessment Victoria Park	A Tree Assessment for Victoria Park has been conducted and consultation with Urban Forestry has informed the policies of the Secondary Plan. The Tree Assessment will inform future operational strategies for trees in the park.
Concern health park with additional users & traffic flows	Consultation with Urban Forestry staff has informed the policies of the Secondary Plan. Tree impacts will be considered within required wind and shadow studies for future development.
Specify impact green roofs	The Secondary Plan requires that all new mid-rise and high-rise development includes green roofs or cool roofs and encourages integration with rooftop amenity.
Response to Climate Emergency should include built form policies	Section 3.10 Sustainable Development has been revised to strengthen policies and add new policies.
Ensure sufficient balconies or external areas for residents (especially during COVID-19)	A policy is included that requires the provision of indoor and/or outdoor communal amenity space with new mid-rise and high-rise multi-unit residential developments
Bird Strike Mitigation & Bird Friendly Guidelines	Policy was added to ensure that design of high-rise buildings should include materials and techniques that limit bird-strikes.
Affordable housing	A section 3.11 Housing Mix and Affordability has been added.
Active transportation	Active transportation policies have been added to the sustainable development section.

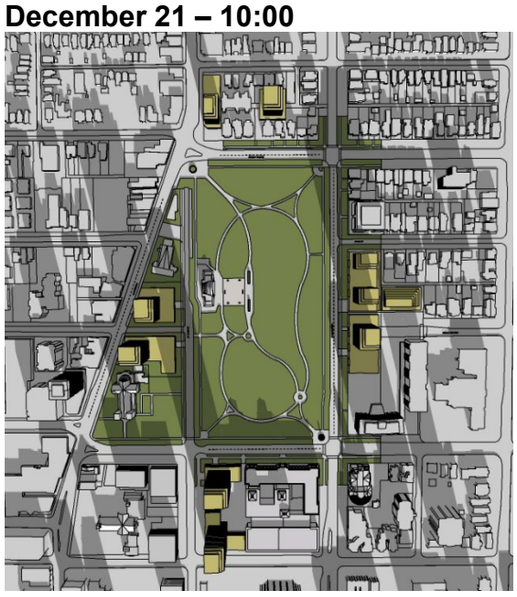
Appendix C – Shadow Analysis for Maximum Heights

December 21 – 8:00



December 21 – 9:00

December 21 – 10:00



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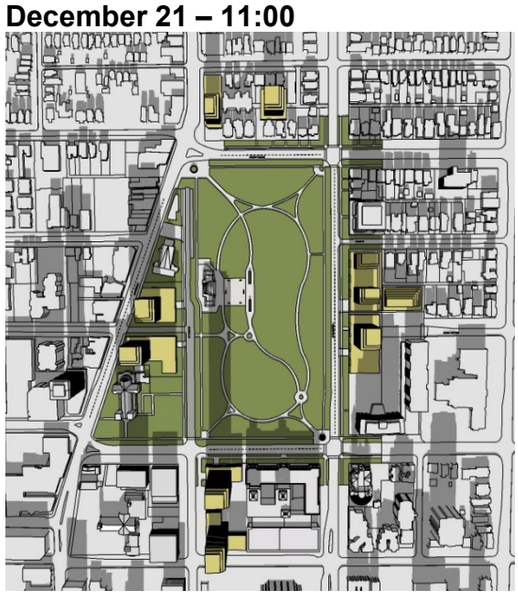
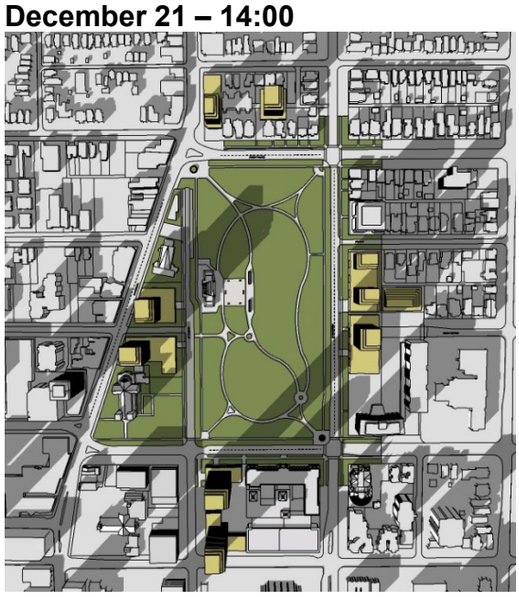


December 21 – 12:00

December 21 – 13:00

December 21 – 14:00



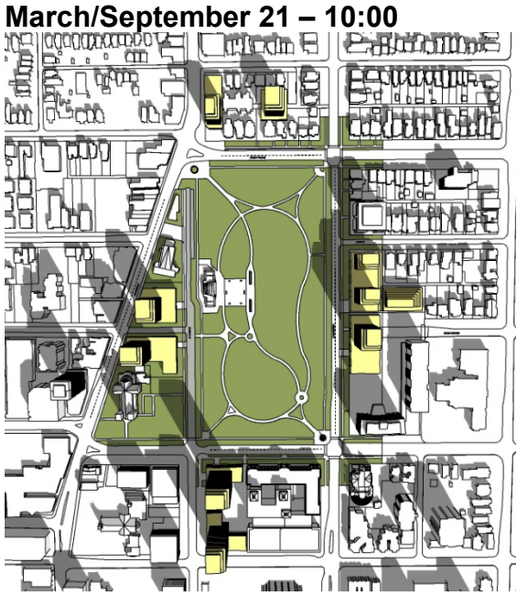
December 21 – 15:00

December 21 – 16:00

March/September 21 – 8:00

March/September 21 – 9:00

March/September 21 – 10:00



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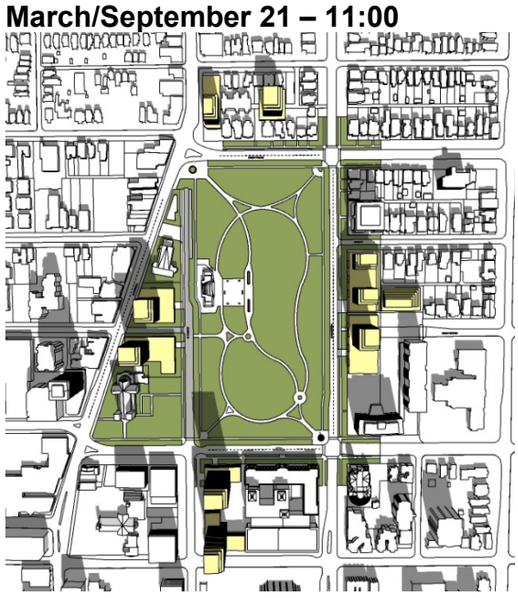

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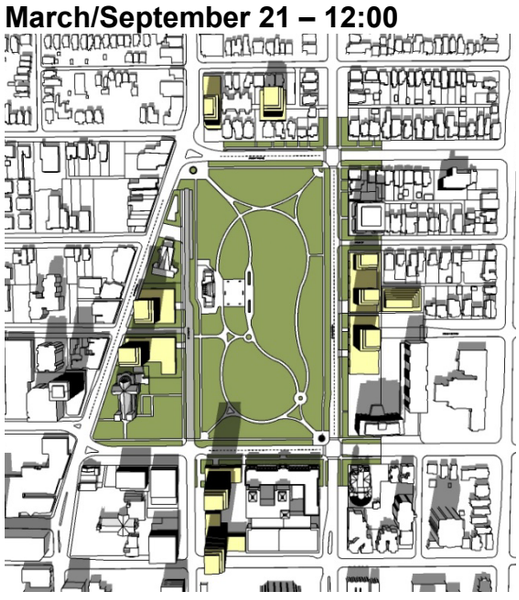

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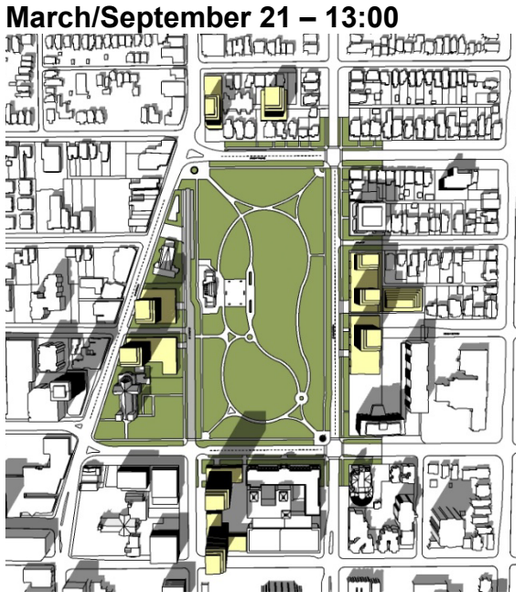

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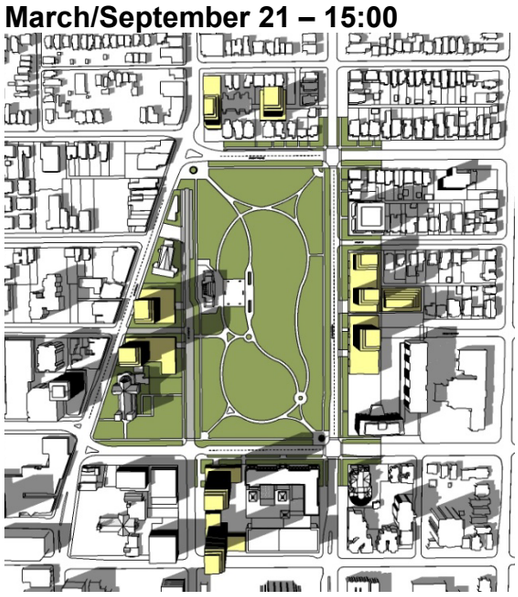

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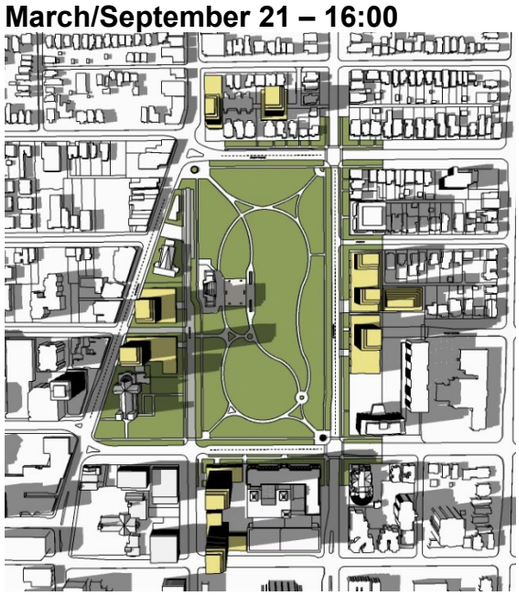

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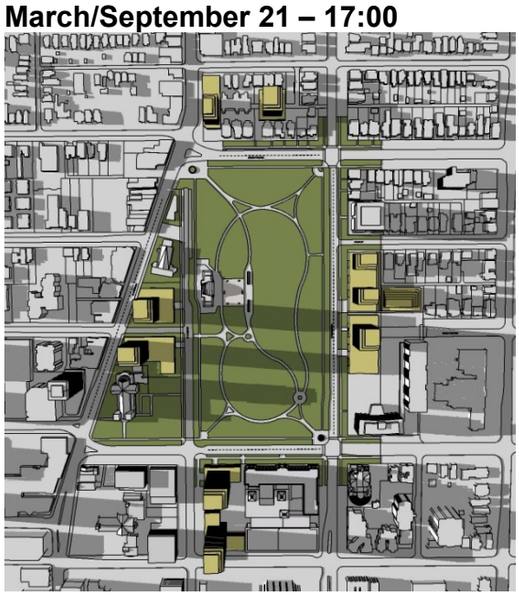

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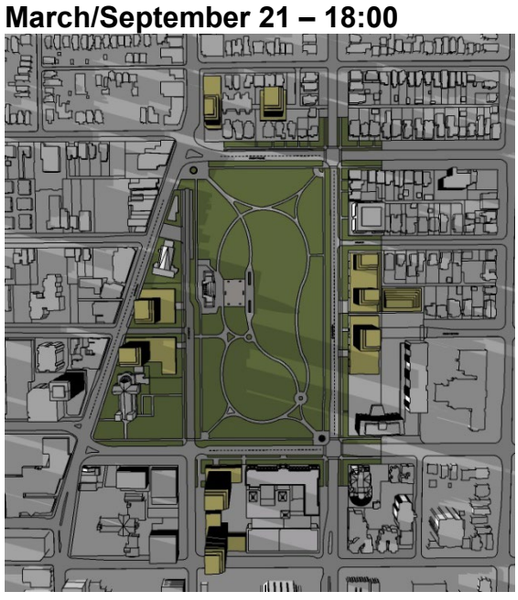

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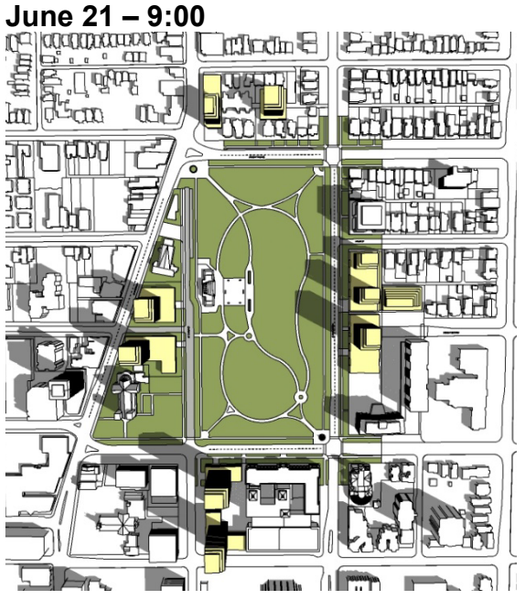
June 21 – 9:00



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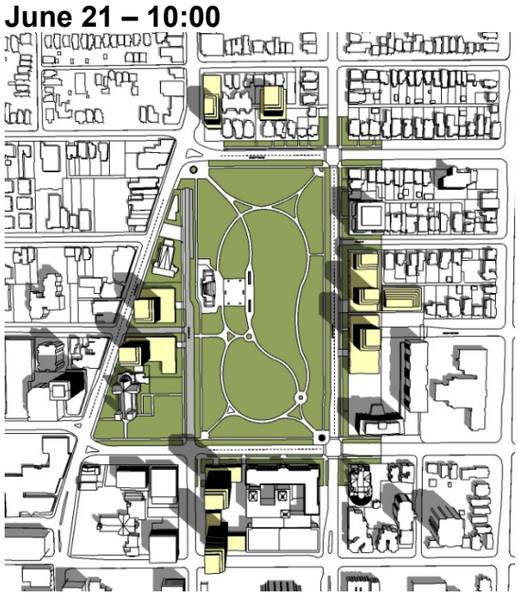

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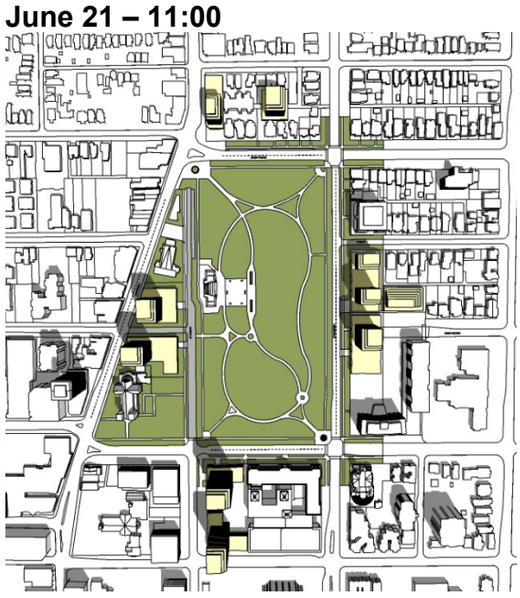

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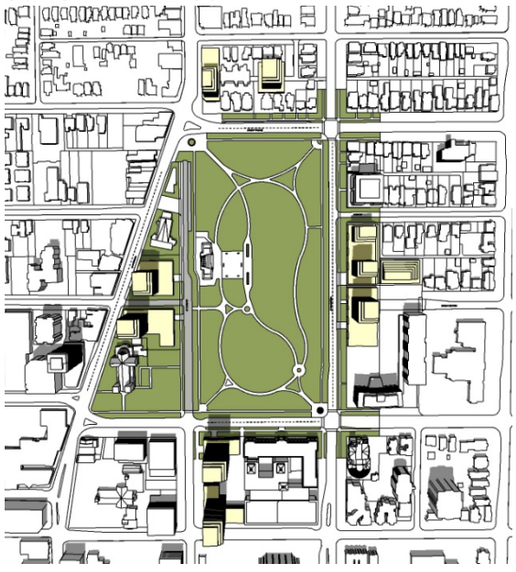

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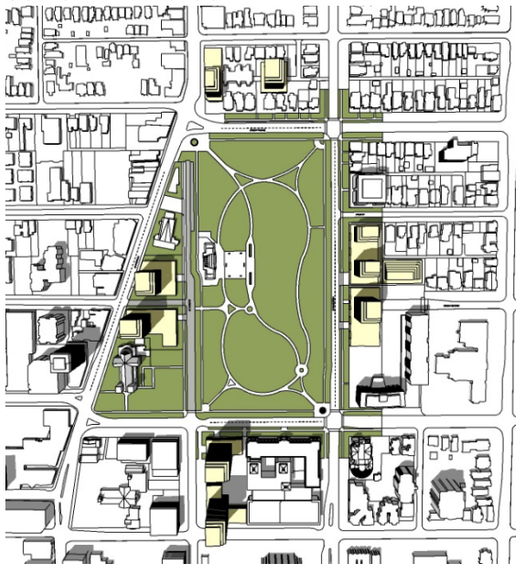

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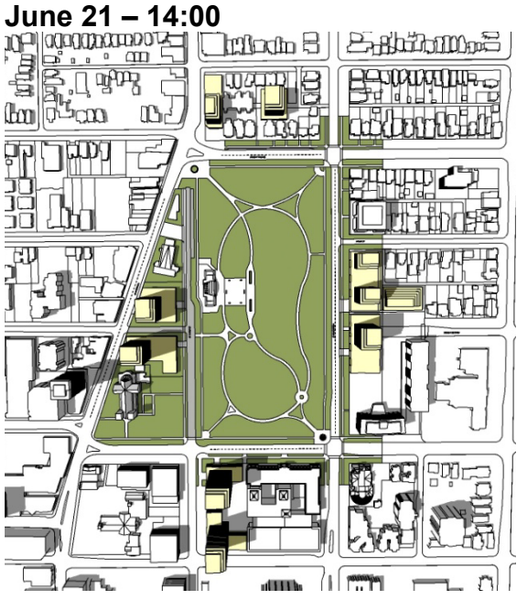

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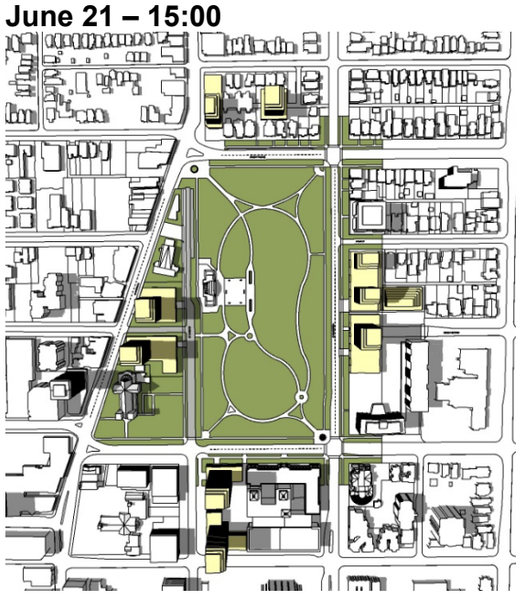

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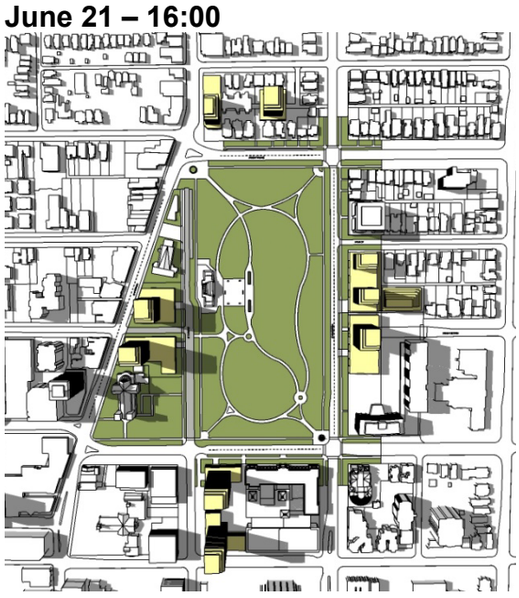

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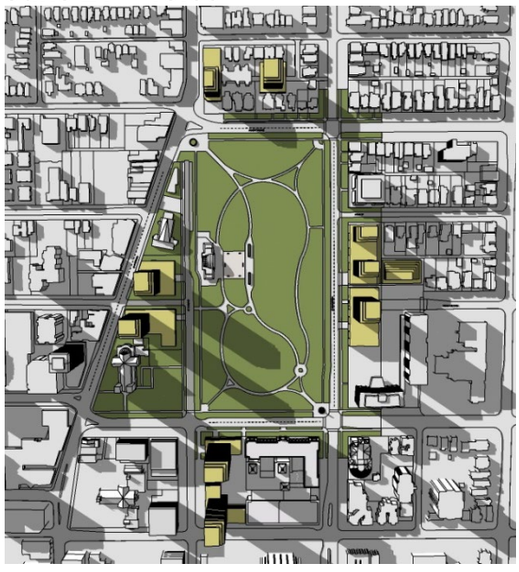
June 21 – 18:00



June 21 – 19:00

Draft Victoria Park Secondary Plan

Planning and Environment Committee

March 7, 2022

Secondary Plan Boundary

Legend

Victoria Park Secondary Plan Boundary

Council Resolution

a) the Victoria Park Secondary Plan **BE REFERRED** back to the Civic Administration for further public consultation and consideration, with a report back to a future meeting of the Planning and Environment Committee, with the report back to include consideration to include, but not be limited to, the following matters:

   i) permitted heights and the relationship with the proposed 45 degree angular plane;

   ii) Housing affordability within the proposed Secondary Plan;

   iii) sound mitigation from noise generated from festivals held at Victoria Park; and,

   iv) other issues raised by the public during the public participation meeting held on this matter;

b) the Civic Administration **BE REQUESTED** to provide 3D modelling of different permitted heights and related shadow impacts with the report back;

Additional Public Consultation

- Community Info Meeting #4 – Nov. 11, 2020 (virtual)
- Victoria Park Get Involved Page & Survey
- Architectural Conservancy of Ontario (ACO)
- Downtown BIA
- Friends of Victoria Park
- Woodfield Community Association
- Woodfield Ratepayers
- Meetings with Property Owners

New Studies and Analysis

- Shadow Study
- Noise Assessment
- Urban Forestry consultation on tree impacts
- Victoria Park Tree Health Assessment
- Figure ground analysis of existing buildings, hardscape areas and softscape areas
- Review of existing land uses
- Review of heights and angular plane application
- Detailed review of existing policies and language

New Policy and Development Considerations

Policy Consideration

- Protected Major Transit Station Areas
- Inclusionary Zoning
- Section 37 Bonusing
- Parking Standards Review

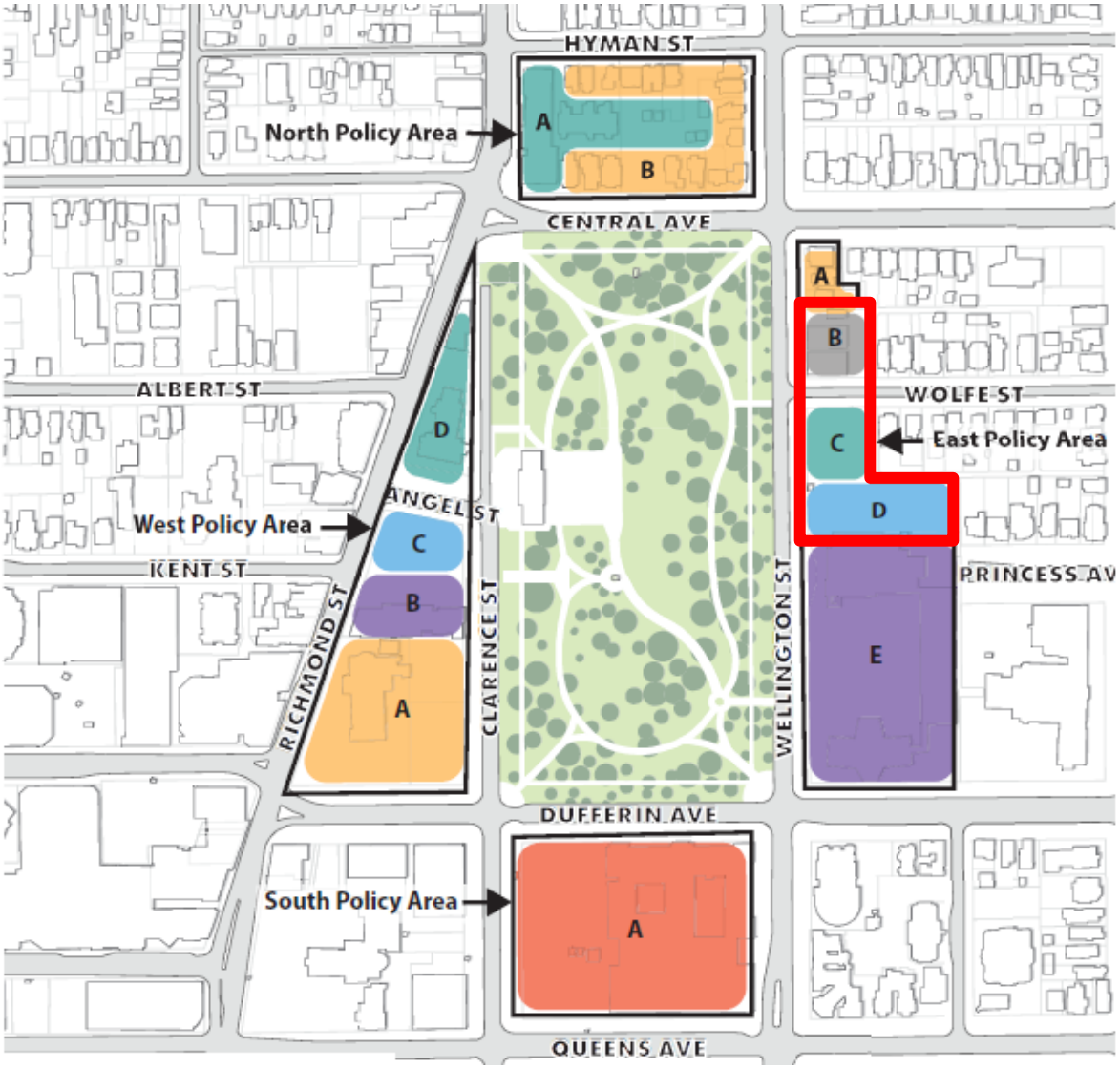
Development Applications

- 556 Wellington Street – Site Plan approved
- 560/562 Wellington Street (OPA/ZBA) – under appeal

Major Revisions

1. Revised Heights (East Policy Area)
   - *Address Site Plan Approval and OPA/ZBA Approval and Appeal*
   - *Remove cross-reference to angular plane*
2. Built Form Policies
   - *Better address compatibility, contextual fit and impact mitigation*
3. New Housing Mix and Affordability Policies
   - *Acknowledge available tools and support diverse populations to live within the area*
4. Sustainable Development Policies
   - *Better address active transportation, sustainable buildings*
5. Required Studies Section
   - *Clarify site-specific technical studies and requirements*

Major Revisions - Heights



Legend

- Policy Areas - as labeled
- Maximum 4 Storeys
- Maximum 16 Storeys
- Maximum 25 Storeys
- Maximum 30 Storeys
- Maximum 35 Storeys
- Determined by OLT*

Area of Revision

Recommendation and Next Steps

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the draft Victoria Park Secondary Plan:

(a) The draft Victoria Park Secondary Plan, attached in Appendix “A” **BE RECEIVED** for information; and,

(b) The draft Victoria Park Secondary Plan **BE CIRCULATED** for public comment.

IT BEING NOTED that feedback received will inform a revised Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration and approval of Municipal Council at a future public participation meeting of the Planning and Environment Committee.

Report to Planning & Environment Committee

To: **Chair and Members**
Planning & Environment Committee

From: **Kelly Scherr, P. Eng., MBA, FEC**
Deputy City Manager, Environment & Infrastructure

Subject: **2022 *Lymantria dispar dispar* (LDD) Moth Proposed Management Plan**

Date: **March 7, 2022**

Recommendation

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the 2022 *Lymantria dispar dispar* (LDD) Moth* proposed management plan **BE RECEIVED** for information and the following actions **BE TAKEN** with respect to the provision of LDD aerial spraying services:

a) The single source estimated price of 100,000 plus HST, pending further negotiation submitted by Zimmer Air Services Inc. to provide an aerial spraying service to control the spread of the LDD moth in select locations as outlined in the report below, **BE ACCEPTED**.

b) The financing for the project **BE APPROVED** within existing budgets.

c) Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this purchase; and

d) Approval hereby given **BE CONDITIONAL** upon the Corporation entering a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

Executive Summary

Lymantria dispar dispar (LDD), formerly known as European gypsy moth (EGM), is a non-native, invasive forest pest that was introduced to North America from Europe in 1869. Note that staff will be using “LDD moth” on a go-forward basis.

LDD was first detected in Ontario in 1969 and has quickly spread across southern Ontario during the 1980’s. The Canadian Food Inspection Agency (CFIA) is responsible for preventing the introduction and spread of invasive pest species. LDD is, unfortunately, considered a well-established regional pest in southern Ontario.

The City of London Urban Forest Strategy (2014) includes taking action to ensure the effective management of invasive pest species that are harmful to trees under the main goal to “Maintain Better”. This report includes a summary of the work undertaken in 2021 and a proposed 2022 LDD Management Plan to mitigate the impact this species will have on forest health. Key components of the plan include ongoing monitoring of the pest’s density and health, management techniques and public communications. Due to the degree of the outbreak, Civic Administration is proposing, again, to apply *Bacillus Thuringiensis Subspecies Kurstaki* (BTK) at select locations on public land via aerial application. Civic administration carried out a targeted aerial application of BTK last year and in 2009 to manage LDD.

The provincial government regulates the sale, use, transportation, storage, and disposal of pesticides in Ontario. Ontario’s Pesticides Act and Ontario

Regulation 63/09 provide the province's framework to regulate pesticides to protect human health and the natural environment. To use BTK, Civic Administration must acquire the appropriate permits and approvals from both federal and provincial regulatory authorities such as Transport Canada and the Ministry of the Environment, Conservation and Parks. Information that is submitted as part of the approvals process includes a review of the proposed locations (site and size), road and park closure plans, and a BTK aerial application public notification plan. These approvals, the communications plan associated with the strategy, and interactions with the Middlesex London Health Unit, will be used to inform the public about the aerial sprayings.

*

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning & Environment Committee (February 8, 2021) 2021 European Gypsy Moth (EGM) Proposed Management Plan

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

2.0 Discussion and Considerations

2.1 LDD Impacts on Forest Health

LDD is a problematic pest as the caterpillar (larva) stage feeds aggressively on a wide range of trees. LDD affects many types of trees, but it prefers oaks, maples, basswood, white birch, and willow. Many of these types of trees are in parks, along streets and in woodlands. However, oak trees are particularly favored by the pest and can have a significant affect on them.

Each LDD caterpillar can eat up to one square meter of leaf area. During major outbreaks there can be hundreds to thousands of caterpillars feeding on a single tree causing major defoliation (loss of tree leaves and canopy). Healthy, mature trees can tolerate a few seasons of minor defoliation, but ongoing infestations can result in the loss of major branches and/or kill the entire tree. How a tree will respond to LDD defoliation depends on the amount of foliage removed, timing in the growing season, and the current health and condition of the tree.

Trees rarely die due to one factor and normally die from a combination of events. LDD defoliation can make trees more suspectable to other impacts such as pests, disease, and drought. Conifer trees (evergreens like pine, spruce) can die after one major defoliation event. Keeping the urban forest healthy and resilient will make it better prepared to respond to changing environmental conditions and opportunistic pests and diseases.

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

The LDD peak outbreak cycle occurs approximately every eight to ten years. Although very disruptive, the caterpillar stage lasts four to six weeks with major outbreaks collapsing two to four years after peaking due to natural factors.

2.2 Regional Trends LDD Population Density and Movement Trends

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

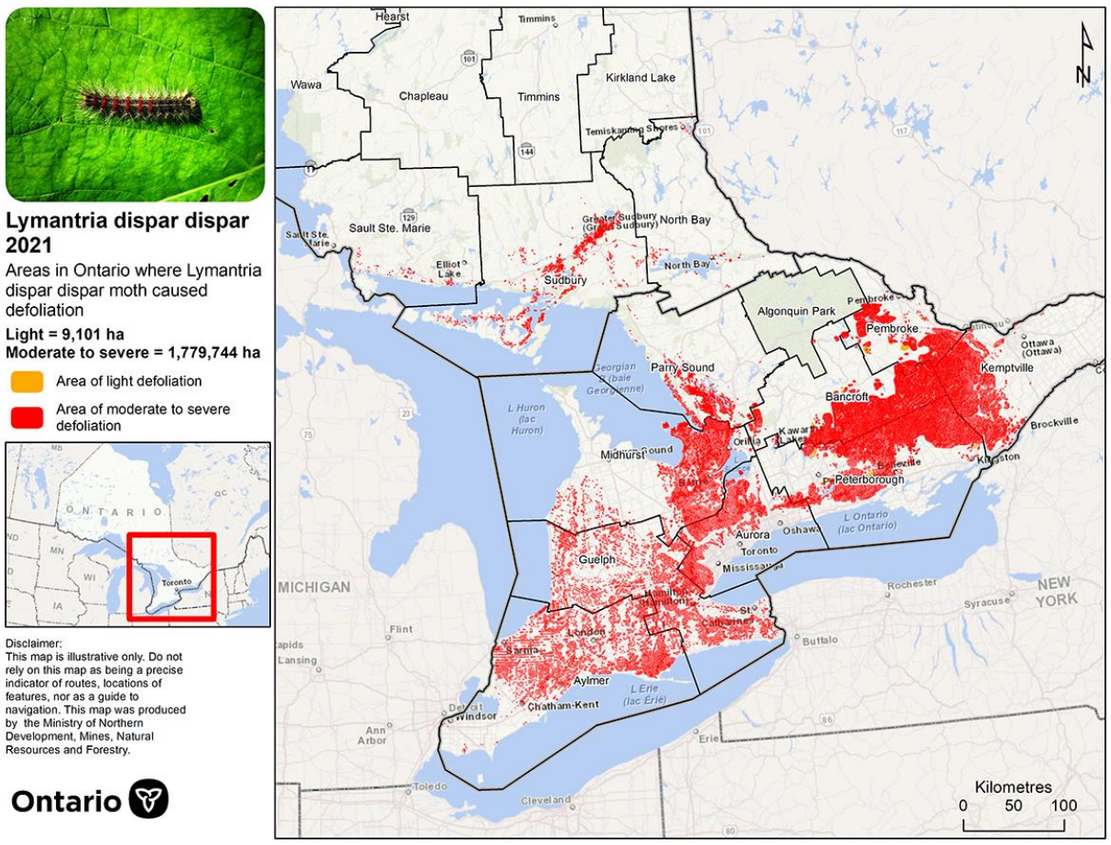


Figure 1. Defoliation caused by LDD moth in Ontario increased from 586,385 hectares in 2020 to almost 1.8 million hectares in 2021.

Moderate to Severe Defoliation Southern Region

- 2019 Defoliation - 43,158 ha
- 2020 Defoliation - 569,384 ha
- 2021 Defoliation - 1,779,744 ha

2.3 Summary of Consultant Data Collection & Surveys

Civic Administration has contracted BioForest Technologies Incorporated. to assist with implementing a LDD monitoring program. The consultant adapted two standard forest methodologies to measure LDD populations in an urban environment to establish fixed-area plots.

Fixed Area Plots

In 2019 1,158 fixed-area plots were established and data was collected from thousands of trees. A key consideration in the location of the plots was the presence of oak trees. In 2020, 22 new streets and 12 new parks were added to the monitoring program. Associated data plots were also added due to increasing and more widespread populations. These added data plots were chosen based on LDD complaints and were areas known to have concentrated oak stands. The plots were also strategic locations that would help determine if LDD was moving into new locations.

In 2021, plots were removed from parks with two (2) consecutive years of no actual defoliation, and from parks where no egg masses were recorded in 2020. The four (4) parks meeting these requirements were Byron View Park, Hyde Park Woods, Jorgenson Park, and Killaly Meadows. Seven (7) street plots with two (2) consecutive years of no actual defoliation within Byron were removed. These locations were found to have few oak trees and the resources for these locations were allocated elsewhere.

Forest Hill Park, which is a new and growing outbreak, and the surrounding area streets were added to the monitoring program.

A general summary of the 2021 egg mass surveys included the following:

- 60 existing street plots
- 10 new street plots
- 19 existing parks
- 1 new park

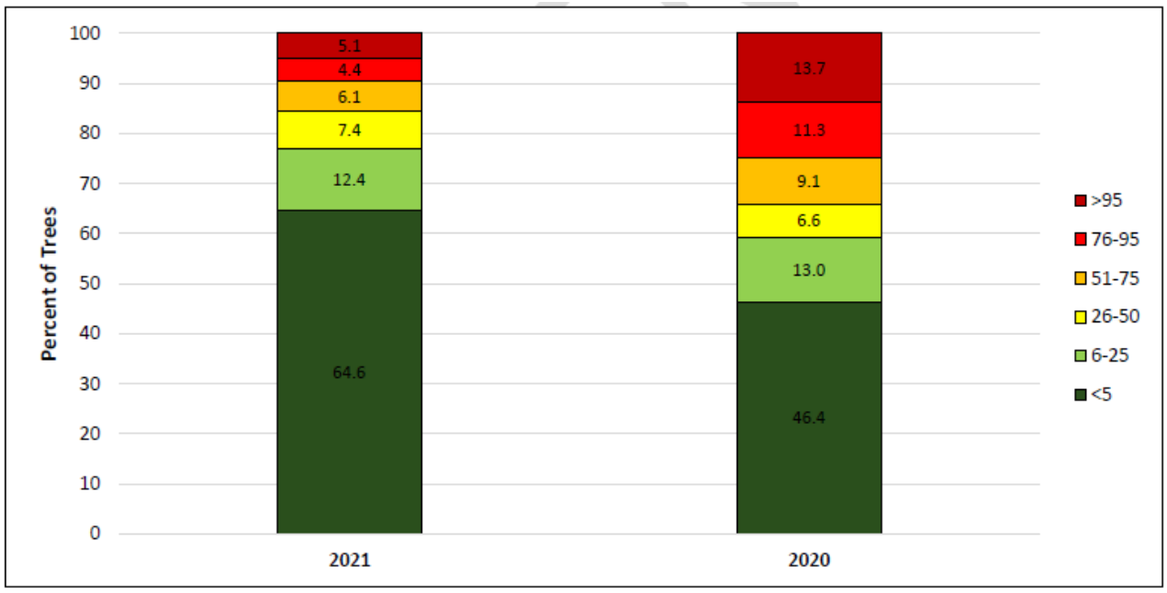
Major Findings Defoliation & Egg Mass Studies

In 2021, BioForest Technologies Incorporated completed one defoliation study in July, one egg mass survey in late November and another egg mass survey in early December. Overall actual defoliation in 2021 was lower than forecasted in most areas surveyed, but there is a new location in the northeast where the outbreak is new and growing. Previously surveyed areas indicated that we are in year three (3) or four (4) of the peak outbreaks.

Park Trees

All parks that were aerially sprayed in the spring of 2021—Crestwood Woods, Fairmont Park, Grand View Park, Griffith Street Park and Somerset Woods—recorded much lower levels of defoliation than forecasted. This confirms that the aerial spray program was successful in mitigating defoliation within these parks as most saw less than 25% defoliation.

Chart 1. Comparison of Actual Defoliation in Park Trees 2020 versus 2021



Somerset Woods and Fairmont Park, while sprayed, did not fair as well as the other parks. In Somerset Park this may be due to the adjacent forested areas and the park's narrow shape which can be a challenge for aerial spraying. In Fairmount Park the density of the pest, the highest in the City, was likely so significant that one aerial spray application was not as effective.

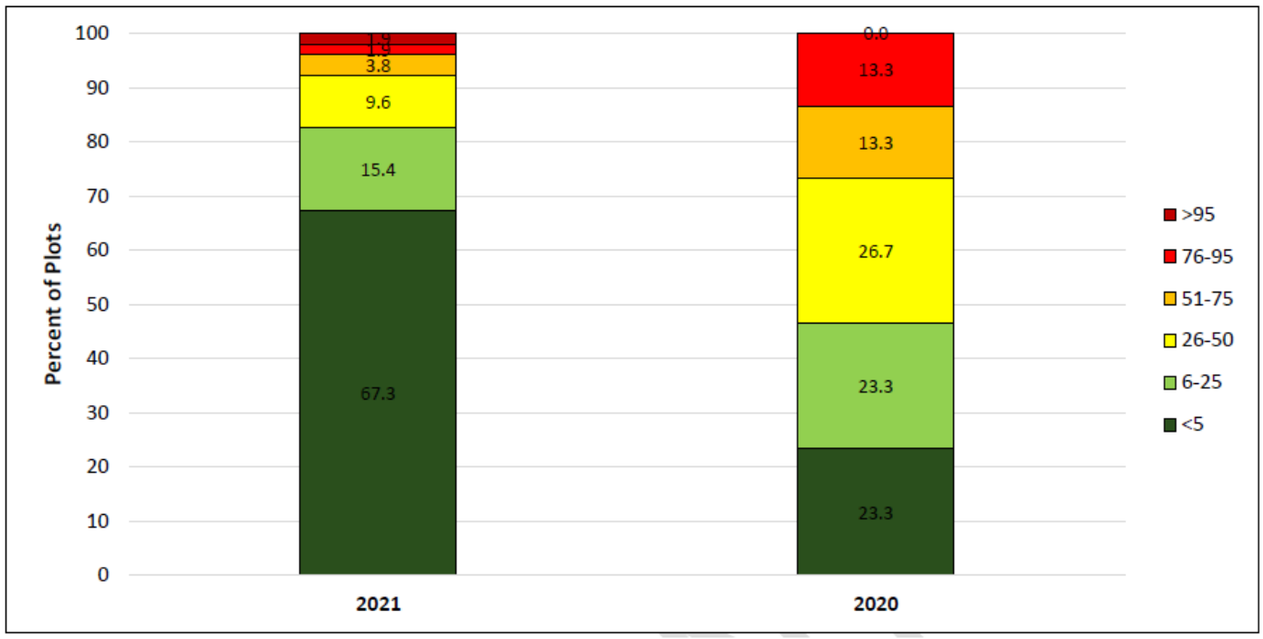
Chart 2. Defoliation Trend of Aerial Sprayed Parks

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

Street Trees

Street trees that were part of the LDD Program faired very well. Forestry Operations performed egg mass scrapings for approximately 1, 250 street trees with varying level of infestation. These scrapings took place over the month of January using both skilled forestry employees and contractor services with specialized equipment for larger trees. As noted in the chart below the overall defoliation of street trees in 2020 moved from 53% that were experiencing moderate to severe defoliation to 17.2 % in 2021. This is a significant improvement in health and condition.

Chart 3. Comparison of Actual Defoliation in Street Trees 2020 versus 2021



Egg Mass Size & Numbers

Egg mass size is a key indicator of the health of the LDD Moth population. Surveys were conducted in late November early December during leaf-off seasons so that the egg masses could be viewed unobstructed. In 2020, 74% of the masses were classified as “large” and the average size of the egg masses was 31.3 mm. The average egg mass size classified as “large” is 500 egg masses per tree at 25 mm or greater. This was the case in both 2019 and 2020. This indicated a healthy, growing, stable population of the pest. In 2021, 57% of all new egg masses were classified as “large” at 26.7mm. This is an overall reduction in both statistics for last year.

However, this included the new Forest Hill Park area where a new outbreak has been established. Ninety percent (90%) of the egg masses were large and had an egg mass size of 34.4 mm which indicates a healthy, stable, and growing population.

In prior plots that were being tracked—Byron, Fairmont, and Oakridge communities—only 52% of the egg masses are large with an average size of 25.4 mm.

This year, for the first time, new egg masses versus old were tracked. It is important to track new egg masses and compare them to old egg masses to evaluate risk of defoliation. Less than 25% of old egg masses indicate a healthy LDD moth population and indicate an outbreak is developing. In 2021, 66% of all egg masses were new. Byron had the lowest percentage of new masses at 50%, while Fairmont had the highest at 87%. Byron’s low percentage and smaller than average new egg mass size suggest that the population here may have reached its peak and is now beginning to

decline and collapse. The other locations are less conclusive. This measure will continue to be tracked.

2.4 Proposed LDD 2022 Management Plan

Based on the past two years of experience managing the LDD moth, Civic Administration has decided to continue to implement an Integrated Pest Management (IPM) approach to manage LDD on public lands. This means using different management techniques, sometimes at the same time, starting with solutions which result in the lowest risk to the environment to address the pest population. IPM techniques focus on methods that interrupt the pest's life cycle earlier and often because such efforts tend to be more successful in managing the pest. The goal of the LDD management program is not to try to eliminate the pest but to get its population back to tolerable levels where forest health can recover, and natural controls can collapse the population.

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

A Comprehensive Communications Plan

Communication and education are powerful tools in any pest management program. In 2021, a Get Involved web page was created to keep residents up to date on LDD management techniques and the aerial spray timing. It was one of the tools residents used when identifying the new outbreak in Forest Hill Park. In addition, Civic Administration hosted two virtual meetings on the topic and helped create brochures for distribution in communities affected. Information will continue to be shared on the City website and promoted through social media.

Civic Administration will continue to promote the following management techniques that will coincide with the specific LDD life-cycle stages:

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

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

Manual Removal and Scraping of Egg Masses from City Trees

This year Civic Administration will target 45 streets in the following areas that are forecasted to be severely defoliated in 2021:

- Sunningdale Rd E/ Forest Hill Woods (new)
- Somerset Park (revisit)
- Oakridge/Sanatorium Road (revisit and new streets added)
- Hamilton Rd/Fairmont Park (revisit and new streets added)
- Byron area streets will be removed

Aerial Application of Bacillus Thuringiensis Kurstaki (BTK) in Select City Parks

Civic Administration is proposing again to use *Bacillus Thuringiensis Kurstaki* (BTK) in combination with the other management techniques. BTK is the primary pest control product recommended for LDD control. Health Canada identifies that BTK is a

bacterium found naturally in soils. It is a selective biopesticide that works only against a group of insects called lepidopterans, which includes LDD. BTK only becomes toxic in the alkaline gut of specific lepidopteran insects in the larval (caterpillar) stage of their life cycles. Because of this characteristic, it does not affect adult moths and butterflies, other insects, honeybees, fish, birds, or mammals.

Last year, Civic Administration recommended a single aerial spray application to reduce the risk of overlapping with the life cycles of other Lepidoptera (moths and butterflies) and the monarch butterfly that occur later in the season. However, based on the results in Somerset Woods and Fairmont Park, the standard two spray application is being recommended to help trees survive the current outbreak and associated defoliation. It was noted during the 2021 aerial application that it was early in the season and the primary habitat, milkweed, for the butterfly had not yet emerged. The 2022 spraying schedule will again be established [SK1]to minimize impacts on other species that can also be vulnerable to BTK in their larval stage.

Zimmer Air Single Source

Administration is asking for a single source approval of Zimmer Air Services Inc. to provide the aerial spraying service as per 14.4 (e) and (k) of the City of London Procurement Policy. Zimmer Air Services inc. provides the special knowledge, skills, expertise, equipment and experience to provide the service. Due to the increased spread of the LDD moth across southern Ontario, aerial spraying service providers are in short supply.

The initial list of locations identified in the chart below were considered and identified for aerial application approvals based on outbreak levels, mature oak tree stands and forecasted defoliation.

Chart 4. List of Proposed Btk Aerial Spray Locations

#	Location	Rational	2022 Defoliation Forecast
1	Fairmont Park	3 or 4 years of > 90% defoliation	Severe
2	Somerset Wood	3 or 4 years of > 80% defoliation	Moderate - Severe
3	Forest Hills Woods	New outbreak with growing and healthy insect populations	Severe
4	Springbank Park	3 or 4 year of > 80% defoliation; major oak stand; TBD	Severe
5	Thames Valley Golf Course	3 or 4 year of > 80% defoliation; major oak stands	Severe

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

LDD Populations Will Eventually Collapse Due to Natural Factors

In 2021, BioForest crews observed natural controls such as a small number of caterpillars affected by *E. maimaiga* fungus and NPV virus during the defoliation surveys. Caterpillars were noted characteristically hanging from the trunk of trees in an inverted “V” fashion (NPV). Egg mass predators were also observed during the egg mass surveys. Natural factors will ultimately cause LDD to collapse. This collapse normally follows two to four years after the peak pest populations. Some of the natural factors leading to the collapse include the following:

- Virus NPR (Nucleopolyhedrosis) which establishes when the LDD population is at high density. This virus has been observed throughout London over the past two years and has the largest impact on collapsing the LDD population.
- Fungus (Entomophage maimaiga) requires a cool wet spring but kills LDD caterpillars at any density.

- Winters with extended cold temperatures less than -20° C and with a lack of snow will kill egg masses.

Financial Impact/Considerations

There are no direct financial or resource implications associated with the 2022 LDD Management Plan. The plan described herein can be supported within existing budget.

Key Issues and Considerations

BTK Information

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

The federal government Health Canada website factsheet states that BTK poses little threat to human health, either through handling products directly or through indirect exposure such as during a spray program. Health Canada identifies that BTK strains have been used by both organic and non-organic farmers throughout the world for many years. It is one of the few pesticides acceptable to organic growers as it is a naturally occurring biological organism rather than a synthetic chemical. BTK is a bacterium found naturally in soils. BTK only becomes toxic in the alkaline gut of specific lepidopteran insects in the larval (caterpillar) stage of their life cycles. [SK2]

Civic Administration reached out again in 2022 to the Middlesex London Health Unit to seek their opinion on the aerial application of BTK. They in turn contacted Public Health Ontario whose role is “to provide scientific evidence and expert guidance that shapes policies and practices for a healthier Ontario”. Their role includes pesticide use. The letter has been included as an attachment.

BTK Aerial Application Notification Plan

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

Conclusion

Although it appears that in some locations in the City, LDD moth populations are collapsing, in other locations they are just getting established. Civic administration will continue to monitor the LDD moth pest population and manage it to mitigate the current ongoing risk to the health of the urban forest.

Civic Administration has reviewed consultant data and verified findings in the affected areas. The recommended 2022 LDD Management Plan, based on IPM principles, will include a communication plan, egg mass scraping, and aerial applications of BTK at selected sites to reduce the spread of LDD in the London. Liaison with the Middlesex London Health Unit and provincial and federal approval agencies are included in this program.

Prepared by:	**Jill-Anne Spence, Manager, Urban Forestry**
Submitted by:	**Scott Stafford, Director, Parks and Forestry**
Recommended by:	**Kelly Scherr, P.Eng., MBA, FEC** **Deputy City Manager, Environment and Infrastructure**

[SK3]

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers, MPA, P.Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **Dancor Oxford Incorporated**
1985 Gore Road
Removal of Holding Provisions
Date: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Dancor Oxford Inc. relating to the property located at 1985 Gore Road:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 22, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Holding Light Industrial LI2 and General Industrial GI1 (h*LI2/GI1) Zone, **TO** a Light Industrial LI2 and General Industrial GI1 (LI2/GI1) Zone to remove the “h” holding provision.

Executive Summary

Purpose and Effect of the Recommended Action

The purpose and effect of this zoning change is to remove the “h” holding provision so that the development of a warehouse establishment can proceed in accordance with the approved zoning.

Rationale of the Recommended Action

1. The conditions for removing the “h” have been met and the recommended amendment will allow a warehouse establishment to be developed in compliance with the Zoning By-law.

2. A Development Agreement has been entered into and securities have been provided.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

February 27, 1989 – Report to Planning Committee on Draft Plan of Industrial Subdivision (39T-88003).

November 29, 2004 – Report to Planning Committee regarding Zoning By-law Amendment Application (Z-6788).

1.2 Planning History

A proposed Draft Plan of Industrial Subdivision (39T-88003) was accepted as a complete application on February 15, 1988, and was presented to Planning Committee on February 27, 1989. Draft Approval was issued on November 22, 1990, but the application was not taken beyond this stage.

An application for a Zoning By-law Amendment and Removal of Holding Provisions was accepted on September 23, 2004, and presented to Planning Committee on November 29, 2004. The requested amendment was to add the Light Industrial LI2 Zone to permit the following additional uses: business service establishments, manufacturing and assembly industries, warehouse establishments, wholesale establishments, repair and rental establishments and service trades on lots with a minimum frontage of 30 m (98.4 ft) and a minimum area of 2000 m² (0.49 ac). Staff recommended approval of the Zoning By-law Amendment and refusal of the Removal of Holding Provisions.

This application to remove the holding provisions was accepted as complete on January 27, 2022. An application for Site Plan Approval (SPA21-107) has also been submitted and is being processed concurrently.

1.3 Property Description

The subject lands are located in the northeast quadrant of the City, and are situated south of Gore Road and west of Veterans Memorial Parkway. The site is Part Lot 2 of Registered Plan 33R-20871 and is approximately 15.23 hectares. The subject lands are bounded by the CN rail line to the north and the River Road Park to the south.

1.4 Current Planning Information

- The *London Plan* Place Type – Heavy Industrial
- Official Plan Designation – General Industrial
- Existing Zoning – Holding Light Industrial and General Industrial (h*LI2/GI1)

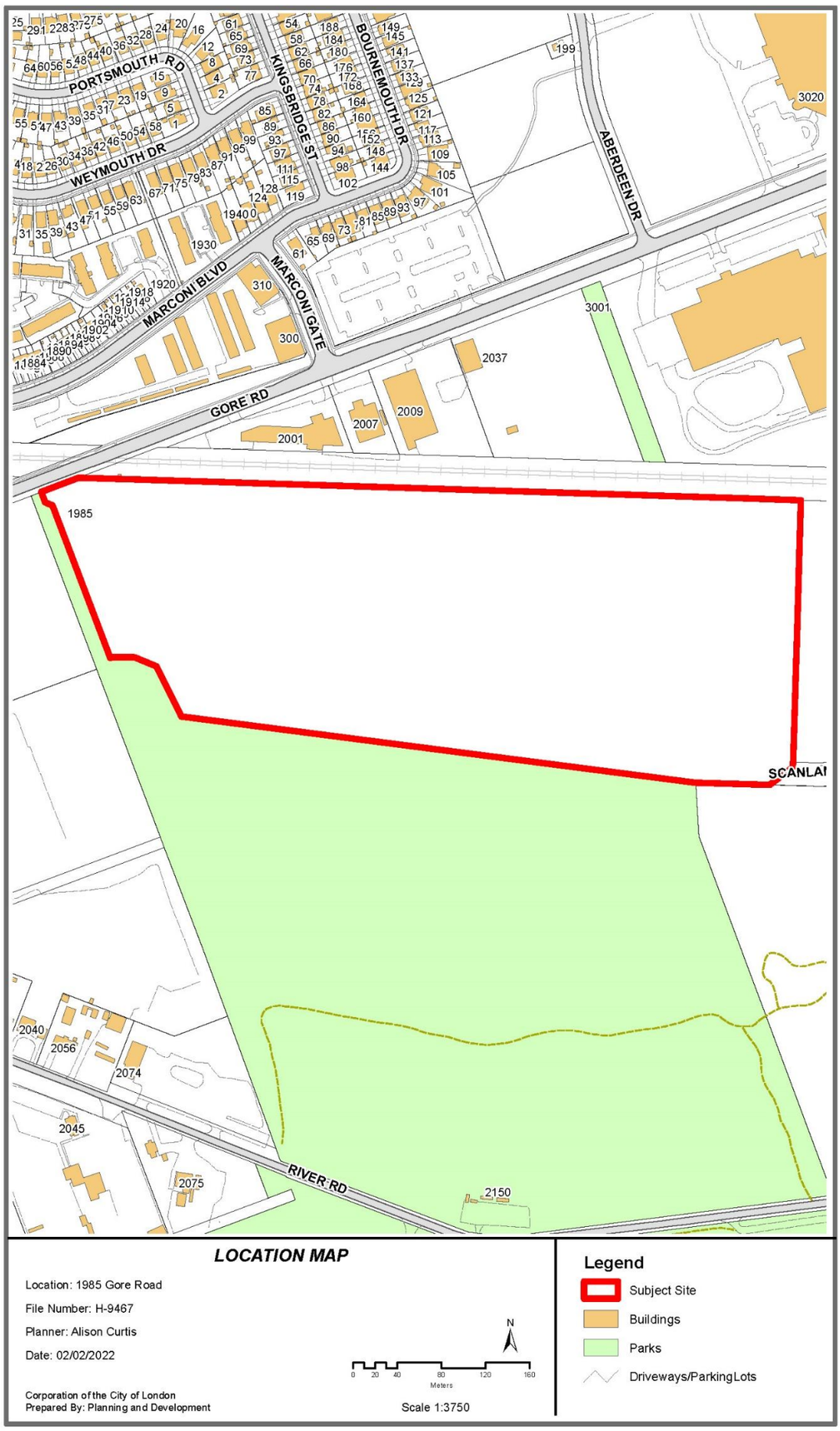
1.5 Site Characteristics

- Current Land Use – Vacant
- Area – 15.23 Hectares
- Shape – Irregular

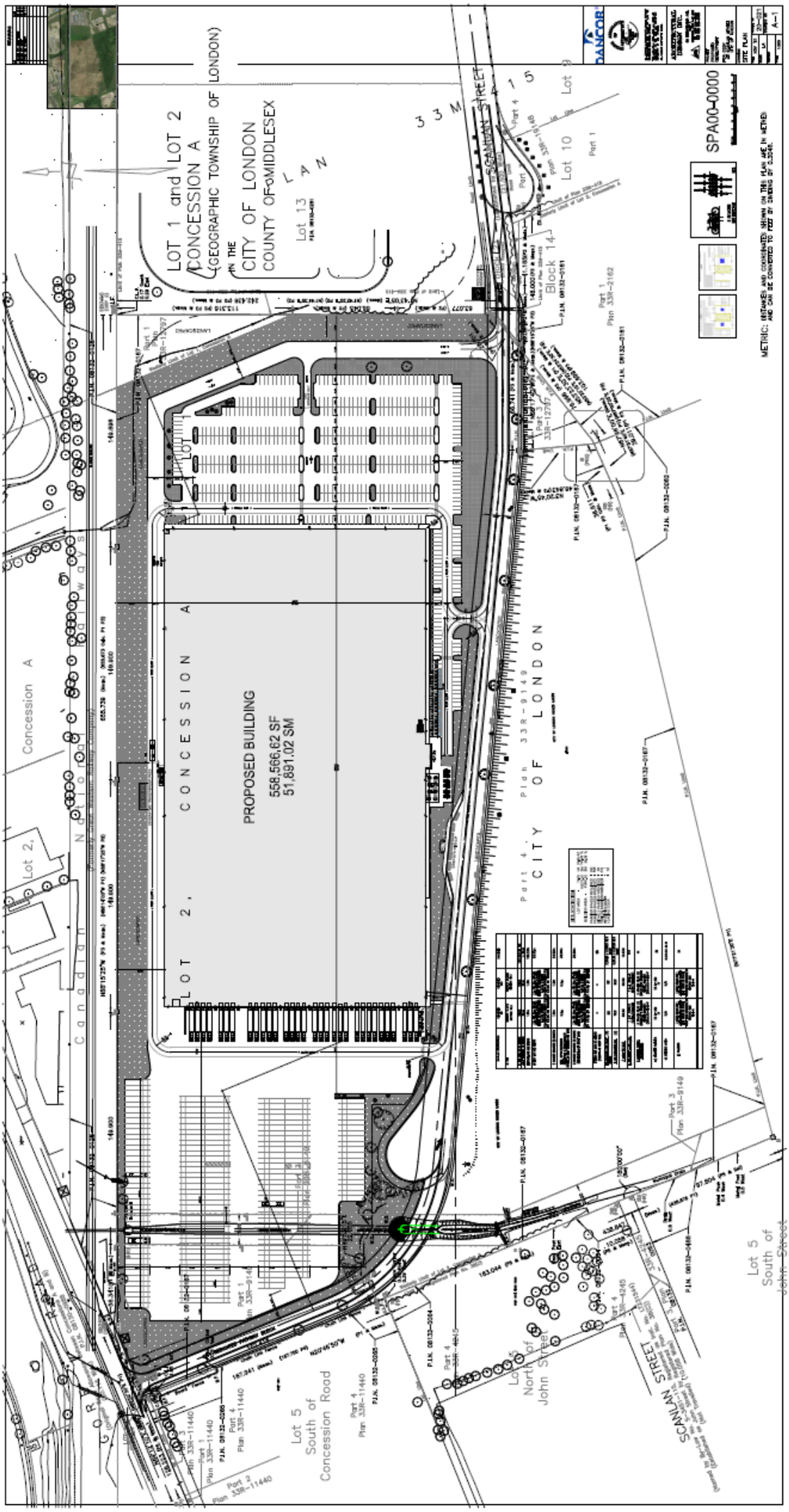
1.6 Surrounding Land Uses

- North – Residential and Neighbourhood Shopping Area
- East – Light Industrial
- South – River Road Park
- West – General Industrial

1.7 Location Map



1.8 Proposed Site Plan (subject to change)



2.0 Discussion and Considerations

The purpose of this amendment application is to remove the h holding provision from the subject lands. The h holding provision requires the orderly development of the lands and the adequate provision of municipal services through the execution of a subdivision or development agreement.

2.1 Consultation (see more detail in Appendix B)

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

- Notice of Intent to Remove Holding Provisions was published in the Public Notices and Bidding Opportunities section of the Londoner on February 10, 2022.
- Notice of Intent to Remove Holding Provisions was circulated to the relevant internal and external agencies on January 20, 2022.

There was no response from the public.

2.2 Policy Context (see more detail in Appendix C)

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

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

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

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

h Holding Provision

The h Holding Provision states that:

> *"h 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.*

Section 41 of the *Planning Act* requires municipalities to make a decision regarding Site Plan Control applications within 30 days of submission of a complete application. In most situations, resubmissions of drawings are required to satisfy City requirements. The City will often issue a conditional letter of approval with a list of conditions and comments to obtain approval from Site Plan Control, upon which the resubmission of drawings is based. In the case of this application, the applicant has obtained conditional approval and, while staff are working on finalizing details on external works for the

extension of Scanlan Street and services for the site, the on-site plans are at a point where staff are comfortable with the issuance of a Development Agreement and obtaining security for the completion of works, and the completion of off-site works for the provision of services. This satisfies the requirements for the removal of the “h” holding provision.

Conclusion

It is appropriate to remove the “h” holding provision from the subject lands at this time as the applicant has received conditional approval from Site Plan and a Development Agree can be issued and securities obtained.

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

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

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

Submitted by: **Scott Mathers, MPA, P. Eng.,**
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Michael Pease, Manager, Development Planning (Site Plan)

Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1985 Gore Road

WHEREAS Dancor Oxford Incorporated have applied to remove the holding provision from the zoning for the lands located at 1985 Gore Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1985 Gore Road, as shown on the attached map, to remove the h holding provision so that the zoning of the lands as a Light Industrial and General Industrial (LI2/GI1) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

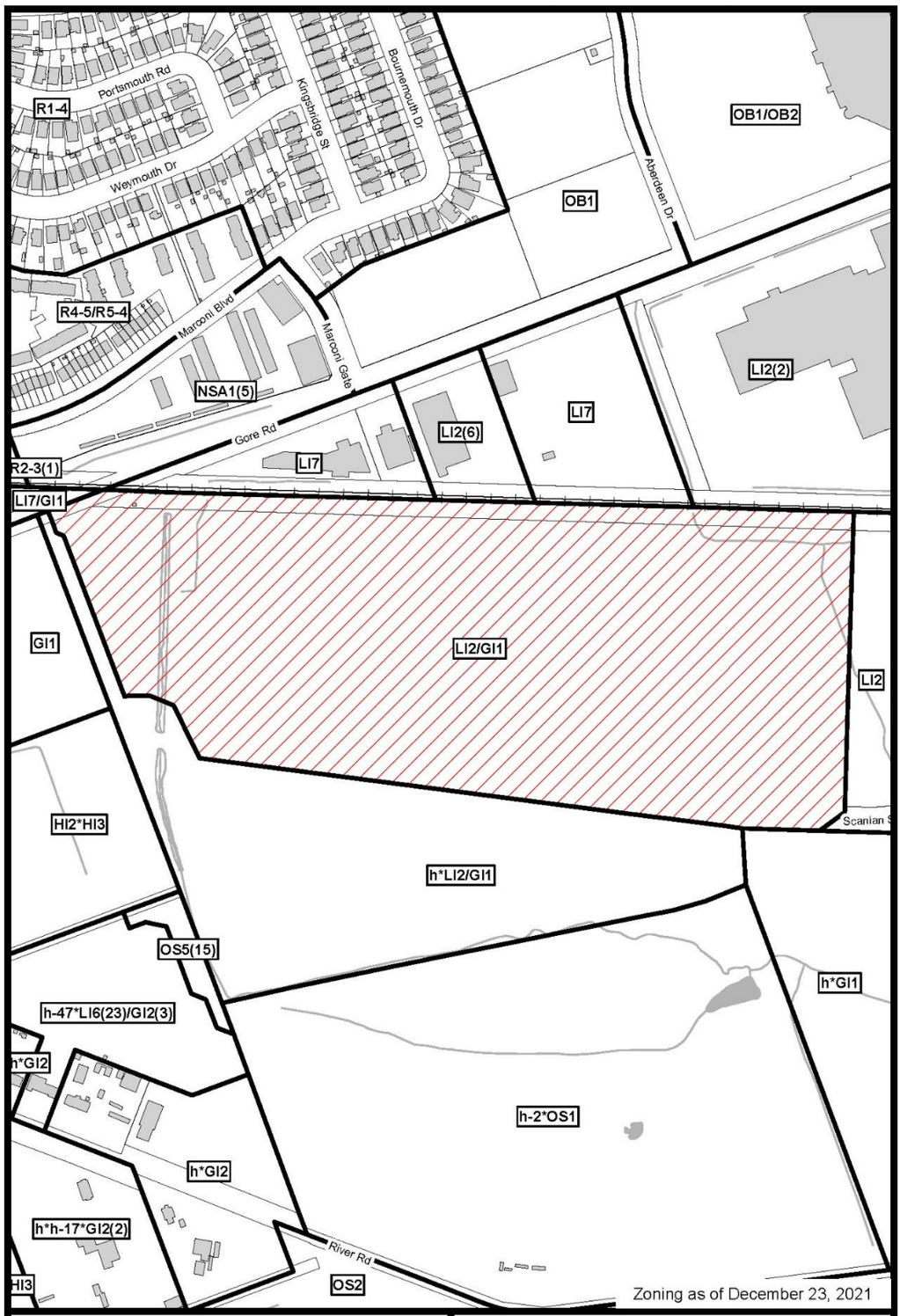
PASSED in Open Council on March 22, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading - March 22, 2022
Second Reading – March 22, 2022
Third Reading - March 22, 2022

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



File Number: H-9467

Planner: AC

Date Prepared: 2022/02/02

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:4,000

0 20 40 80 120 160 Meters

Geodatabase

Appendix B – Consultation

Community Engagement

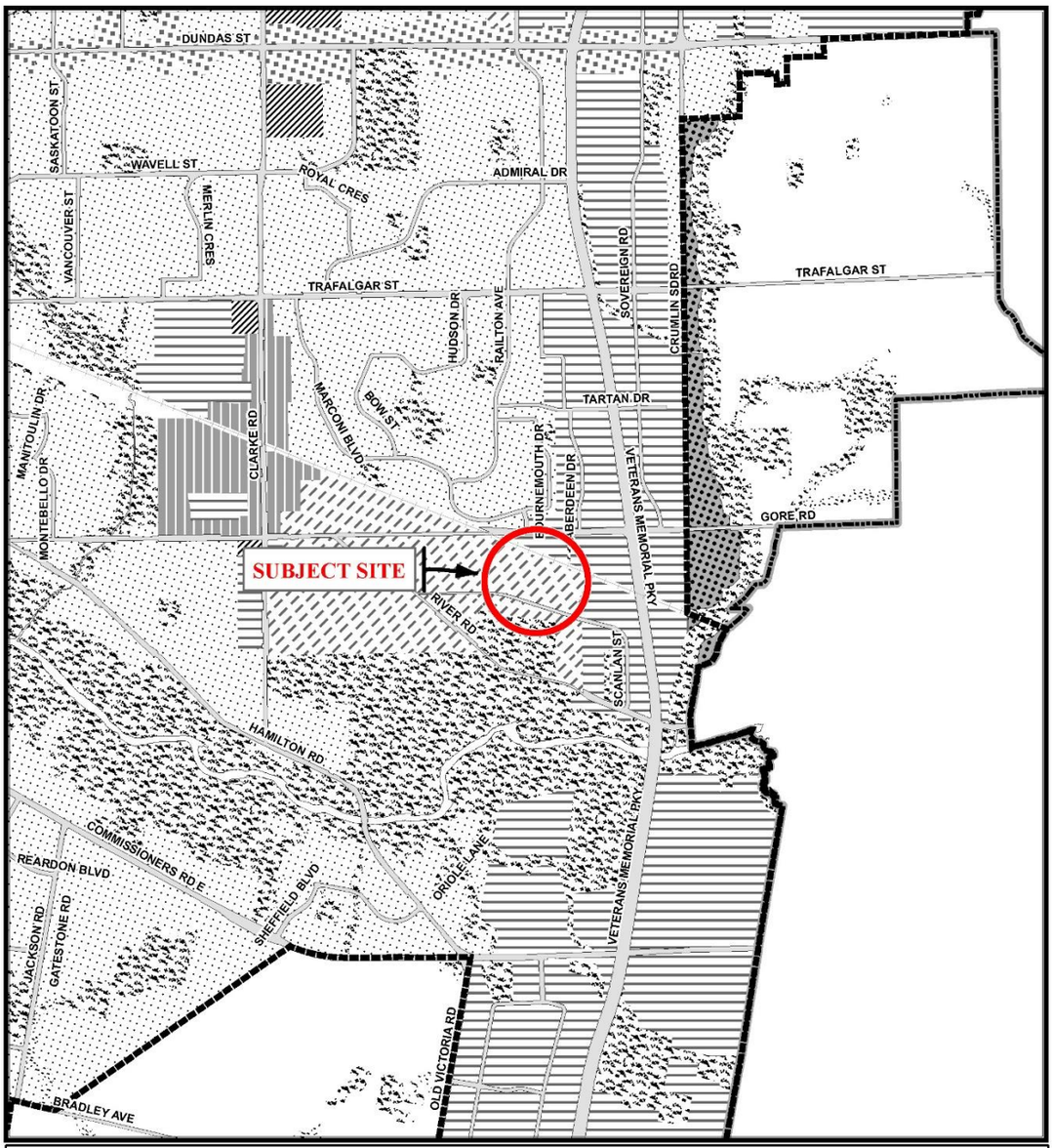
Public Liaison: Notice of the Intent to Remove Holding Provisions was published in the Londoner on November 4, 2021, and notice of the application were circulated to the relevant internal and external agencies.

No replies were received.

Londoner Notice: City Council intends to consider removing the h, h-54, h-71, and h-100 holding provisions from the subject lands to allow for the development of a 63-unit Phased Condominium. The purpose of the “h” provision is to ensure the orderly development of lands and adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a subdivision agreement has been entered into for the subject lands. Holding Provision “h”-54” ensures that there are no land use conflicts between arterial roads and the proposed residential uses. This symbol shall not be deleted until the owner agrees to implement all noise attenuation measures recommended in noise assessment reports acceptable to the City of London. Holding Provision “h-71” encourages street-oriented development and requires the owner to prepare a building orientation plan demonstrating how the front façades of dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol. Holding Provision “h-100” requires the construction of a looped watermain system and a second public access to be available to the satisfaction of the City Engineer to ensure there is adequate water service and access. Council will consider removing the holding provisions as they apply to these lands no earlier than November 22, 2021.
File: H-9389 Planner: A. Curtis x.4497

Appendix C: Policy Context

London Plan Excerpt



Legend

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

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

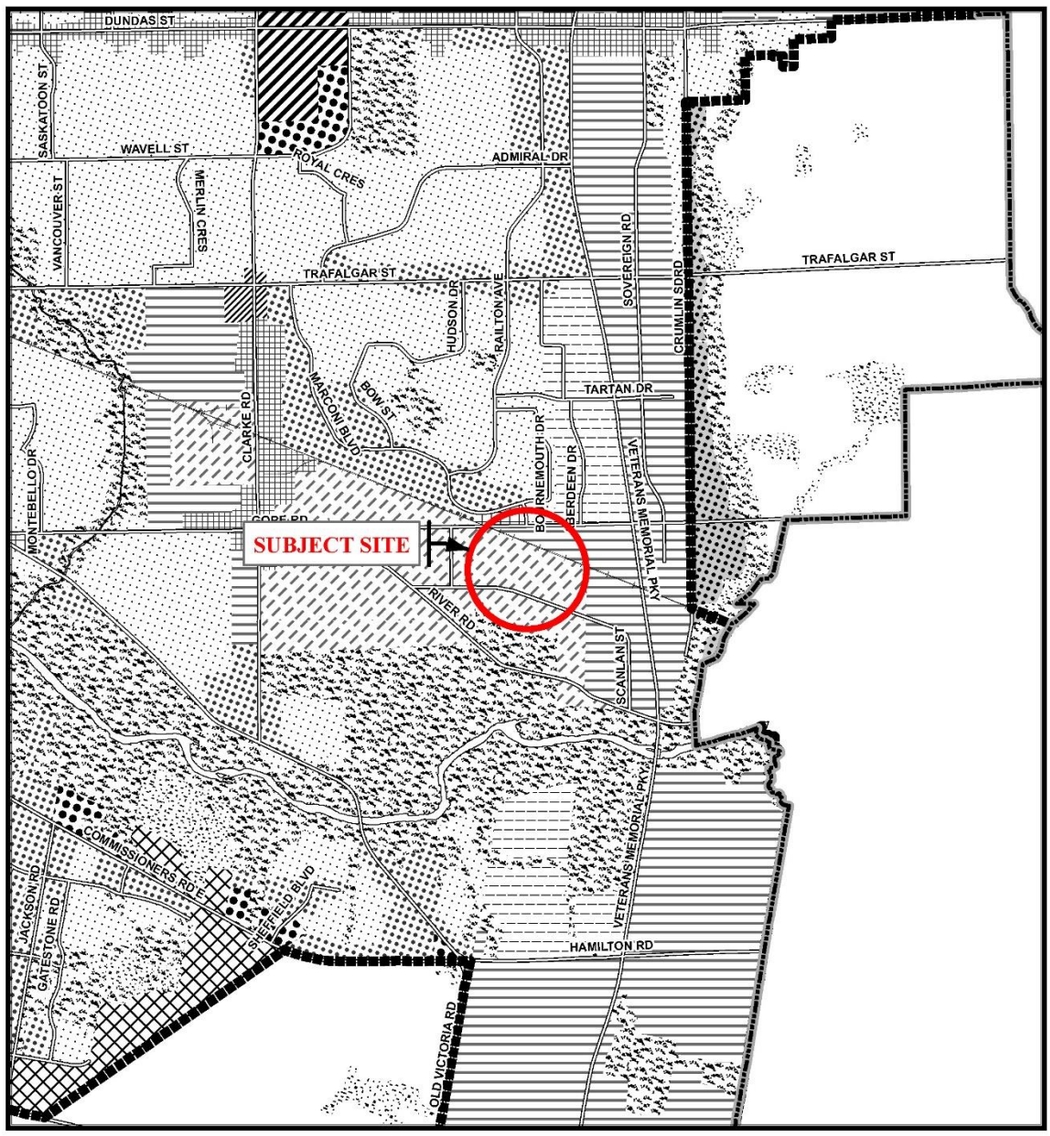
Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	H-9467
Planner:	AC
Technician	RC
Date:	February 2, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\H-9467-Map1-PlaceTypes.mxd

1989 Official Plan Excerpt



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

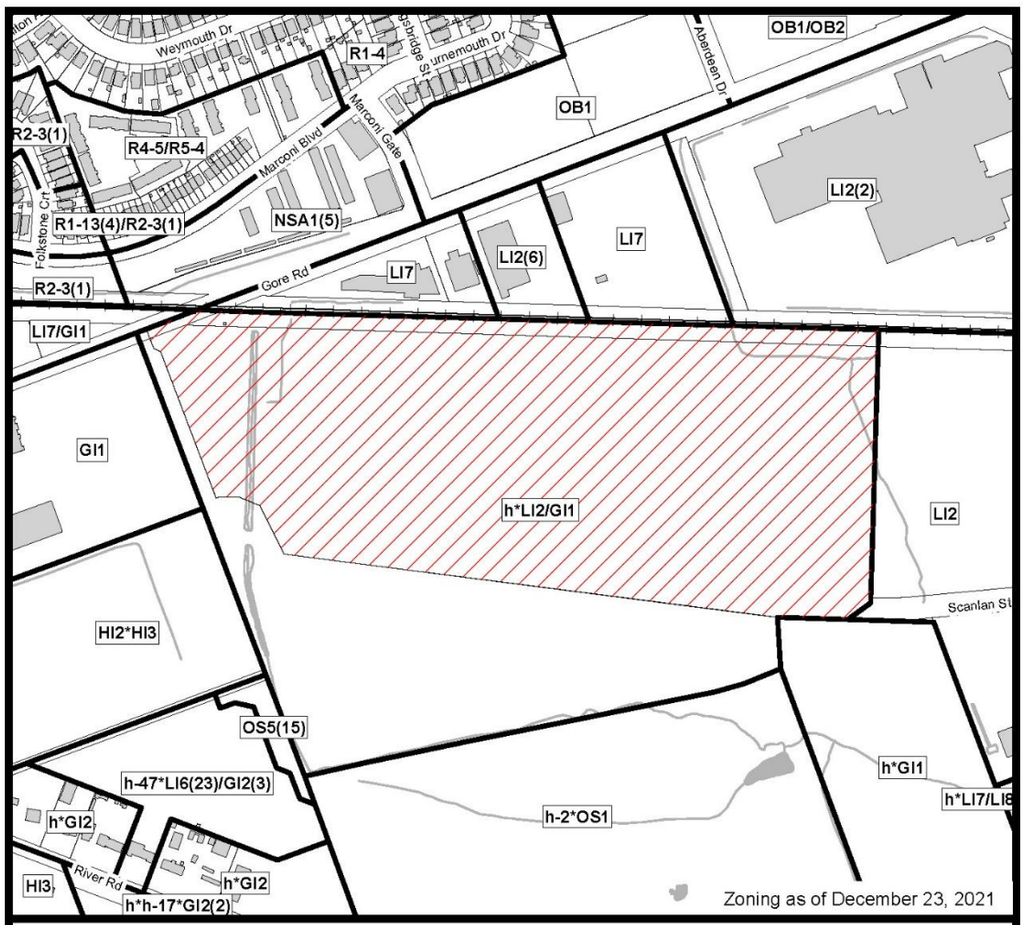
0 165 330 660 990 1,320 1,650

Meters

FILE NUMBER:	H-9467
PLANNER:	AC
TECHNICIAN:	RC
DATE:	2022/02/02

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO: H-9467 AC

MAP PREPARED: 2022/02/02 RC

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

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers, MPA, P.Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **Exemption from Part-Lot Control**
Application By: Greengate Village Limited
Address: 3024, 3001, 2970 and 2954 Turner Crescent
Meeting on: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Greengate Village Limited to exempt Blocks 50, 51, 52 and 53 of Registered Plan 33M-790 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 Blocks 50, 51, 52 and 53, Plan 33M-790 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(3) R4-5(4)) in Zoning By-law No. Z.-1, which permits street townhouses, with special provisions regulating lot frontage, garage front yard depth, exterior side yard depth, and interior side yard depth;

(b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Blocks 50, 51, 52 and 53, Plan 33M-790 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 Planning and Development 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 Planning and Development 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 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 Planning and Development 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 Planning and Development for 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 that requirements *d), e) and f)* inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;

xii. That not more than four (4) reference plans be approved to be registered as part of this application and that Greengate Village limited advise the City of the registration of each reference plan; and

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

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Blocks 50, 51, 52 and 53 in Registered Plan 33M-790 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 twenty-three (23) street townhouse units, with access provided by means of Turner Crescent.

Rationale for Recommended Action

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

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 10, 2002 – Report to Planning Committee regarding Official Plan and Zoning By-Law Amendments (O-5356/Z-6230).

April 13, 2004 – Report to Planning Committee regarding Official Plan and Zoning By-Law Amendments (OZ-6577).

February 29, 2008 – Report to City of London Approval Authority for Draft Approval (39T-07508).

January 28, 2008 – Report to Planning Committee regarding Zoning By-Law Amendments (Z-7440).

October 15, 2012 – Report to London Consent Authority on severing two parcels from the Summerside Subdivision (B.019/12).

May 27, 2014 – Report to Planning and Environment Committee on Request for Extension of Draft Approval (39T-07508).

December 4, 2017 – Report to Planning and Environment Committee on Request for Extension of Draft Approval (39T-07508).

May 13, 2019 – Report to Planning and Environment Committee regarding Zoning By-Law Amendments and Red-Line Revisions to Draft Plan of Subdivision (Z-9021/39T-07508).

September 9, 2019 – Report to Planning and Environment Committee on Summerside Subdivision Phase 12B – Stage 2 Subdivision Special Provisions (39T-07508).

November 12, 2019 – Report to City of London Approval Authority on Summerside Subdivision Phase 12 B – Stage 2 Final Approval (39T-07508).

July 13, 2020 – Report to Planning and Environment Committee on Summerside Phase 12B – Stage 3 Subdivision Special Provisions (39P-07508).

November 11, 2020 – Report to Planning and Environment Committee on Summerside Phase 12B – Stage 2 Final Approval (39T-07508).

1.2 Planning History

The subject lands were originally included in a subdivision application submitted by the Jackson Land Corporation in 1992. This application included the lands bounded by Commissioners Road East, Jackson Road, Bradley Avenue and Highbury Road South, also referred to as the Summerside Subdivision. A new Draft Plan of Subdivision was required in October of 2003 for the lands bounded by Evens Boulevard, Jackson Road, Bradley Avenue and Meadowgate Boulevard, which includes the lands subject to this application, as significant revisions were requested by the Jackson Land Corp. These revisions included the replacement of high and medium density residential blocks with 264 single-detached dwelling lots and exchanging Turner Road as a Secondary Collector with six (6) new Local Streets.

The first phase of Draft Plan 39T-03513, known as Phase 12a, was granted Final Approval by the City of London Approval Authority on October 21, 2005. This plan was registered on October 27, 2005, as registered Plan 33M-533, and included 114 single-detached lots included in this phase, which were served by the Meadowgate Boulevard, Turner Crescent and Asima Drive. A request for a three (3) year extension to the Draft Approved Plan was requested in December of 2006 for 150 lots that has not yet been serviced as there were serviced lots remaining from the first phase. The extension was granted on June 20, 2007, and no appeals were received.

Jackson Land Corp. submitted a third Draft Plan of Subdivision in September 2007 to replace the existing draft approved and registered plan of subdivision, and assigned file number 39T-07508. This new draft included more functional, intensified residential uses, and did not require a continuous noise wall along Bradley Avenue. Draft Approval was granted on February 19, 2008. In 2012, the London Consent Authority granted a provisional consent to Jackson Land Corp. (File No. B.019/12) to sever the lands within this draft plan from the remaining Summerside Subdivision creating two new parcels on the east and west side of the extension of Turner Crescent.

The lands within Draft Plan 39T-7508 and the remain lots on Asima drive within Registered Plan 33M-533 were purchased by Greengate Village Limited on June 26, 2013, from the Jackson Summerside Land Corporation. Requests for Draft Approval were requested and granted in 2014 and 2017. In 2019, an application was requested for a Zoning By-law Amendment and revisions to Phase 12B of the Draft Plan of Subdivision for the lotting along the Turner Crescent Extension. Final Approval was granted to Stage 2 and 3 of Phase 12B in November 2019 and November 2020, respectively.

1.3 Property Description

The subject lands are located in the southwest quadrant of the City and are situated north of Bradley Avenue and west of Jackson Road. The site is comprised on Blocks 50, 51, 52 and 53 of Draft Plan of Subdivision 33M-790 and is approximately 0.57 hectares (5721 square meters). There are proposed and recently constructed residential dwellings surrounding the site, as well as agricultural uses to the south.

1.4 Current Planning Information

- The *London Plan* Place Type – Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Block 51: Residential R4 (R4-5(3)), Block 50, 52 and 53: Residential R4 (R4-5(4))

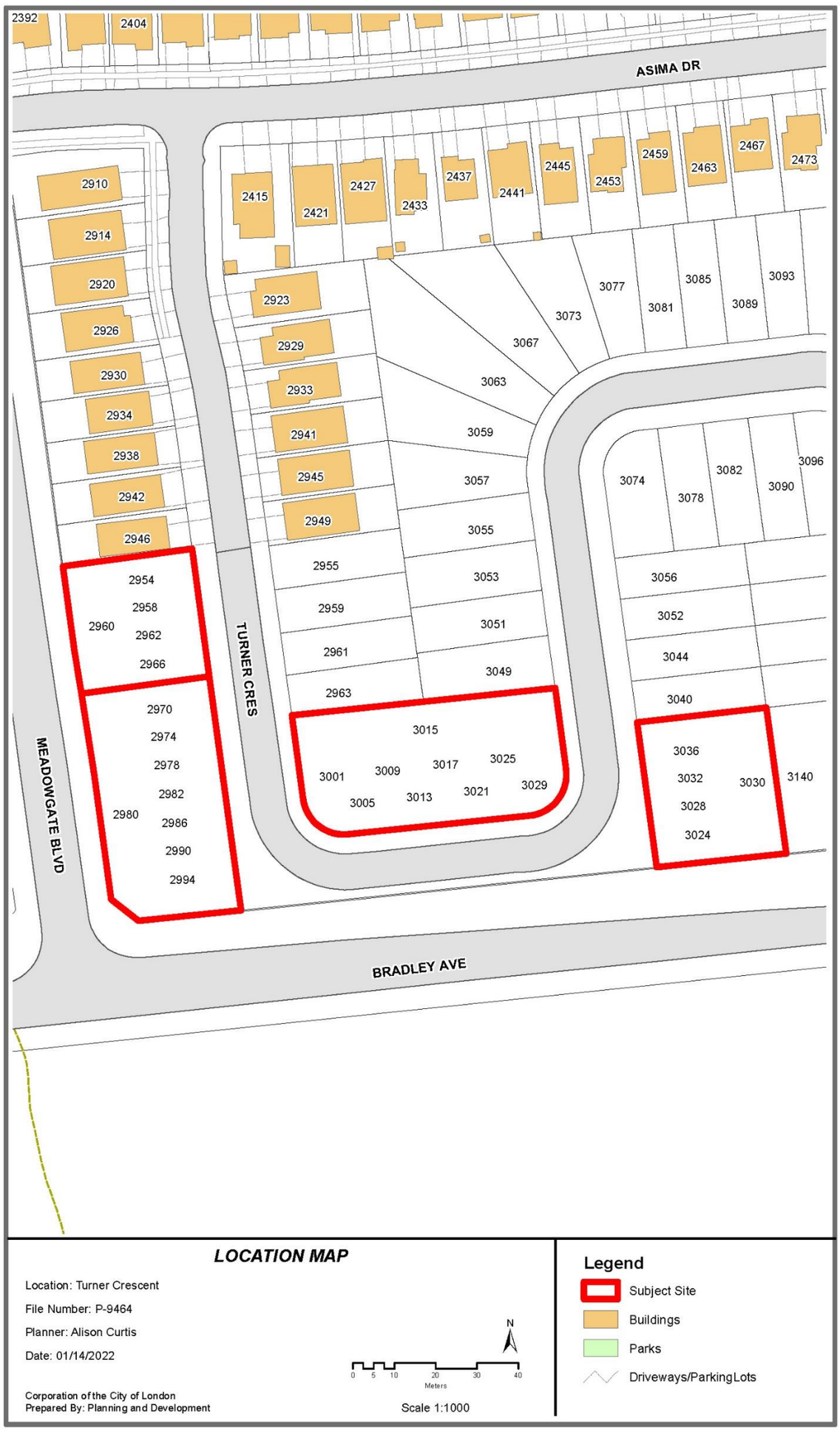
1.5 Site Characteristics

- Current Land Use – Vacant
- Area – ~0.57 hectares total, Block 50: 0.11 hectares, Block 51: 0.187 hectares, Block 52: 0.17 hectares and Block 53: 0.097 hectares
- Shape – Rectangular

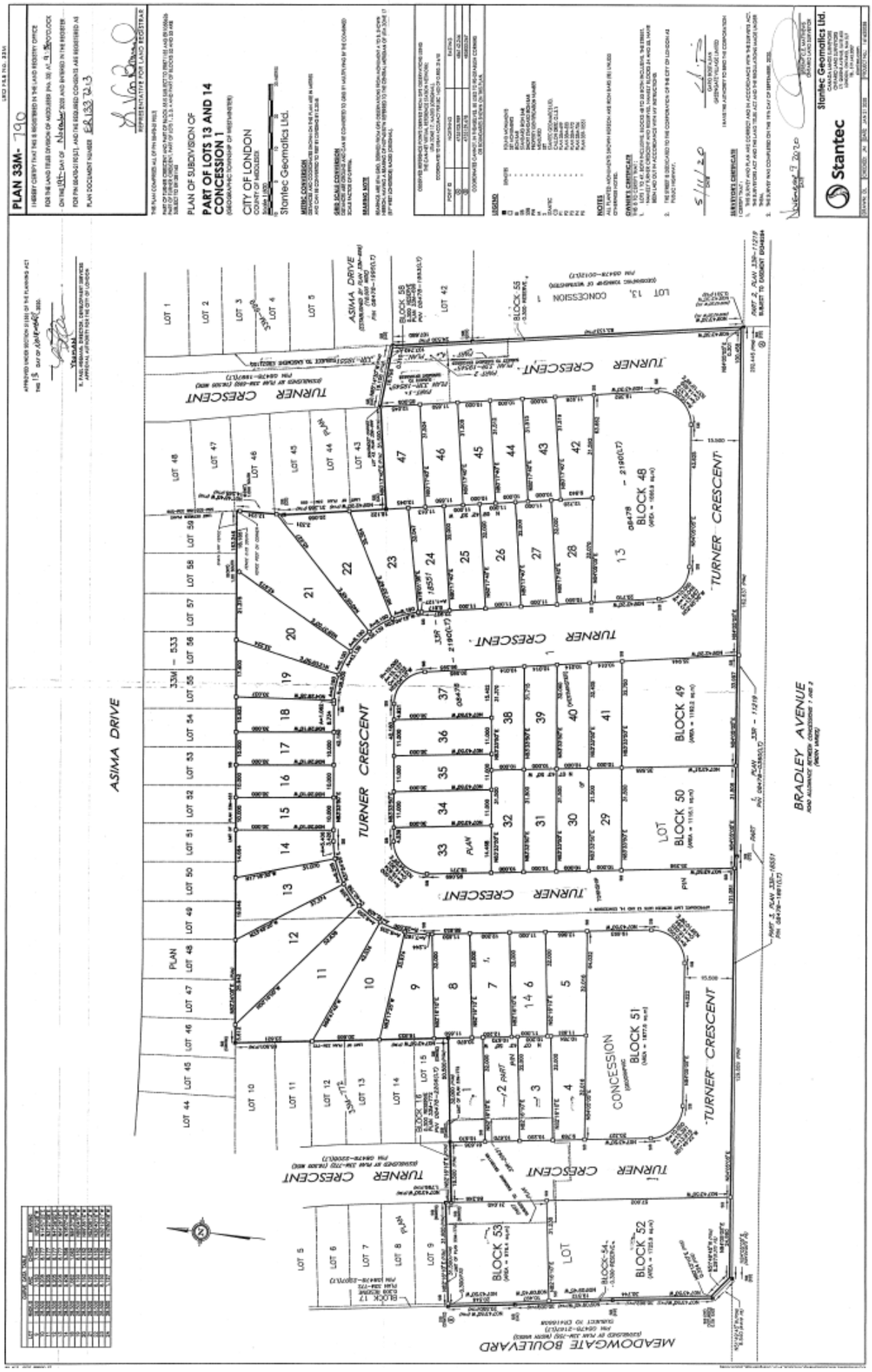
1.6 Surrounding Land Uses

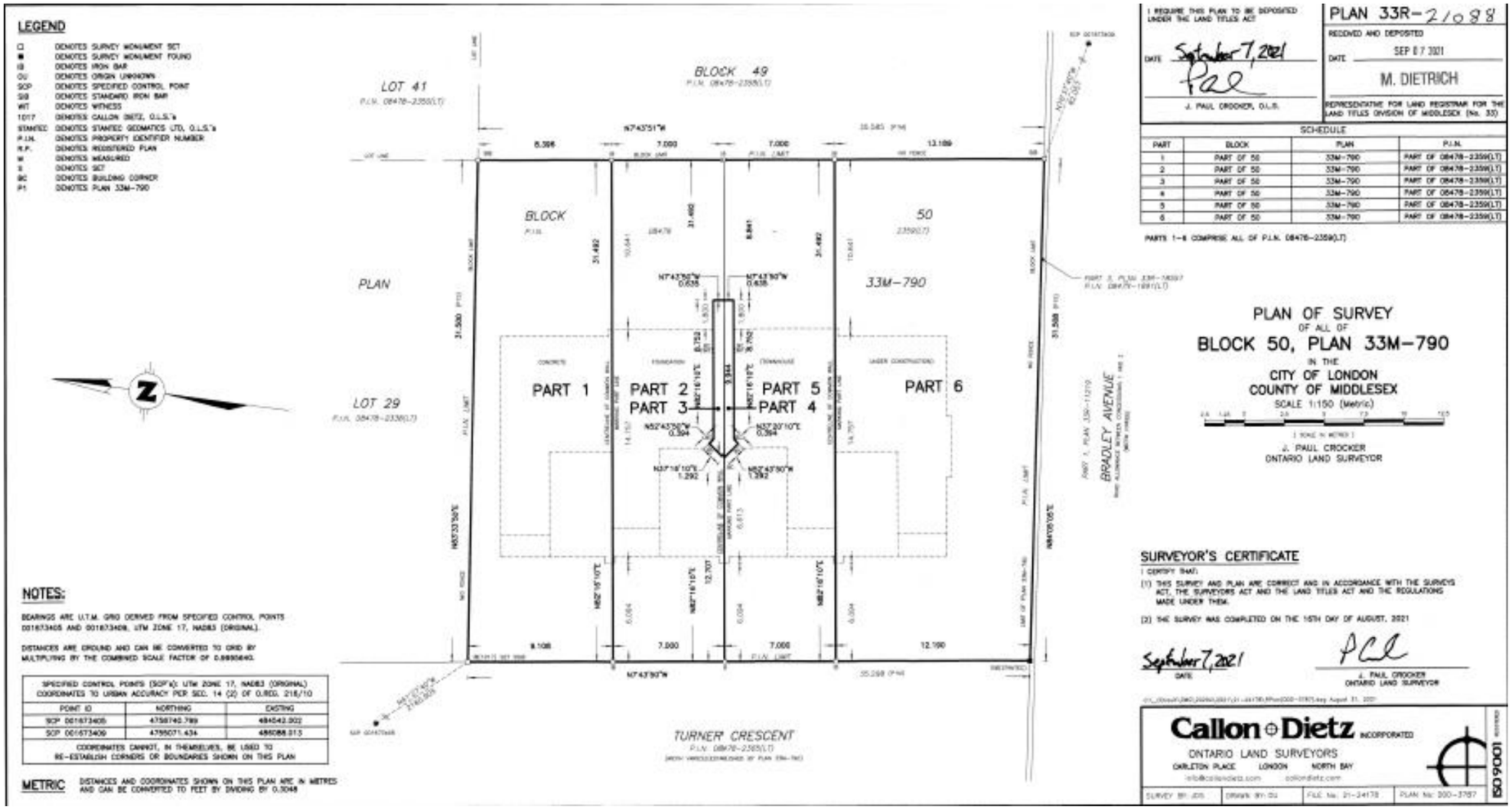
- North – Vacant, proposed single detached dwellings
- East – Residential
- South – Urban Reserve, agriculture
- West – Vacant, proposed residential

1.7 Location Map

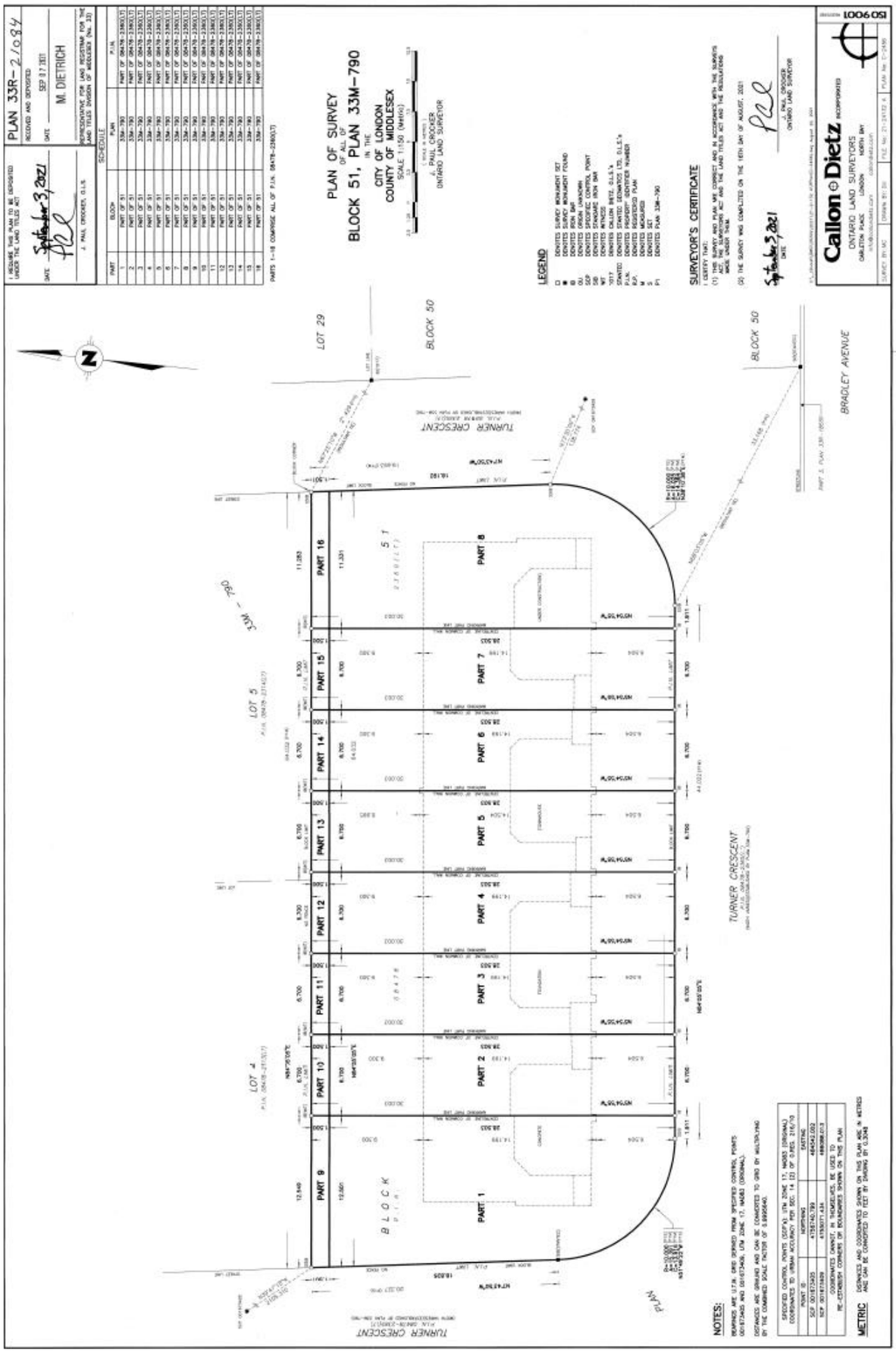


1.8 Plan of Subdivision 33M-790

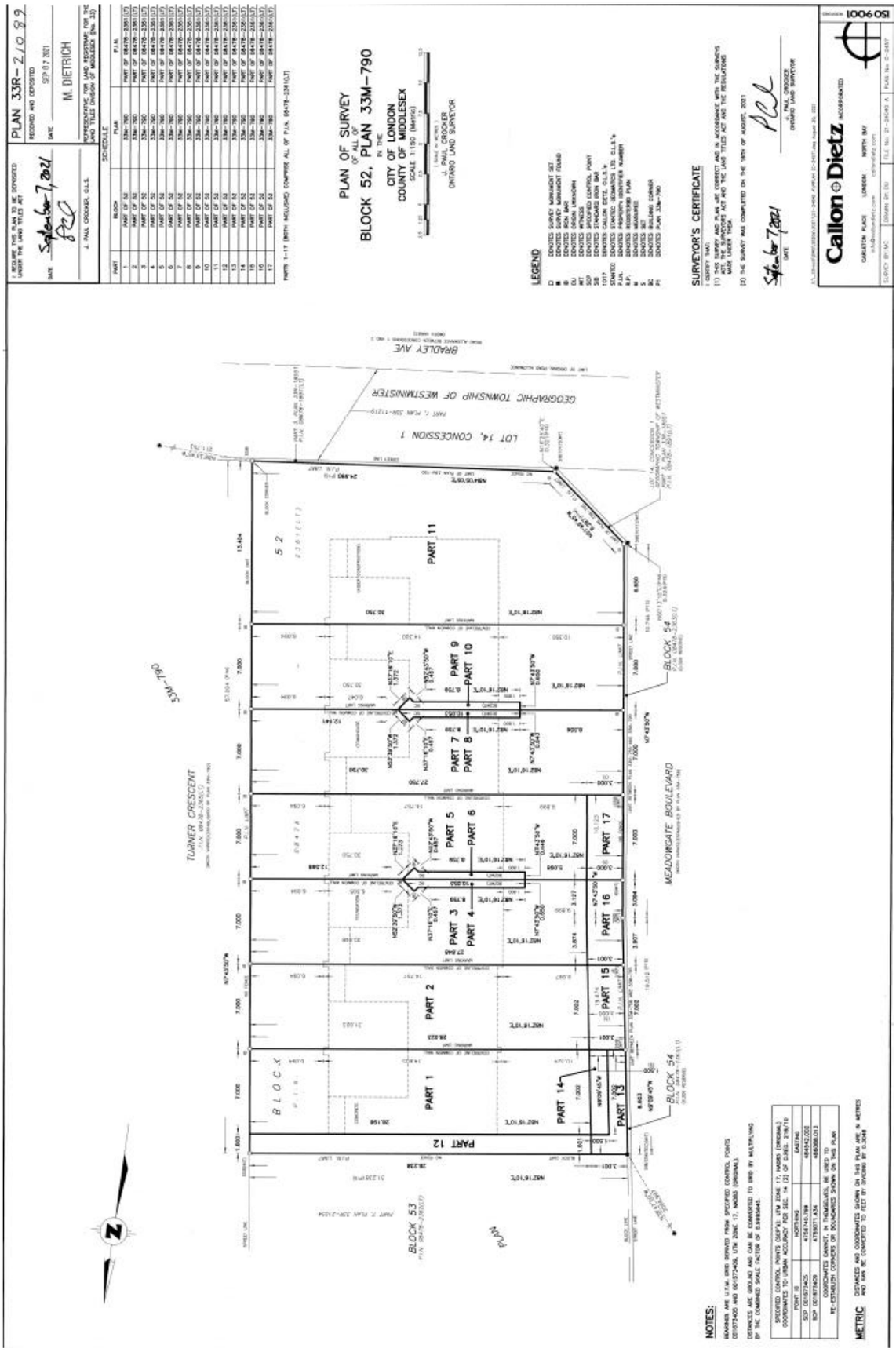



LEGEND
CI DENOTES SURVEY MONUMENT SET
DENOTES SURVEY MONUMENT FOUND
IB DENOTES IRON BAR
OU DENOTES ORIGIN UNKNOWN
SCP DENOTES SPECIFIED CONTROL POINT
SIB DENOTES STANDARD IRON BAR
WIT DENOTES WITNESS
1017 DENOTES CALLON DIETZ, O.L.S.'s
STANTEC DENOTES STANTEC GEOMATICS LTD, O.L.S.'s
P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
R.P. DENOTES REGISTERED PLAN
M DENOTES MEASURED
S DENOTES SCT
BC DENOTES BUILDING CORNER
P1 DENOTES PLAN 33M-790
LOT 41
BLOCK 49
BLOCK
50
PLAN
33M-790
LOT 29
PART 1
PART 2
PART 3
PART 4
PART 5
PART 6
TURNER CRESCENT
BRADLEY AVENUE
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
DATE September 7, 2021
J. PAUL CROCKER, O.L.S.
PLAN 33R-21088
RECEIVED AND DEPOSITED
DATE SEP 8 7 2021
M. DIETRICH
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MIDDLESEX (No. 33)
SCHEDULE
PART BLOCK PLAN P.I.N.
1 PART OF 50 33M-790 PART OF 08478-2359(LT)
2 PART OF 50 33M-790 PART OF 08478-2359(LT)
3 PART OF 50 33M-790 PART OF 08478-2359(LT)
4 PART OF 50 33M-790 PART OF 08478-2359(LT)
5 PART OF 50 33M-790 PART OF 08478-2359(LT)
6 PART OF 50 33M-790 PART OF 08478-2359(LT)
PARTS 1-6 COMPRISE ALL OF P.I.N. 08478-2359(LT)
PLAN OF SURVEY
OF ALL OF
BLOCK 50, PLAN 33M-790
IN THE
CITY OF LONDON
COUNTY OF MIDDLESEX
SCALE 1:150 (Metric)
J. PAUL CROCKER
ONTARIO LAND SURVEYOR
NOTES:
BEARINGS ARE U.T.M. GRID DERIVED FROM SPECIFIED CONTROL POINTS 001673405 AND 001673409, UTM ZONE 17, NAD83 (ORIGINAL).
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9995640.
SPECIFIED CONTROL POINTS (SCP's) UTM ZONE 17, NAD83 (ORIGINAL) COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10
POINT ID NORTHING EASTING
SCP 001673405 4758740.789 484542.302
SCP 001673409 4759071.434 485088.315
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN
METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
(2) THE SURVEY WAS COMPLETED ON THE 15TH DAY OF AUGUST, 2021
September 7, 2021
DATE
J. PAUL CROCKER
ONTARIO LAND SURVEYOR
Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
OAKLEIGH PLACE LONDON NORTH BAY
info@callondietz.com callondietz.com
SURVEY BY: JDS DRAWN BY: DU FILE No: 21-24178 PLAN No: 300-3787
REVISED 2021 09 03

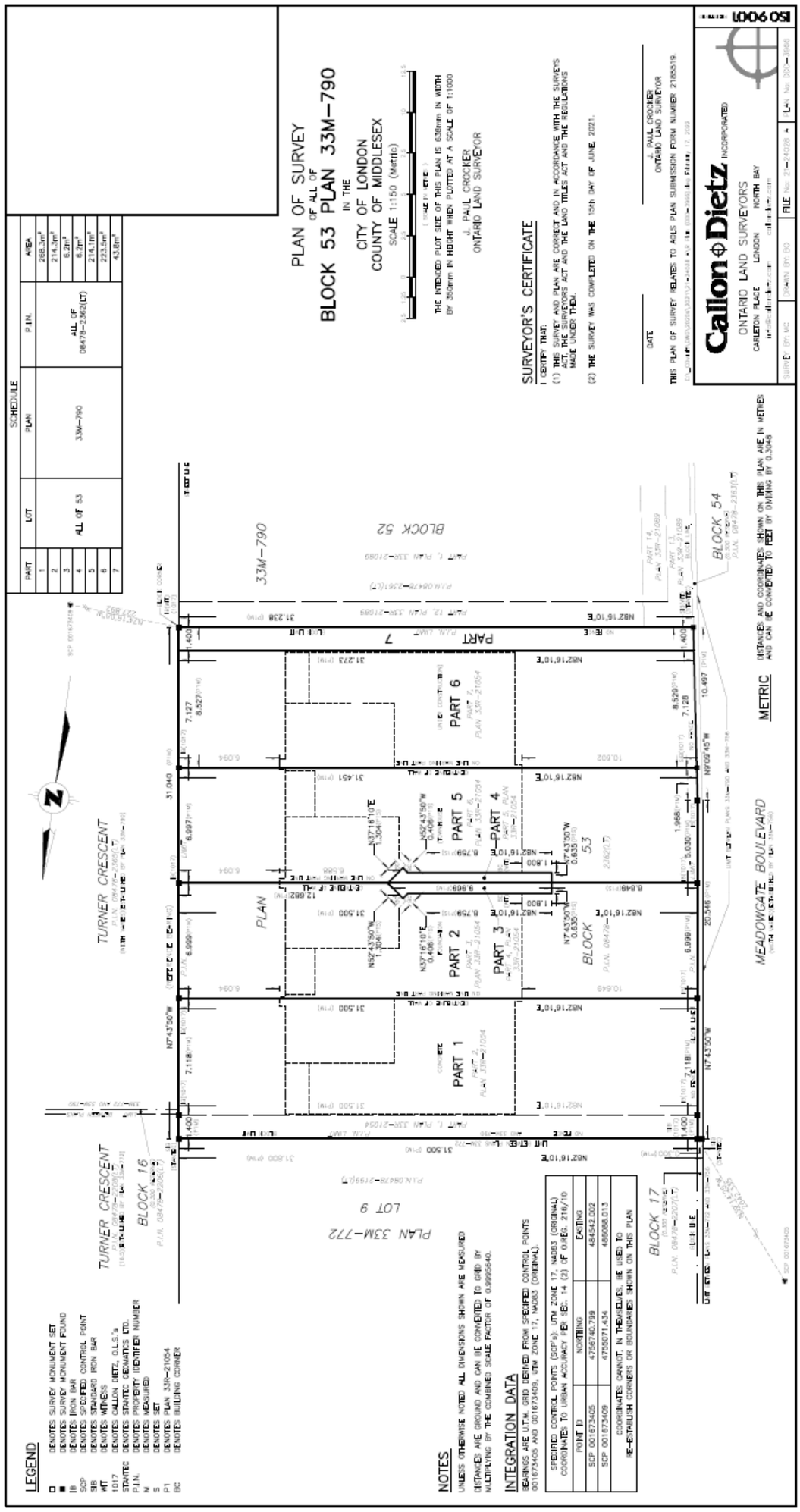
1.10 Block 51 Reference Plan



1.11 Block 52 Reference Plan



1.12 Block 53 Reference Plan



2.0 Discussion and Considerations

The Applicant, Greengate Village Limited, has requested exemption form part-lot control to create a total of twenty-three (23) freehold, street fronting townhouse units on Turner Crescent.

2.1 Consultation

There is no legislated community engagement (i.e., notice or hearing) required for an application for Exemption from Part-Lot Control under the *Planning Act* Section 50(29). Instead, a notice of the request for exemption was circulated to internal departments, such as Engineering and Building, and London Hydro. Planning and Development have confirmed that the draft standard conditions are applicable, and no additional conditions are needed.

2.2 Policy Context

In Ontario, the subdivision of land is governed by the *Planning Act*. Under section 50 of this legislation, subdivision of land is permitted through the following means: approval of the Plan of Subdivision; the granting of a Consent, also known as a severance; and, through a by-law for an exemption from part-lot control for lots or blocks within a registered Plan of Subdivision. There are provisions to ensure that part of a lot or block within a registered Plan of Subdivision cannot be transferred without approval from the municipality. These provisions allow a municipality to remove part-lot control from all, or part, of a registered Plan of Subdivision to legally divide a lot or block so that these parts can be conveyed.

The use of these by-laws is appropriate when there are several land transactions involved and the resulting change would not affect the nature or character of the subdivision. Exemption from part-lot control can be used to create freehold, street townhouses to ensure that the eventual lots lines would match with the foundation.

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 Criteria Review

Council policy has established the criteria by which applications for exemption from part-lot control shall be reviewed. The analysis below outlines each criterion and how it relates to this application.

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

The subject lands are zoned holding Residential R4 Special Provision (R4-5(3)) over Block 51 and Residential R4 (R4-5(4)) over Block 50, 52 and 53, which permits street townhouse units with a minimum lot area per unit of 160 square meters and a minimum lot frontage of 5.5 meters. The proposed lots are in conformity with these regulations, and Site Plan Approval has been granted. The applicant has submitted reference plans to Planning and Development, which will be deposited with the Land Registry Office.

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

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

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

This request is consistent with the intended use of the block as established through the plan of subdivision and zoning. The development of the site for twenty-three (23) freehold, street townhouse units is consistent with the development in the area and specifically to the lands located to the east on Asima Drive and Strawberry Walk.

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

The exemption of part lot control creates twenty-three (23) individual lots as one transaction instead of requiring separate and individual land divisions to create the interests in land.

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

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

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

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

4.2 Conditions

Municipal Conditions to be included for Exemption from Part Lot Control

a) 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;

b) The Applicant submit a draft reference plan to Planning and Development 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;**

c) The Applicant submits to Planning and Development 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;

d) 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**;

e) The Applicant submit to the City 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;

f) The Applicant shall enter into any amending subdivision agreement with the City, if necessary;

g) 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;

h) The Applicant shall obtain confirmation from Planning and Development 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**;

i) The Applicant shall obtain approval from Planning and Development for each reference plan to be registered **prior to the reference plan being registered in the land registry office;**

j) 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;

k) The Applicant shall obtain clearance from the City that requirements *d), e) and f)* inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;

l) That not more than four (4) reference plans be approved to be registered as part of this application and that Greengate Village limited advise the City of the registration of each reference plan; and

m) 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

Conclusion

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

Prepared by:	**Alison Curtis, MA** **Planner 1, Planning and Development**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Planning and Development**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P. Eng.,** **Deputy City Manager,** **Planning and Economic Development**

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

GB/BP/AC/ac

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2022\P-9464 - 3024, 3001, 2970 and 2954 Turner Crescent (A. Curtis)

Appendix A

Bill No.
2022

By-law No. C.P.-

A by-law to exempt from Part-Lot Control, lands located at 3024, 3001 2970 and 3954 Turner Crescent, legally described as Blocks 50, 51, 52 and 53 in Registered Plan 33M-790.

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 Greengate Village Limited, it is expedient to exempt lands located at 3024, 3001 2970 and 3954 Turner Crescent, legally described as Blocks 50, 51, 52 and 53 in Registered Plan 33M-790, from Part Lot Control;

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

1. Blocks 50, 51, 52 and 53 in Registered Plan 33M-790, located at 3024, 3001 2970 and 3954 Turner Crescent, east of Meadowgate Boulevard, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse dwellings in conformity with the holding Residential R4 Special Provision R4-5(4) and R4-5(3)) 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

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading –
Second Reading -
Third Reading –

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers, MPA, P.Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **Exemption from Part-Lot Control**
Application By: Greengate Village Limited
Address: 3161 and 3138 Turner Crescent
Meeting on: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Greengate Village Limited to exempt Blocks 48 and 49 of Registered Plan 33M-790 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 Blocks 48 and 49, Plan 33M-790 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(3) R4-5(4)) in Zoning By-law No. Z.-1, which permits street townhouses, with special provisions regulating lot frontage, garage front yard depth, exterior side yard depth, and interior side yard depth;

(b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Blocks 48 and 49, Plan 33M-790 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 Planning and Development 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 Planning and Development 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 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 Planning and Development 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 Planning and Development for 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 that requirements *d), e) and f)* inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;

xii. That not more than two (2) reference plans be approved to be registered as part of this application and that Greengate Village limited advise the City of the registration of each reference plan; and

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

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Block 48 and 49 in Registered Plan 33M-790 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 twelve (12) street townhouse units, with access provided by means of Turner Crescent.

Rationale for Recommended Action

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

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 10, 2002 – Report to Planning Committee regarding Official Plan and Zoning By-Law Amendments (O-5356/Z-6230).

April 13, 2004 – Report to Planning Committee regarding Official Plan and Zoning By-Law Amendments (OZ-6577).

February 29, 2008 – Report to City of London Approval Authority for Draft Approval (39T-07508).

January 28, 2008 – Report to Planning Committee regarding Zoning By-Law Amendments (Z-7440).

October 15, 2012 – Report to London Consent Authority on severing two parcels from the Summerside Subdivision (B.019/12).

May 27, 2014 – Report to Planning and Environment Committee on Request for Extension of Draft Approval (39T-07508).

December 4, 2017 – Report to Planning and Environment Committee on Request for Extension of Draft Approval (39T-07508).

May 13, 2019 – Report to Planning and Environment Committee regarding Zoning By-Law Amendments and Red-Line Revisions to Draft Plan of Subdivision (Z-9021/39T-07508).

September 9, 2019 – Report to Planning and Environment Committee on Summerside Subdivision Phase 12B – Stage 2 Subdivision Special Provisions (39T-07508).

November 12, 2019 – Report to City of London Approval Authority on Summerside Subdivision Phase 12 B – Stage 2 Final Approval (39T-07508).

July 13, 2020 – Report to Planning and Environment Committee on Summerside Phase 12B – Stage 3 Subdivision Special Provisions (39P-07508).

November 11, 2020 – Report to Planning and Environment Committee on Summerside Phase 12B – Stage 2 Final Approval (39T-07508).

1.2 Planning History

The subject lands were originally included in a subdivision application submitted by the Jackson Land Corporation in 1992. This application included the lands bounded by Commissioners Road East, Jackson Road, Bradley Avenue and Highbury Road South, also referred to as the Summerside Subdivision. A new Draft Plan of Subdivision was required in October of 2003 for the lands bounded by Evens Boulevard, Jackson Road, Bradley Avenue and Meadowgate Boulevard, which includes the lands subject to this application, as significant revisions were requested by the Jackson Land Corp. These revisions included the replacement of high and medium density residential blocks with 264 single-detached dwelling lots and exchanging Turner Road as a Secondary Collector with six (6) new Local Streets.

The first phase of Draft Plan 39T-03513, known as Phase 12a, was granted Final Approval by the City of London Approval Authority on October 21, 2005. This plan was registered on October 27, 2005, as registered Plan 33M-533, and included 114 single-detached lots included in this phase, which were served by the Meadowgate Boulevard, turner Crescent and Asima Drive. A request for a three (3) year extension to the Draft Approved Plan was requested in December of 2006 for 150 lots that has not yet been serviced and there were serviced lots remaining from the first phase. The extension was granted on June 20, 2007, and no appeals were received.

Jackson Land Corp. submitted a third Draft Plan of Subdivision in September 2007 to replace the existing draft approved and registered plan of subdivision, and assigned file number 39T-07508. This new draft included more functional, intensified residential uses, and did not require a continuous noise wall along Bradley Avenue. Draft Approval was granted on February 19, 2008. In 2012, the London Consent Authority granted a provisional consent to Jackson Land Corp. (File No. B.019/12) to sever the lands within this draft plan from the remaining Summerside Subdivision creating two new parcels on the east and west side of the extension of Turner Crescent.

The lands within Draft Plan 39T-7508 and the remain lots on Asima drive within Registered Plan 33M-533 were purchased by Greengate Village Limited on June 26, 2013, from the Jackson Summerside Land Corporation. Requests for Draft Approval were requested and granted in 2014 and 2017. In 2019, an application was requested for a Zoning By-law Amendment and revisions to Phase 12B of the Draft Plan of Subdivision for the lotting along the Turner Crescent Extension. Final Approval was granted to Stage 2 and 3 of Phase 12B in November 2019 and November 2020, respectively.

1.3 Property Description

The subject lands are located in the southwest quadrant of the City, and are situated north of Bradley Avenue and west of Jackson Road. The site is comprised on Blocks 48 and 49 of Draft Plan of Subdivision 33M-790 and is approximately 0.3 hectares (3058 square meters). There are proposed and recently constructed residential dwellings surrounding the site, as well as agricultural uses to the south.

1.4 Current Planning Information

- The *London Plan* Place Type – Neighbourhoods
- Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Block 48: Residential R4 (R4-5(3)), Block 49: Residential R4 (R4-5(4))

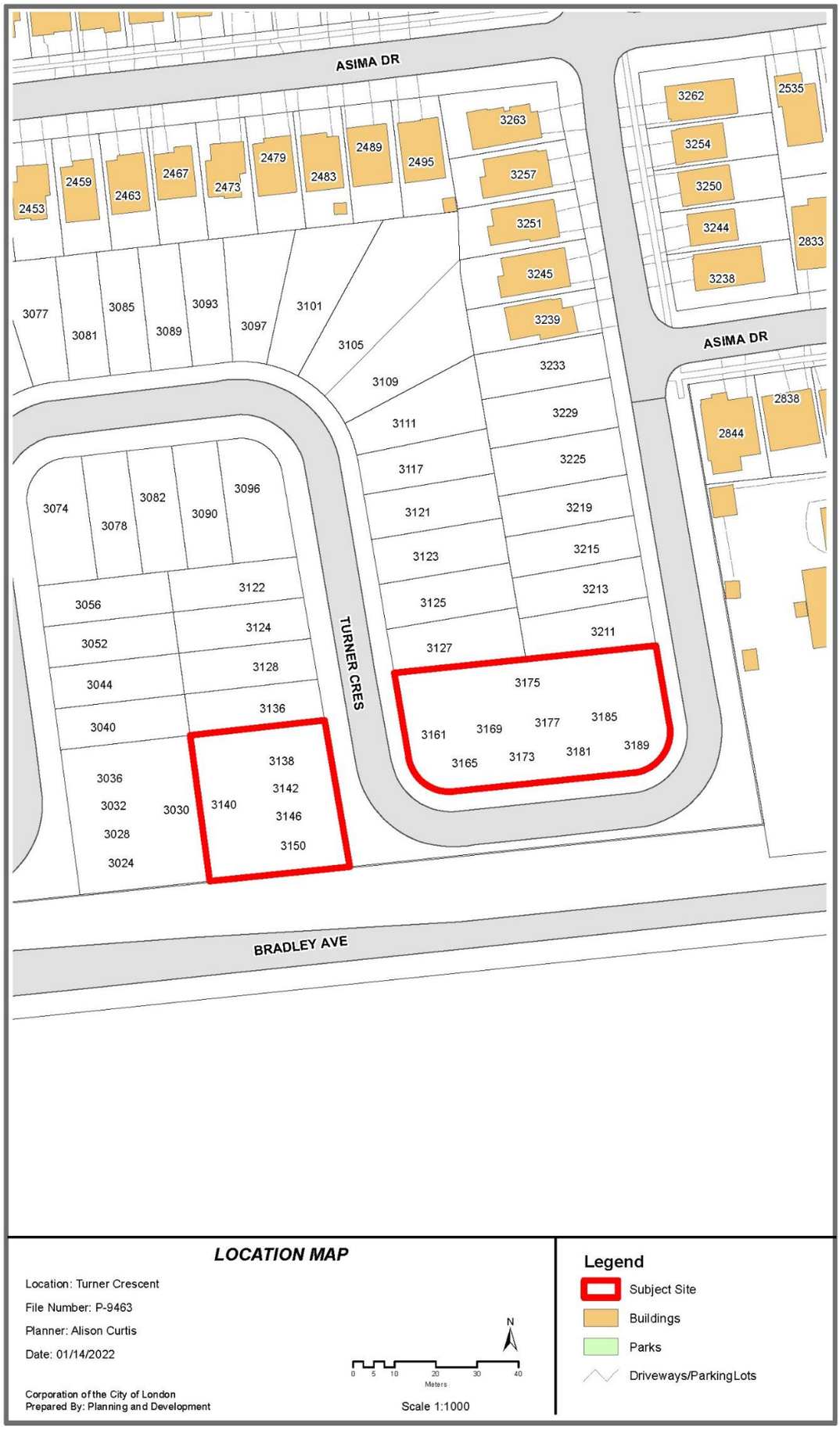
1.5 Site Characteristics

- Current Land Use – Vacant
- Area – ~0.3 hectares total, Block 48: 0.186 hectares, Block 49: 0.119 hectares
- Shape – Rectangular

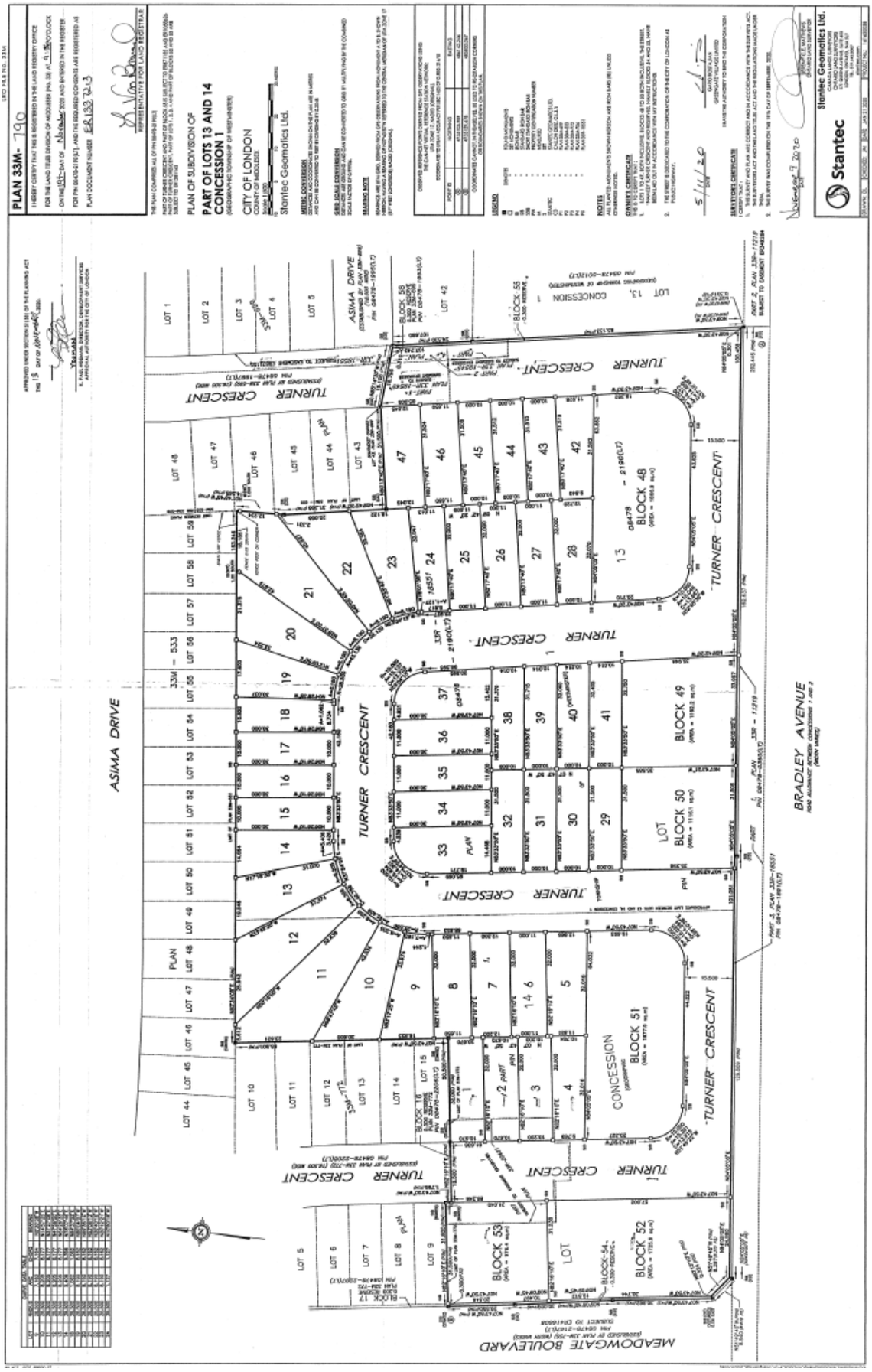
1.6 Surrounding Land Uses

- North – Vacant, proposed single detached dwellings
- East – Residential
- South – Urban Reserve, agriculture
- West – Vacant, proposed residential

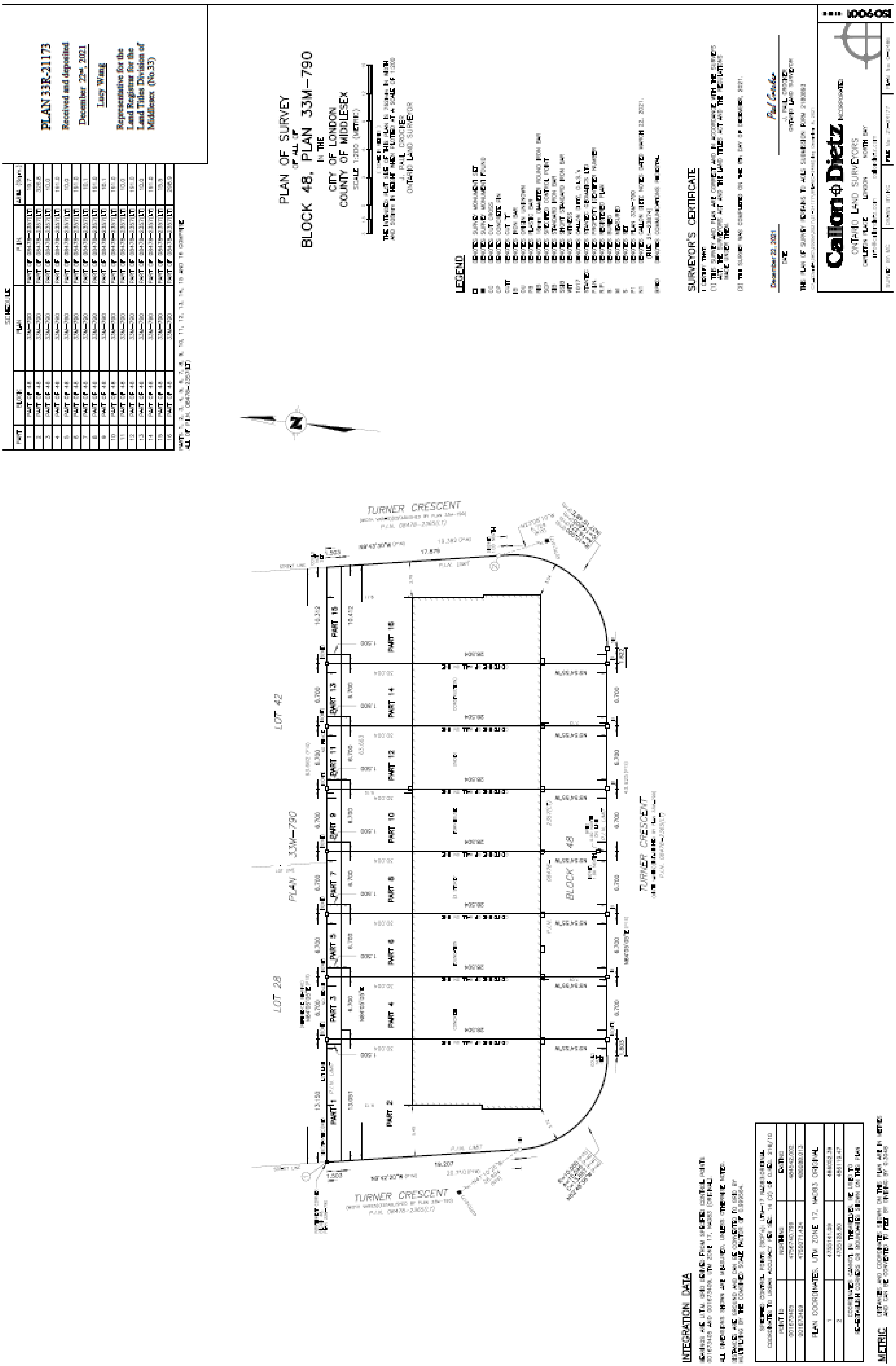
1.7 Location Map



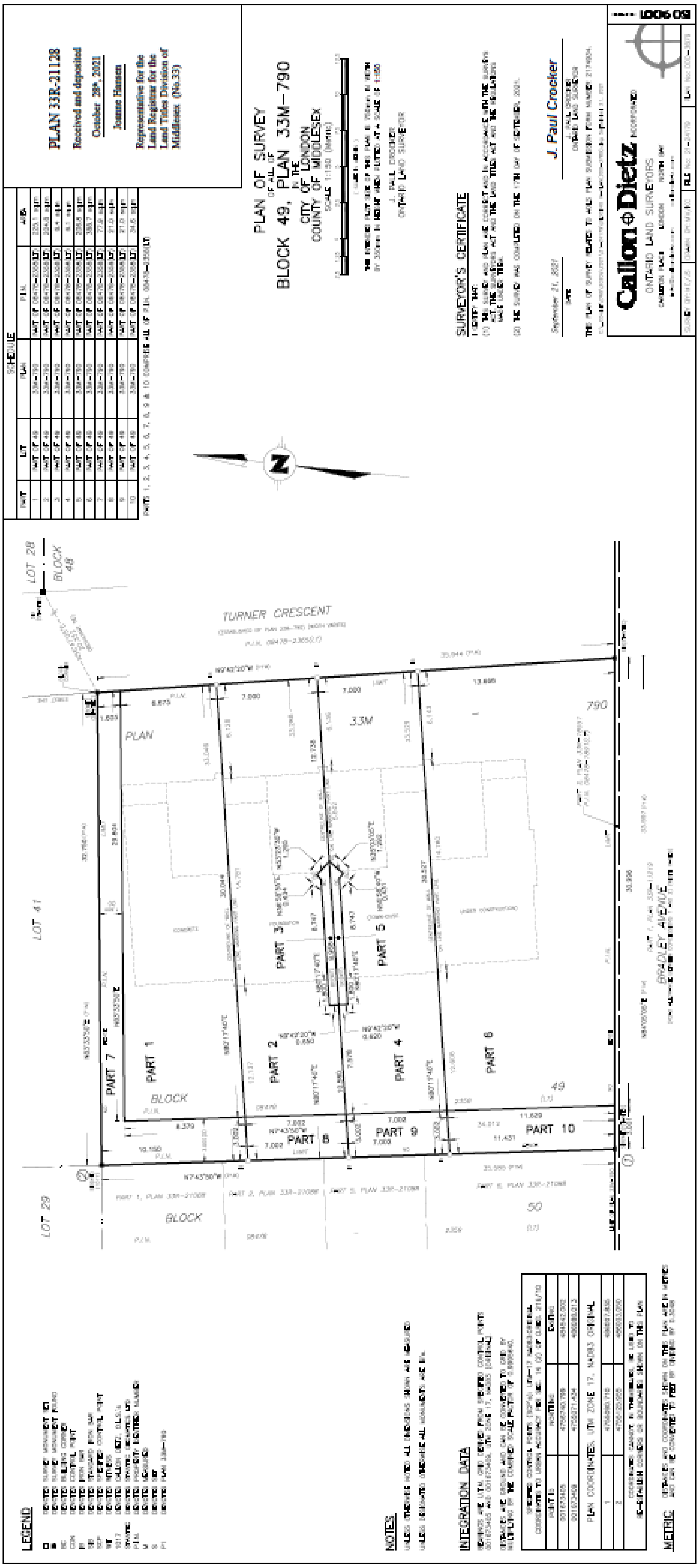
1.8 Plan of Subdivision 33M-790



1.9 Block 48 Reference Plan



1.10 Block 49 Reference Plan



2.0 Discussion and Considerations

The Applicant, Greengate Village Limited, has requested exemption form part-lot control to create a total of twelve (12) freehold, street fronting townhouse units on Turner Crescent.

2.1 Consultation

There is no legislated community engagement (i.e., notice or hearing) required for an application for Exemption from Part-Lot Control under the *Planning Act* Section 50(29). Instead, a notice of the request for exemption was circulated to internal departments, such as Engineering and Building, and London Hydro. Subdivision Engineering have confirmed that the draft standard conditions are applicable, and no additional conditions are needed.

2.2 Policy Context

In Ontario, the subdivision of land is governed by the *Planning Act*. Under section 50 of this legislation, subdivision of land is permitted through the following means: approval of the Plan of Subdivision; the granting of a Consent, also known as a severance; and, through a by-law for an exemption from part-lot control for lots or blocks within a registered Plan of Subdivision. There are provisions to ensure that part of a lot or block within a registered Plan of Subdivision cannot be transferred without approval from the municipality. These provisions allow a municipality to remove part-lot control from all, or part, of a registered Plan of Subdivision to legally divide a lot or block so that these parts can be conveyed.

The use of these by-laws is appropriate when there are several land transactions involved and the resulting change would not affect the nature or character of the subdivision. Exemption from part-lot control can be used to create freehold, street townhouses to ensure that the eventual lots lines would match with the foundation.

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 Criteria Review

Council policy has established the criteria by which applications for exemption from part-lot control shall be reviewed. The analysis below outlines each criterion and how it relates to this application.

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

The subject lands are zoned holding Residential R4 Special Provision (R4-5(3)) over Block 48 and Residential R4 (R4-5(4)) over Block 49, which permits street townhouse units with a minimum lot area per unit of 160 square meters and a minimum lot frontage of 5.5 meters. The proposed lots are in conformity with these regulations, and Site Plan Approval has been granted. The applicant has submitted reference plans to Planning and Development, which will be deposited with the Land Registry Office.

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

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

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

This request is consistent with the intended use of the block as established through the plan of subdivision and zoning. The development of the site for twelve (12) freehold, street townhouse units is consistent with the development in the area and specifically to the lands located to the east on Asima Drive and Strawberry Walk.

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

The exemption of part lot control creates twelve (12) individual lots as one transaction instead of requiring separate and individual land divisions to create the interests in land.

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

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

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

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

4.2 Conditions

Municipal Conditions to be included for Exemption from Part Lot Control

a) 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;

b) The Applicant submit a draft reference plan to Planning and Development 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;**

c) The Applicant submits to Planning and Development 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;

d) 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**;

e) The Applicant submit to the City 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;

f) The Applicant shall enter into any amending subdivision agreement with the City, if necessary;

g) 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;

h) The Applicant shall obtain confirmation from Planning and Development 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**;

i) The Applicant shall obtain approval from Planning and Development for each reference plan to be registered **prior to the reference plan being registered in the land registry office;**

j) 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;

k) The Applicant shall obtain clearance from the City that requirements *d), e) and f)* inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;

l) That not more than two (2) reference plans be approved to be registered as part of this application and that Greengate Village limited advise the City of the registration of each reference plan; and

m) 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

Conclusion

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

Prepared by:	**Alison Curtis, MA** **Planner 1, Planning and Development**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Planning and Development**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P. Eng.,** **Deputy City Manager,** **Planning and Economic Development**

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

GB/BP/AC/ac

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2022\P-9463 - 3161 and 3138 Turner Crescent (A. Curtis)

Appendix A

Bill No.
2022

By-law No. C.P.-

A by-law to exempt from Part-Lot Control, lands located at 3161 ad 3138 Turner Crescent, legally described as Blocks 48 and 49 in Registered Plan 33M-790.

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 Greengate Village Limited, it is expedient to exempt lands located at 3161 ad 3138 Turner Crescent, legally described as Blocks 48 and 49 in Registered Plan 33M-790, from Part Lot Control;

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

1. Blocks 48 and 49, Plan 33M-765, located at 3161 and 3138 Turner Crescent, east of Meadowgate Boulevard, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse dwellings in conformity with the holding Residential R4 Special Provision R4-5(4) and R4-5(3)) 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

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading –
Second Reading –
Third Reading –

39CD-21520
M. Clark

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers, MPA, P.Eng**
Deputy City Manager, Planning and Economic Development
Subject: **Draft Plan of Vacant Land Condominium on the Submission by 2219008 Ontario Ltd. (York Developments) for 3524 Grand Oak Crossing**
Public Participation Meeting: March 7, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, based on the application of 2219008 Ontario Ltd. (York Developments) relating to the property located at 3425 Grand Oak Crossing:

(a) the Planning and Environment Committee **ADVISE** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3425 Grand Oak Crossing; and,

(b) the Planning and Environment Committee **ADVISE** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3425 Grand Oak Crossing.

Executive Summary

Summary of Request

This is a request by 2219008 Ontario Ltd. (York Developments) to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Vacant Land Condominium (VLC) is being reviewed concurrently with an adjacent application for Draft Plan of Standard Condominium (STC) and an application for Site Plan Approval which covers both condominiums. The VLC consists of 23 single detached dwelling units with access via a common element private road to Pack Road and Grand Oak Crossing. Other shared common elements include visitor parking, waste disposal, and landscaped amenity area to be shared with the adjacent proposed Standard Condominium with 35 townhouse units. The applicant's intent is to register the Vacant Land Condominium development as one Condominium Corporation.

Purpose and the Effect of 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 and application for Site Plan Approval.

Rationale of Recommended Action

i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;

ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;

iii) The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density

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

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 is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

January 18, 2016 - Report to Planning and Environment Committee to regarding Public Participation Meeting and to recommend approval of the Draft Plan of Subdivision and associated Official Plan and Zoning By-Law Amendments (39T-14504/OZ-8417).

August 28, 2017 - Report to Planning and Environment Committee on Special Provisions for the Phase 1 Subdivision Agreement (39T-14504).

1.2 Planning History

On September 15, 2014, an application was first received for Draft Plan of Subdivision on the subject property. After working with City Staff to resolve issues and several revised submissions, a final plan was submitted for 172 residential units in the form of single detached dwellings, one (1) mixed use/medium density residential block (Block 173), three (3) medium density residential blocks (Blocks 174-176), three (3) walkway blocks (Blocks 181-183), one (1) future development block (Block 177), two (2) park blocks (Blocks 178-179), one (1) open space block (Block 180), a stormwater management block (Block 184) serviced by Pack Road, and six (6) local public streets. A public meeting for this application was held on January 18, 2016. The subdivision was granted draft approved on March 24, 2016.

On September 5, 2017 Council endorsed the special provisions for Phase 1 and recommended that a subdivision agreement be entered into between the City of London and the property owner. Phase 1 of the subdivision was registered on May 3rd, 2018.

An application for Draft Plan of Vacant Land Condominium with twenty-three (23) single detached dwellings was received and deemed complete on December 15, 2021 for the subject lands. Notice of the application was circulated on December 24, 2021. A concurrent application for a Draft Plan of Standard Condominium (39CD-21521) was submitted and circulated at the same time.

The lands are also subject to applications for Site Plan Approval (SPA21-016) and removal of holding provisions (H-9414). The reviews of both applications are nearing completion.

1.3 Property Description

The subject lands consist of a portion of a block in the northwest corner of the Silverleaf Subdivision (Block 115 in 39T-14504/33M-742) - with an area of 1.277 ha (3.1 acres). The block is irregularly shaped and is located to the east of a stormwater management pond and the Dingman Creek, south of Pack Road, and north of existing low density residential.

The eastern half of Block 115 in 39T-14504/33M-742 is subject to a separate application for a Draft Plan of Standard Condominium with 35 townhouse dwelling units. Access to Pack Road and Grand Oak Crossing is proposed via a private road which will be shared between the two condominium corporations via a reciprocal easement. Other common

elements are planned including visitor parking, a pumping station, community mail box, and landscaped open space.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R6 Special Provision (h*h-100*h-198*R6-5(43)) Zone

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – approx. 32m on Pack Road (Civic Boulevard)
- Area – approx. 1.27 ha (3.1 acres)
- Shape – Irregular

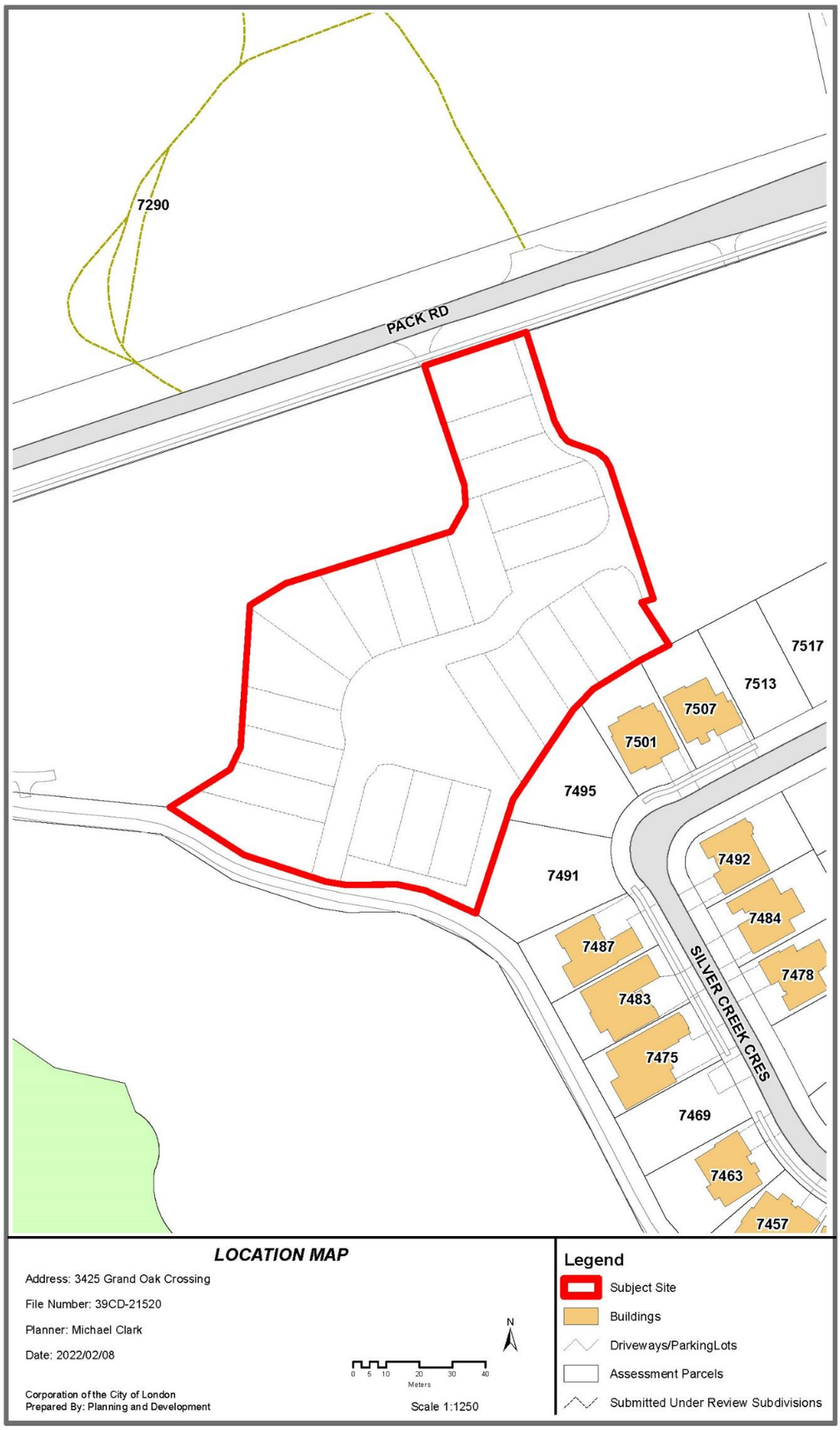
1.6 Surrounding Land Uses

- East – future medium density residential
- South – existing low density residential
- West – stormwater management, open space, Dingman Creek
- North – agricultural land

1.7 Intensification

- The 23-unit, single detached dwelling development is located outside the Primary Transit Area and inside the Urban Growth Boundary.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The proposed Vacant Land Condominium consists of 23 single detached dwellings served by a private road in a common elements easement. The shared common elements easement will provide access to both Pack Road and Grand Oak Crossing, as well as include other amenities such as visitor parking, a pumping station, waste disposal, and other internal services.

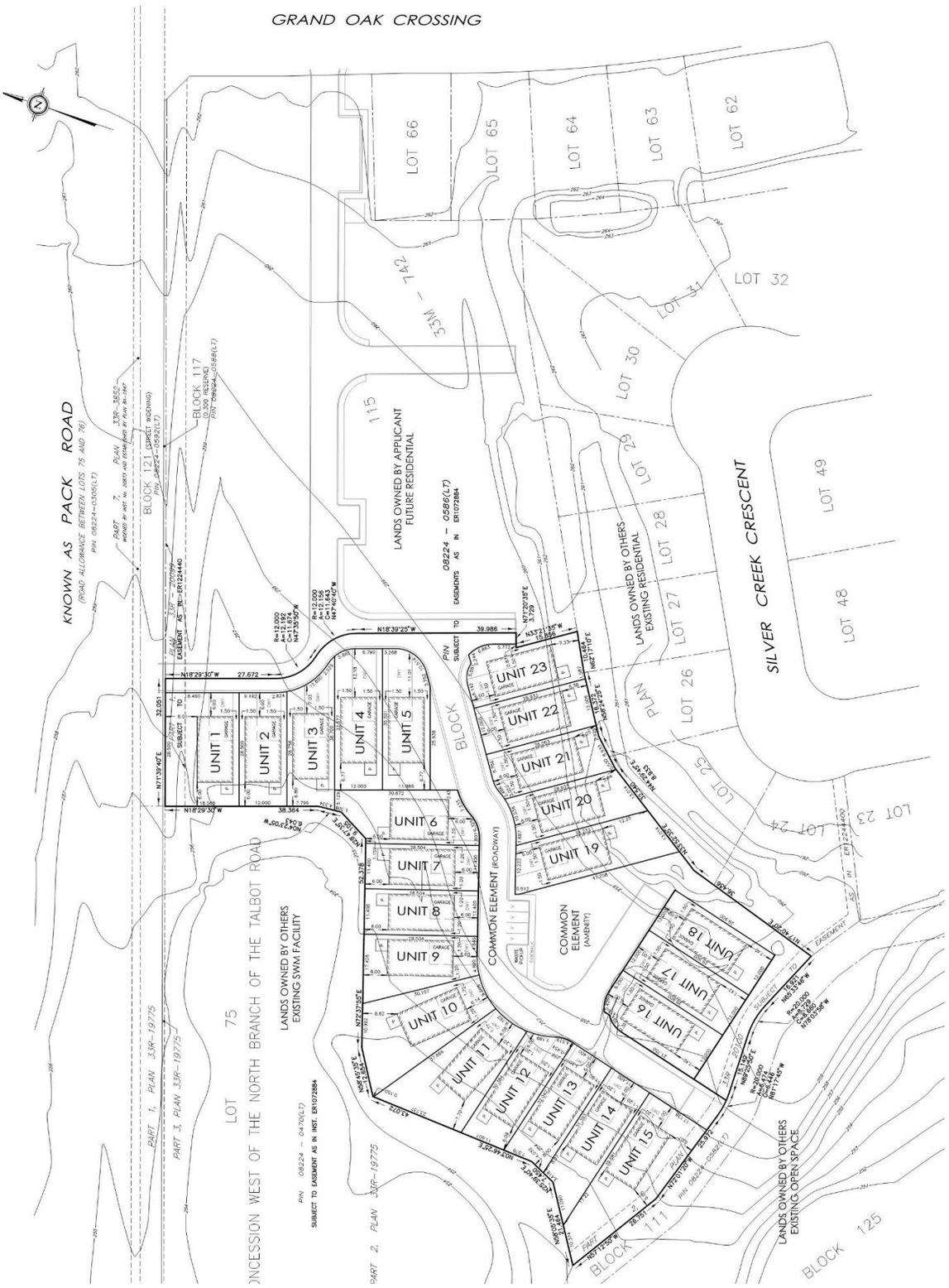


Figure 2 – Site Concept Plan

An application for Site Plan Approval (SPA21-016) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, and landscaping plans are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting. The Site Plan covers both this Vacant Land Condominium as well as the adjacent Standard Condominium with 35 townhouse dwellings.

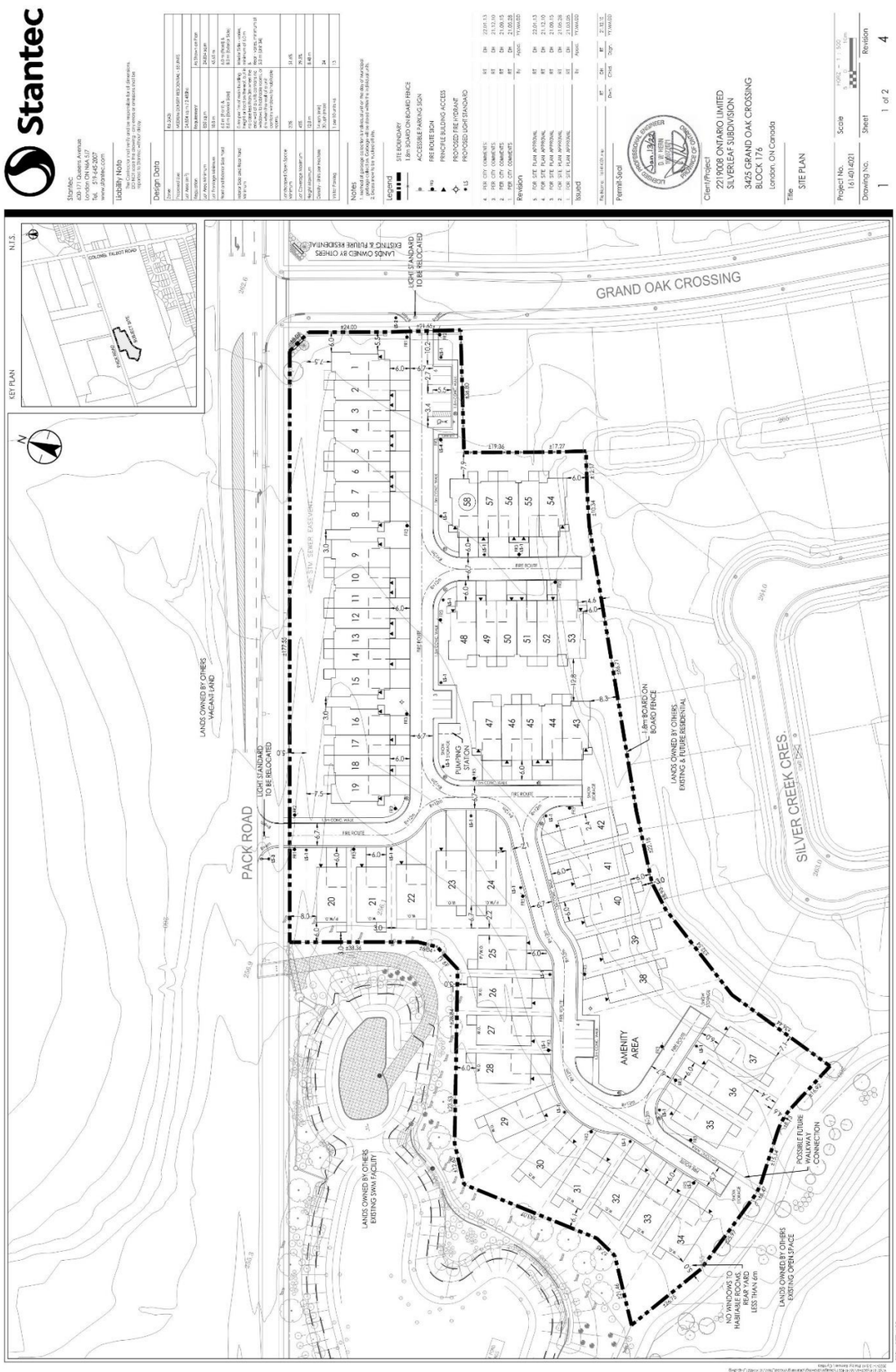


Figure 2 – Site Plan

2.2 Community Engagement (see more detail in Appendix A)

Public Circulation

The notice of application was circulated on December 24, 2021. Through the public circulation process two (2) comments were received from the public. The concerns from the public related to the impacts on privacy, the height of the buildings, and the proposed building types. Detailed comments can be found in Appendix "A".

Notice for the Public Participation Meeting was circulated on February 17, 2022.

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 Review

Provincial Policy Statement, 2020

The proposed development achieves objectives for efficient development and land use patterns. It represents new development taking place within the City's built-area boundary, and within an area of the City that is currently building out. It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, and maintains appropriate levels of public health and safety.

The subject lands were created through a plan of subdivision process and were zoned and designated for medium density residential uses over the long term. The proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

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

These lands are within the "Neighbourhoods" Place Type with frontage on a Civic Boulevard at an intersection with a Neighbourhood Street which permits a range of low-medium density residential uses from single detached dwellings, townhouses, stacked townhouses and low rise apartments. The proposed single detached dwellings within a vacant land condominium are in keeping with the permitted uses and intensity of the Neighbourhood Place Type.

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

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

   The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed single detached dwelling units conform to the Official Plan and The London Plan policies and have access to municipal services. The access and residential uses proposed are appropriate for the site. There is sufficient open space/park space within the

neighbourhood, and existing and planned commercial uses in close proximity. Any outstanding grading and drainage issues that were not addressed through the plan of subdivision process have been addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, Development Agreement and Site Plan Approval process.

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

   The draft plan of Vacant Land Condominium has been reviewed through the Site Plan approval process ensuring that the proposed site development concept meets the design requirements consistent with the Site Plan Control By-law. The various requirements of the Site Plan Control By-law will be implemented through a Development Agreement for the lands.

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

   The proposed single detached dwelling units do not result in units below or above other units.

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

   There is only one single detached dwelling proposed per unit.

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

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

6) *The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable independent operation of the condominium corporation.*

   The proposed cluster single detached dwelling development is to be developed as one condominium corporation.

1989 Official Plan

The 1989 Official Plan designation for these lands is Multi-Family, Medium Density Residential (MDR). The Medium Density Residential designation is intended to accommodate multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings. (3.3.1. Permitted Uses). The proposed vacant land condominium is in keeping with the range of permitted uses.

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. The development of multi-family, medium density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses and shall result in net densities

that range to an approximate upper limit of 75 units per hectare (30 units per acre) (3.3.3. Scale of Development). The development also provides a density of 18.15 uph which is less the maximum of 75 uph permitted in the MDR designation.

Vacant Land Condominium Application

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

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

Z.-1 Zoning By-Law

The lands are currently zoned Residential 6 Special Provision (R6-5(43)). The R6 Zone provides for and regulates cluster housing developments. The R6 Zone Variation 5, permits single detached dwellings, with a maximum height of 12.0m, a minimum 30% landscaped open space, and a maximum lot coverage of 45%. The site-specific policies include a minimum density of 14 units per hectare, and a reduced maximum density of 30 units per hectare. The proposed vacant land condominium and site plan will be implemented in conformity with the existing zoning.

Public Concern

Through the review process two members of the public provided comments. The concerns related to the height and form of the buildings proposed as well as the potential loss of privacy in their rear yards due to the development. There were also comments related to the difference between the vacant land condominium to the west and the standard condominium to the east.

Through conditions in the draft plan of condominium and the development agreement through the site plan approval, the condominium corporation will be required to construct and maintain a board on board fence along the property line and plant shade trees between the proposed buildings and the fence.

Since the application for vacant land condominium is proposing to create new parcels the City is required to give notice of the application. The application for standard condominium only relates to the ownership of the units and permits units to be sold, rather than just rented. No new lots are being created through the standard condominium and the proposed buildings are consistent with the previously approved zoning, no pubic notice of the application is required.

More information and details are available in Appendix A of this report.

Shared Sanitary and Water Services

The Vacant Land Condominium is proposed to share the use of a sanitary pumping station on the adjacent proposed Standard Condominium, as well as sanitary and water mains located within both condominiums. Prior to final approval and registration of the approval of the Vacant Land Condominium, it shall be required that the Owner(s) establish a single common element shared between the Vacant Land and Standard Condominium Corporations, including any easements required for the continued maintenance and operation of the shared water and sanitary service common elements.

Conclusion

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

Prepared by:	**Michael Clark, MA** **Planner I, Subdivision Planning**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Subdivision Planning**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P.Eng.,** **Deputy City Manager,** **Planning and Economic Development**

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Bruce Page, Manager, Subdivision Planning
cc: Matt Davenport, Manager, Subdivision Engineering
cc: Michael Pease, Manager, Site Plans

BP/mc

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2021\39CD-21520 - 3425 Grand Oak Crossing VLC (M. Clark)\02. Working\03. Draft Approval\PEC\3425 Grand Oak Cross. - 39CD-21520 (M Clark).docx

Appendix A – Community Engagement

Public liaison: On December 24, 2021, Notice of Application was sent to 51 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 within a block of a registered plan of subdivision (39T-14504 / 33M-742) consisting of 23 single detached dwellings. Common elements will be provided including visitor parking, waste disposal, and landscaped amenity area. Private roads are proposed to provide access from Pack Road and Grand Oak Crossing which will be shared with the adjacent proposed Standard Condominium with 35 townhouse units. The Vacant Land Condominium is proposed to be registered as one Condominium Corporation. File: 39CD-21520 Planner: M. Clark (City Hall).

Responses to Public Liaison Letter and Publication in "The Londoner"

From: Kelly Baxter
Sent: Thursday, December 30, 2021 3:30 PM
To: Clark, Michael
Subject: [EXTERNAL] File: 39CD-21520

Hello Michael,

I am reaching out regarding the planning application for 3425 Grand Oak Crossing.

First off, and this is embarrassing, in an epic failure of multitasking I managed to put the documentation I received in the mail through the washing machine this afternoon. Is the documentation that is sent to nearby residents also available online? I see other Notices of Planning Applications online but can't find the one I received for 3425 Grand Oak Crossing. I may be looking in the wrong place, or maybe it is not posted online yet? I only just received it in the mail this week.

The documentation I received only included information about the proposed 23 single detached condominiums. It mentioned a shared roadway with 35 townhouses, but no details on that plan (39CD-21521 per the online public notice). Will that proposal be coming separately? I live within 120 meters of both.

Finally, are you able to provide any additional information about the detached condominiums? In particular, I was hoping to find out how many stories they will have as well as the proposed height.

Thank you so much for your time, and happy new year!

Kelly Baxter (Shaw)

From: Rebecca Kenny
Sent: Tuesday, January 18, 2022 1:44 PM
To: Clark, Michael
Cc: Hopkins, Anna
Subject: [EXTERNAL] File: 39CD-21520

Good afternoon,

I am writing to you in regards to the proposed development of the vacant land behind our house. We are located at 7521 Silver Creek Crescent, Lot #30 in the Silver Leaf Development. When purchasing our home we were told by the real estate agent, builder and developer that the future building behind us would consist of one floor condos only. I have confirmed with our various neighbours that they received the same information as well. We chose our current lot based on this information.

Upon receiving a copy of the Notice of Planning Application in the mail, I see that the proposal includes 23 single detached dwellings and 35 townhouse units. My understanding is that townhouses are more than one floor. Can you please confirm a description of these proposed townhouses. If they are anything other than one floor units I will object. I hope we have not been lied to and have to take further action.

I would appreciate it if our concerns are taken into consideration and will work with us in regards to planning with respect to the privacy/views in our backyard.

I look forward to hearing from you.

Regards,

Rebecca Kenny & Dwayne Snyder

Agency & Department Comments

Internal departments and external agencies were circulated for comment on December 24th, 2021 for a 23 unit draft plan of vacant land condominium. Comments received are identified below:

Enbridge Gas – December 24, 2021

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

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.

London Hydro – January 4, 2022

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

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

Hyrdo One – January 14, 2022

We are in receipt of Application 39CD-21520 and 39CD-21521 dated December 24, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

Urban Design – January 17, 2022

There are no further UD concerns for Application- Draft plan of condominium related to 3425 Grand Oaks Crossing. UD has already reviewed the site plan application, SPA 21-016.

Stormwater Engineering Division – January 28, 2022

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

> *"The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA21-016) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law."*

Bell Canada – February 1, 2022

Dear Sir/Madam,

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

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

The Owner agrees that should any conflict arise with existing Bell Canada facilities 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 during the detailed utility design stage to confirm the provision of communication/ telecommunication infrastructure needed to service the development.

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

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

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

Please note that WSP operates Bell's development tracking system, which includes the intake of municipal circulations.

WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell's behalf. WSP is not responsible for Bell's responses and for any of the content herein.

Parks Planning and Site Plan – February 7 & 8, 2022

I suggest that we simplify this and remove the pedestrian access to the Dingman Creek pathway completely. It's causing more confusion than it's worth, and is likely to cause ongoing issues within the park system if it is ever to be constructed.

Please see my clauses below for inclusion in the development agreement for 3425 Grand Oak Crossing. If you feel the wording needs to change, please feel free to make any necessary revisions or contact me if you are unsure.

Development Agreement Clauses:

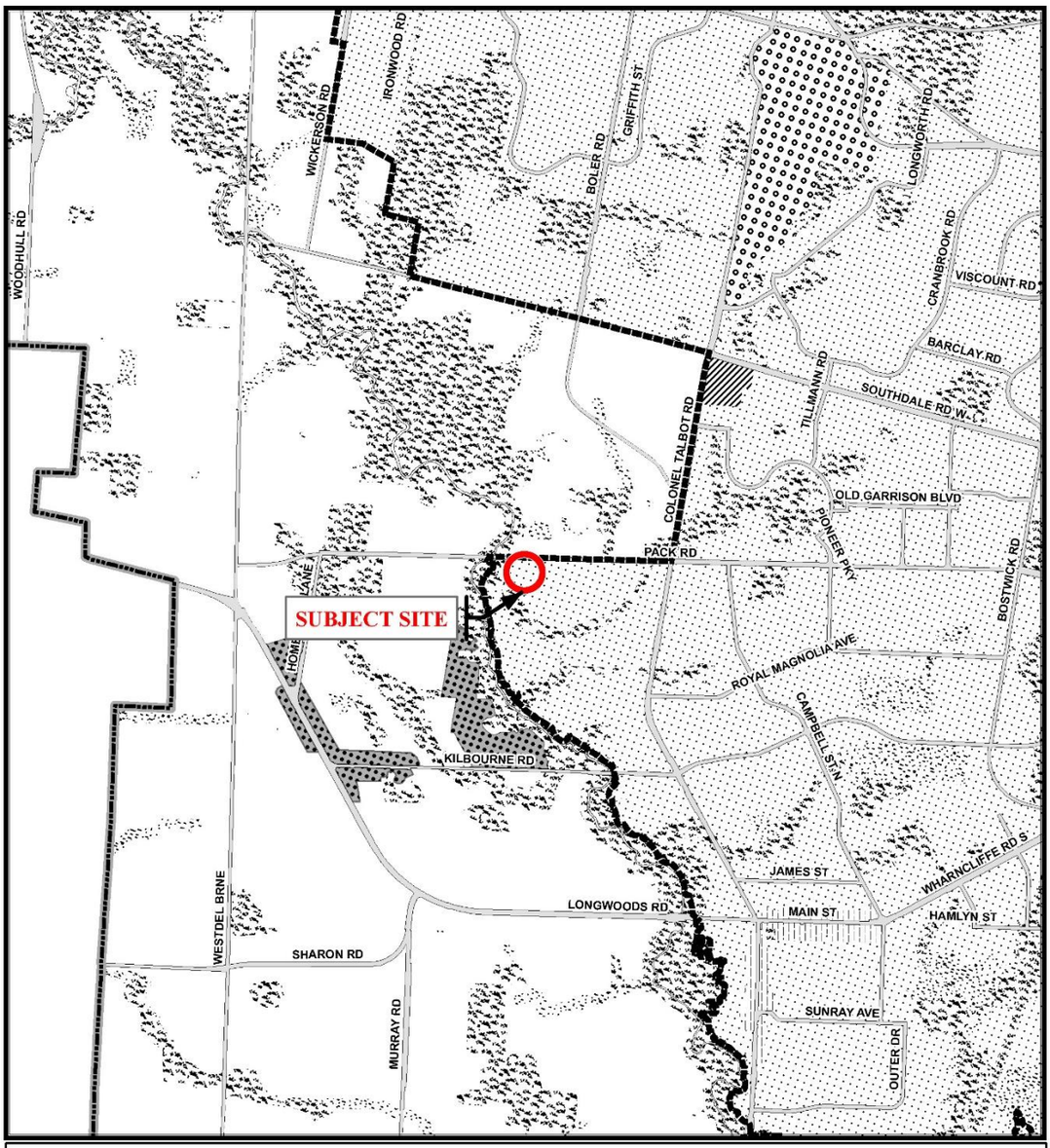
1. Easement Agreement: Following the establishment of the second condo corporation, the Owners of 3425 Grand Oaks Crossing shall enter into a Joint use, Maintenance and Access Agreement for the purpose of future maintenance and repair of all shared site services and accesses. All easements required for shared services and accesses shall be note on the reference plan prior to submission to the Registry Office.

2. Noise Warning Clauses: The following shall be included in all agreements of purchase of sale or lease of all buildings:

   "The Corporation of the City of London assumes no responsibility for noise issues which may arise from the existing or increased traffic on Pack Road (Keep?) as it relates to the interior or outdoor living areas of any dwelling within the development. The City of London will not be responsible for constructing any form of noise mitigation for this development."

Appendix B – Relevant Background

London Plan Excerpt



Legend

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

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

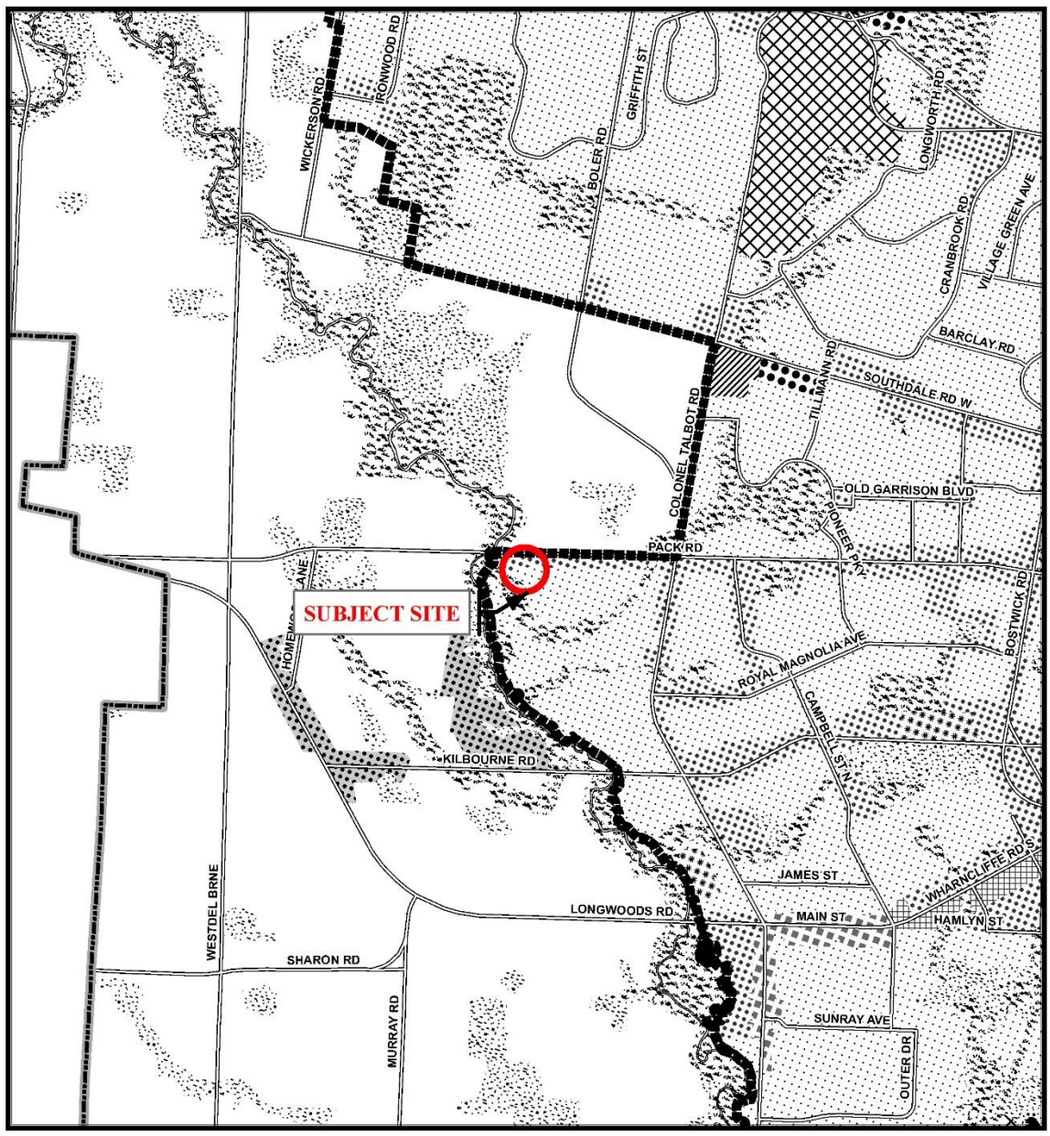
Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	39CD-21520
Planner:	MC
Technician	RC
Date:	February 8, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\39CD-21520-Map1-PlaceTypes.mxd

1989 Official Plan Excerpt



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 165 330 660 990 1,320 1,650

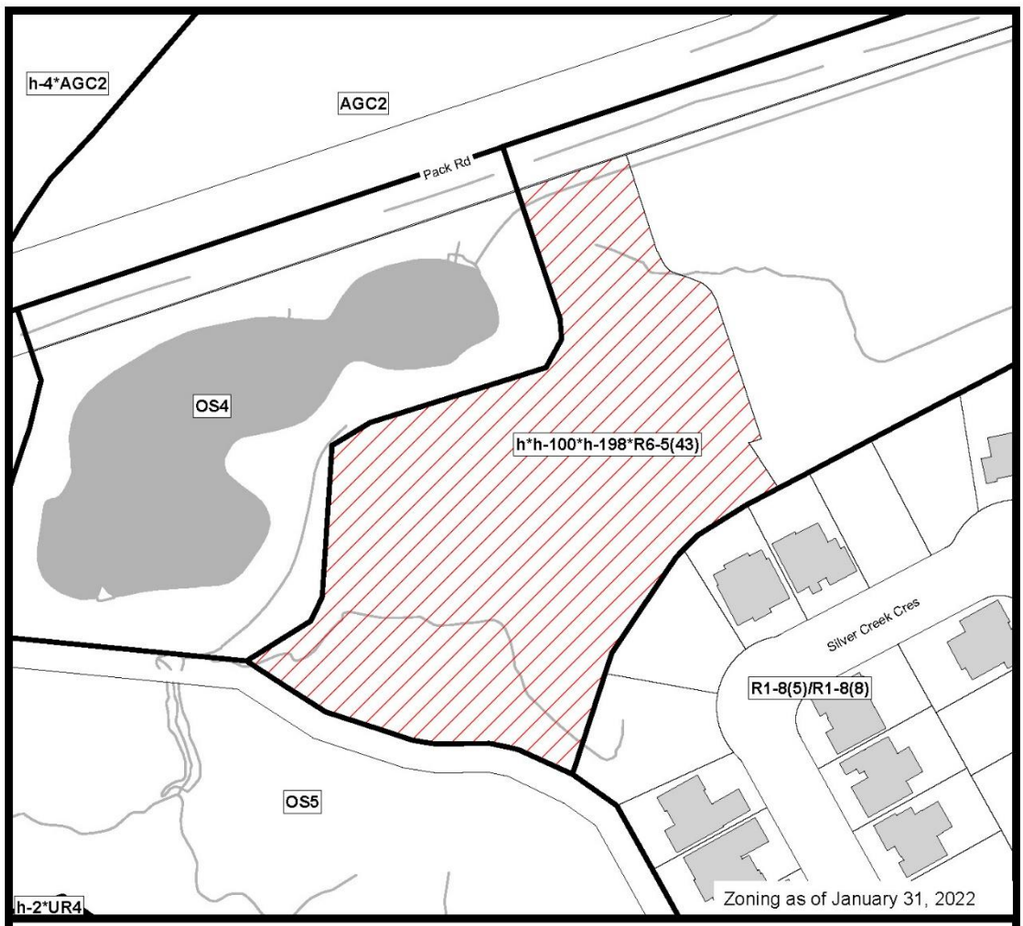
Meters

FILE NUMBER:	39CD-21520
PLANNER:	MC
TECHNICIAN:	RC
DATE:	2022/02/08

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

39CD-21520
M. Clark

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

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

FILE NO:
39CD-21520 MC

MAP PREPARED:
2022/02/08 RC

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

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers, MPA, P. Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **Maverick Real Estate Inc.**
600 Oxford Street West
Public Participation Meeting
Date: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of Maverick Real Estate Inc. relating to the property located at 600 Oxford Street West:

(a) the proposed by-law attached hereto as Appendix “A" **BE INTRODUCED** at the Municipal Council meeting on March 22, 2022 to amend The London Plan to **ADD** a Specific Area Policy to permit “automotive uses, restricted” within existing buildings, in addition to the uses permitted in the Transit Village Place Type, and by **ADDING** the subject lands to Map 7 - Specific Area Policies – of The London Plan;

IT BEING NOTED THAT the amendments will come into full force and effect concurrently with Map 7 of The London Plan;

(b) the proposed by-law attached hereto as Appendix “B" **BE INTRODUCED** at the Municipal Council meeting on March 22, 2022 to amend the Official Plan (1989) to **ADD** a policy to Section 10.1.3 – “Policies for Specific Areas” to permit “office”, “retail” and “commercial recreation establishments” within existing buildings, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation;

(c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on March 22, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) and (b) above, to change the zoning of the subject property **FROM** a Highway Service Commercial/Restricted Service Commercial (HS/RSC1) Zone, **TO** a Highway Service Commercial Special Provision (HS(_)) Zone.

Executive Summary

Summary of Request

The owner has requested amendments to the 1989 Official Plan, The London Plan and Zoning By-law to permit to permit “office”, “retail”, “commercial recreation establishments” and “automotive uses, restricted” within existing buildings.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the office, retail, commercial recreation establishments and automotive uses, restrictive within the existing buildings on site. The following special provisions would facilitate the proposed uses and recognize existing conditions however, future developments would be subject to standard zoning requirements or additional planning approvals would be required:

- a reduced minimum westerly interior side yard depth of 1.25m, whereas 4.5m is required;

- a reduced minimum easterly side yard depth of 4.05m, whereas 4.5m is required;
- a reduced landscaped open space of 8%, whereas 15% is required;
- a reduced minimum parking setback of 0m from the ultimate road allowance, whereas 3m is required; and
- existing number of parking spaces.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses;
2. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the criteria for Specific Area Policies and Planning Impact Analysis;
3. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, City Design policies.
4. The recommended amendment facilitates uses of a site within the Built-Area Boundary and the Primary Transit Area until such time as the site redevelops.
5. The recommended amendments facilitate an appropriate proposal that facilitates the reuse of the existing buildings with uses that are compatible within the surrounding context.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None

1.2 Property Description

The subject site is located on the south side of Oxford Street West, west of the Wonderland Road South/Oxford Street West intersection within the Primary Transit Area along a future Bus Rapid Transit corridor. The site has two vacant commercial buildings on site previously used for the Porsche Automobile Dealership. The site has a frontage of approximately 0.63 metres along Oxford Street West with a total area of approximately 0.62 hectares.

Figure 1 – Existing Buildings

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

- Official Plan Designation – Auto Oriented Commercial Corridor
- The London Plan Place Type – Transit Village Place Type
- Existing Zoning – Highway Service Commercial (HS) and Restricted Service Commercial (RSC1)

1.4 Site Characteristics

- Current Land Use – vacant commercial buildings (previous car dealership)
- Frontage – 0.63 metres
- Depth – n/a
- Area – 0.62 hectares
- Shape – Irregular

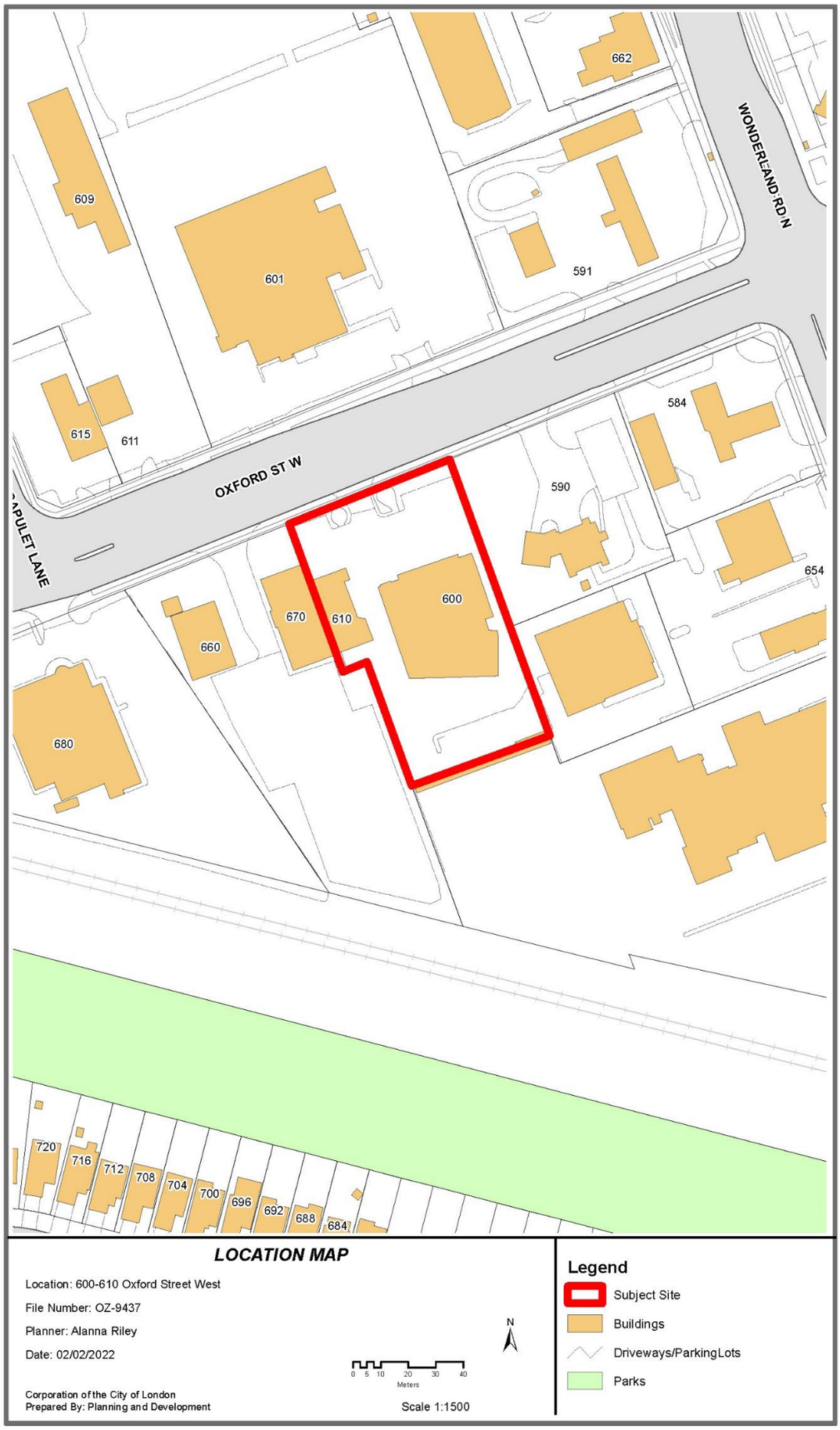
1.5 Surrounding Land Uses

- North – Oxford Street West, Ford Dealership, Automotive Uses
- East – Fire Station, Restaurant, Finch Chevrolet Dealership, Automotive Uses
- South – Parking Lot, Finch Chevrolet Dealership, Rail Corridor
- West – Restaurants, Honda Dealership

1.6 Intensification

The proposal represents intensification within the Primary Transit Area and the Built-Area Boundary.

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal and Requested Amendments

On November 15, 2021, Planning and Development accepted a complete application proposing to permit “office”, “retail” and “commercial recreation establishments” within the existing buildings.

The applicant requested the following:

1) To add a Chapter 10 Specific Area Policy to permit “office”, “retail” and “commercial recreation establishments” within existing buildings, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation;
2) To add a Specific Policy Area to permit “automotive uses, restricted” within existing buildings, in addition to the uses permitted in the Transit Village Place Type.
3) To change the zoning from a Highway Service Commercial/Restricted Service Commercial (HS/RSC1) Zone to a Highway Service Commercial Special Provision (HS(_)) Zone. Special Provisions to add “office”, “retail store” and “commercial recreation establishments” to the range of permitted uses, and permit: a westerly interior side yard depth of 1.25m, whereas 4.5m is required; an easterly interior side yard depth of 4.05m, whereas 4.5m is required; a landscaped open space of 8%, whereas 15% is required; parking to be setback 0m from the ultimate road allowance, whereas 3m is required; and to maintain the existing number of parking spaces.

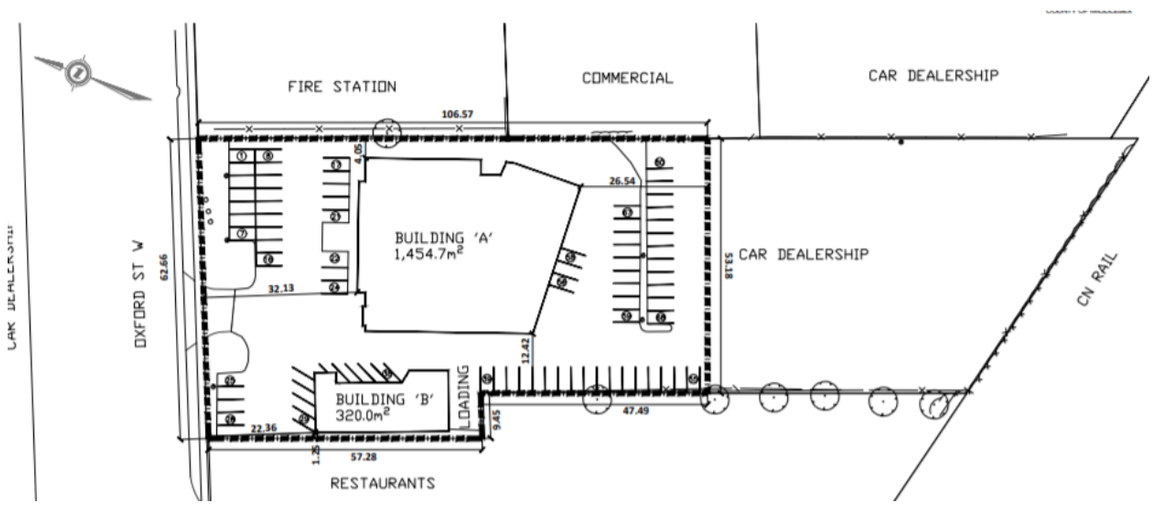


Figure 2: Site Plan

2.5 Community Engagement (see more detail in Appendix B)

One person called in support of the application.

2.6 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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

The Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns” of the PPS encourages healthy, livable, and safe communities over the long-term. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of

residential land uses, as well as employment, institutional, recreation and open space land uses (s. 1.1.1.b); 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 (s. 1.1.1.e).

The PPS encourages areas inside the urban growth boundary (i.e. “settlement areas” per s. 1.1.3 Settlement Areas) to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s.1.1.3.2).

The PPS 2020 promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses. (s. 1.3)

Also, the PPS 2020 requires Planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns. Also, it promotes compact form and structure of nodes and corridors, along with to promote the use of active transportation and transit in and between residential, employment (including commercial and industrial), and to focus major employment, commercial on sites which are well serviced by existing and planned transit. (s.1.8.1)

The London Plan

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

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

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

- Revitalize our urban neighbourhoods and business areas (s. 55_, Direction 1.4);

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

- Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward” (s. 59, Key Direction 5.2);
- Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods (s. 59_, Key Direction 5.3);
- Plan for infill and intensification of various types and forms to take advantage of existing services and facilitate and to reduce our need to grow outward (s. 59_, Key Direction 5.4).

The London Plan provides direction to place a new emphasis on creating attractive mobility choices by:

- Link land use and transportation plans to ensure they are integrated and mutually supportive (s. 60_, Key Direction 6.4); and
- Dependent on context, require, promote, and encourage transit-oriented development forms (s. 60_, Key Direction 6.6).

Lastly, The London Plan provides direction to make wise planning decisions that:

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (s. 62_, Key Direction 8, Direction 1).
- Ensure that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement (s. 62_, Key Direction 8.1); and
- Ensure new development is a good fit within the context of an existing neighbourhood (s. 62_, Key Direction 8.9).

The London Plan also includes a City Structure Plan that identifies the framework for growth and change over the planning horizon which establishes a clear hierarchy for development intensity inside the Urban Growth Boundary. It places a high level of importance on growing "inward and upward" (Policy 79_), while directing the most intensive forms of development to the Downtown, Transit Villages and at station locations along the Rapid Transit Corridors (Policy 86_*).

Within this City Structure, the subject site is located within the urban area (within Urban Growth Boundary and Built Area) and within the Primary Transit Area (PTA). The PTA is an area of focus for intensification and transit investment within London.

The subject site is within the Transit Village Place Type which permits broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses may be permitted. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade.

1989 Official Plan

The City's *Official Plan (1989)* contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The subject lands are within the Auto Oriented Commercial Corridor land use designation of the 1989 Official Plan. This designation is intended to accommodate commercial uses that cater to the needs of the travelling public, generally applied to areas along arterial roads where high traffic volumes are present and where services can be concentrated and supported. Examples of permitted uses include hotels, automotive uses and services, restaurants, and building supply outlets/hardware stores. Commercial buildings in the *"Auto-Oriented Commercial Corridor"* designation are to be of low-rise form to provide for a scale that will minimize impact on, and can be integrated with, surrounding uses.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

Through an analysis of the use, intensity and form, Staff have considered the compatibility and appropriateness of the requested amendment and proposed development, both on the subject lands and within the surrounding neighbourhood.

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to

minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Additionally, the PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs and providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. (1.3.1.a) & 1.3.1b)).

The existing land use designation and future Transit Village Place Type promote a mix of land uses envisioned by the PPS while providing opportunities for a diversified economic base. The requested amendment will facilitate additional uses which contribute and enhance the employment opportunities on this site. No new roads or infrastructure are required to service the site, making efficient use of land and existing services.

The London Plan

The Transit Village Place Type policies permit a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses and encourages mixed-use buildings as a way to implement these uses. (*837_)) While recognizing that other place types also support varying amounts of retail, office and service, uses, the role of Transit Village Place Type within the City Structure is to evolve as one of the primary Place Type's that will allow for major mixed-use destinations(807).

Although, The London Plan contemplates and encourages mixed-use development within the Transit Village Place Type, the policies also speak to the primacy of commercial uses including extensive retail and commercial services, offices and includes recreational services.

The proposed application is seeking office, retail and commercial recreation establishments as additional uses that are all permitted within the Transit Village Place Type but would be restricted to the existing buildings. This allows the existing building stock to continue to be used until such time as a more comprehensive proposal is presented for the site where mixed use development would be encouraged.

Additionally, the applicant is seeking an area specific policy to permit "Automotive Uses, Restrictive" in the Transit Village Place Type to ensure the existing Car Wash use will be maintained on site. Automotive Uses, Restrictive is a defined use within the existing Z-1. Zoning By-law which *"means an automobile service station, a gas bar, or a car wash".*
Through the existing zoning, the site currently permits uses identified as "Automotive Uses, Restrictive" , which is not a permitted use within the Transit Village Place Type; therefore, an amendment is required to ensure the proposed zoning conforms to The London Plan. Given the site contains an existing car wash as an accessory use to a former car dealership Staff do not see any issues facilitating its continued use within the existing building. As a result of any future comprehensive development the use would not longer be permitted on site.

1989 Official Plan

The subject lands are designated Auto-Oriented Commercial Corridor in the 1989 Official Plan. The Auto-Oriented Commercial Corridor designation contemplates a very limited amount and range of retail uses. These uses are intended to be small scale and limited in range, rather than the broader range of uses permitted under the definition of "Retail Store." The broadly defined "Retail Store" use is not contemplated in the Auto-Oriented Commercial Corridor designation. Medical and dental offices, clinics, offices associated with wholesale warehouse or construction and trade outlets, and similar support offices may be permitted in appropriate locations however, general office uses are not contemplated. Furthermore, commercial recreation establishments are also not permitted.

Specific Area policies may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the lands. Under these circumstances, the adoption of Specific Area policies may be considered where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site-specific use. (10.1.1.ii))

As indicated above, the proposed retail, office and commercial recreation establishment uses do not align with the Auto-Oriented Commercial Corridor designation but are in keeping with the intent of Council with respect to the future use of the lands as outlined in the Transit Village Place Type in The London Plan. As such, a Chapter 10 Specific Policy is recommended to permit retail, offices and commercial recreation establishments on a site-specific basis while maintaining the existing Auto-Oriented Commercial designation currently applied to the subject site. This is discussed further in Section 4.5 of this report.

A Planning Impact Analysis has also been provided in Appendix 'D' to address impacts of the proposed uses on surrounding lands. Additional measures addressing the impacts of the proposed intensity on surrounding lands have been evaluated through the above analysis of the Transit Village Place Type policies and no further review is required through the AOCC policies.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

Section 1.1 of the PPS encourages healthy, livable and safe communities which accommodate an appropriate range and mix of uses to meet long-term needs (Section 1.1.1 b)), and are sustained by promoting efficient, cost-effective development patterns and standards to minimize land consumption and servicing costs (Section 1.1.1 e)).

The PPS directs settlement areas to be the main focus of intensification and redevelopment (Section 1.1.2). Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.1.3.2).

The PPS 2020 promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses. (s. 1.3)

Also, the PPS 2020 requires Planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns. This directs to promote compact form and structure of nodes and corridors, along with to promote the use of active transportation and transit in and between residential,

employment (including commercial and industrial), and to focus major employment, commercial on sites which are well serviced by existing and planned transit. (s.1.8.1)

The recommended amendment is consistent with the policies of the PPS as it will implement a few new commercial uses adapted in a manner that will continue to facilitate an efficient, cost-effective development pattern within an established settlement area. No new roads or infrastructure is required to service the site; therefore, the development makes efficient use of existing services. The proposed development supports the use of active transportation and transit as the site is conveniently located in an area that is directly serviced by existing transit. The proposed new uses can be accommodated on the site within the existing buildings and within the surrounding context with minimal impacts, if any.

The London Plan

Policy 810_3 of the Transit Village Place Type identifies key elements for achieving the vision for exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to the Downtown and each other (806_) which may include significant restructuring and redevelopment of existing, often single-use commercial complexes at these locations, includes a planning for intense, mixed-use development around transit stations within Transit villages. Also, Policy 813_3 states that applications will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Transit Village Place Type, including supporting rapid transit.

Furthermore, buildings within the Transit Village Place Type will be a minimum of 2 storeys or eight metres in height and will not exceed 15 storeys in height. A height of 22 storeys may be permitted through Type 2 bonusing (813_1). As mentioned above, permitted uses include a broad range of residential, retail, service, office, cultural, institutional, hospitably, entertainment, recreational and other related uses 8111_).

It is acknowledged that the Transit Village Place Type intensity policies are currently under appeal, and that the proposed “automotive uses, restrictive” do not conform to the identified intensity policies. Accordingly, these policies are informative, not determinative, and cannot be relied on for the review of the requested amendment as the policy framework for this site is in a period of transition between the 1989 Official Plan and The London Plan.

As noted, the proposed amendment is appropriate given that it serves as an interim use, facilitates the continued use of existing building stock, and provides for additional opportunities to the subject lands until such time as a future comprehensive proposal is presented to implement the full vision of the Transit Village Place Type.

1989 Official Plan

As mentioned, the Official Plan identifies that the subject lands are designated as Auto Oriented Commercial Corridor. This designation is intended to accommodate commercial uses that cater to the needs of the travelling public, generally applied to areas along arterial roads where high traffic volumes are present and where services can be concentrated and supported (Section 4.4.2.4; Section 4.4.2.5). In Staff’s opinion the subject site is located in an appropriate location to accommodate the proposed additional uses within the existing buildings. The existing buildings are sensitive to their surroundings, provide sufficient separations and buffers to the surrounding commercial uses, and provides a transition of intensity from other uses. The site is appropriately sized to accommodate the proposed uses with no additional special provisions required aside from recognizing the location of the existing buildings, parking and landscape treatment. The proposed development will make full use of the municipal services, minimizing consumption of land and servicing costs.

Overall, the potential increase in intensity on the subject lands is considered minimal as the uses are restricted to the existing built form and site conditions. These additional uses will bring additional viability to the existing development contributing to efficient use of public infrastructure, services, and facilities; encourages compact, cost-effective

development; and supports active transportation and public transit as opposed to the site remaining vacant. As such, staff is satisfied the proposed intensity is in conformity with the 1989 Official Plan.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

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

Consistent with the PPS, the recommended amendments of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the proposed additional uses within the existing buildings would contribute to achieving more compact forms of growth and utilize existing services in the area.

The London Plan

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

The subject site is in the Transit Village Place Type, and according to the urban design considerations, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (*Policy 953_ 2. a.-f.).

The Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (*Policy 1578_). The existing built form is generally in keeping with these design considerations and the buildings have proven over time to be compatible and a good fit within the area. The site layout in combination with the location and massing of the buildings is consistent with urban design goals at the time of development. The existing parking rate is considered acceptable and in keeping with today’s standards for sites located on streets that support a good level of public transportation.

The proposed new uses will result in minor modifications to the existing exterior of the buildings on site while the existing site conditions will be maintained that is a continuation of a compatible built form which has proven to be a good fit within the existing and planned context of the area.

1989 Official Plan

Development of new uses within areas designated Auto-Oriented Commercial Corridor shall take the form of infilling, redevelopment or the conversion of existing structures. Auto-Oriented Commercial Corridors vary considerably in their mix of existing uses, lot sizes and scale of development.

This is not a new development, and the existing built form and site layout meets the intent of these policies as it provides a low-rise built form that is appropriate between the existing commercial land uses to the east and west. The existing buildings are appropriately buffered from the abutting lands and additional contemporary architectural elements will be incorporated to the exterior of the buildings to create visual interest along the streetscape.

Furthermore, the existing buildings were positioned and oriented on the subject lands to minimize the impact on surrounding land uses through a previous site plan approval. There are no notable land uses that will present any significant land use conflicts with the surrounding area. Adequate levels of landscaping and/or tree plantings were incorporated at the front of the site ensuring appropriate screening was provided between parking and the public realm to enhance the pedestrian environment on the subject lands. The site is also located in close proximity to the Wonderland Road North and Oxford Street West intersection which is the heart of a future Transit Village. It is anticipated that many of the land uses in the area will transition in the future to higher order mixed use developments, replacing many auto-oriented commercial corridors uses.

4.4 1989 Official Plan Specific Policy - Chapter 10 and Site Specific Policy – The London Plan

As mentioned, some of the proposed uses align with the Auto-Oriented Commercial Corridor designation while others align with the Transit Village Place Type, resulting in a range of uses that are not in full conformity with either Official Plan. To ensure the proposal complies with both Official Plans the applicant has requested a Chapter 10 Specific Area Policy in the 1989 Official Plan to permit retail, offices and commercial recreation establishments within existing buildings in the Auto Oriented Commercial Corridor, and a site specific policy in the Transit Village Place Type of The London Plan to permit “Automotive uses, Restrictive” within existing buildings.

Specific Area policies may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the lands. Under these circumstances, the adoption of Specific Area policies may be considered where the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use (10.1.1.ii)).

The current policies applied to these lands do not contemplate a broadly defined “Retail Store” use, offices or commercial recreation establishments and anticipate the primary function to be more in line with automotive commercial uses. The proposal for these additional uses is not consistent with the planned function of the Auto Oriented Commercial Corridor designation; however, these uses are in keeping with the Transit Village Place Type in The London Plan, which will be applied to the subject site and will come into effect once The London Plan appeals have been resolved. Furthermore, the Transit Village Place Type policies do not contemplate the existing permitted “Automotive uses, Restrictive” in the Z.-1 Zoning By-law, which are consistent with the planned function of the existing Auto-oriented Commercial designation. As such, the existing commercial designation currently applied to the subject site does not “*accurately reflect the intent of Council*" for future development on this property.

In Staff’s opinion as demonstrated in the analysis above, the proposed additional uses warrant consideration of the recommended special area policies for both Official Plans to permit the uses until such time as the site redevelops.

4.5 Issue and Consideration #5: Zoning

The proposed additional commercial uses require special provisions to permit additional commercial uses and recognize the existing built form and site conditions, including landscaping and parking. These special provisions include adding “office”, “retail”, “commercial recreation establishments” and “automotive uses, restricted” as additional permitted uses within existing buildings; a reduced minimum westerly interior side yard depth of 1.25m, whereas 4.5m is required; a reduced minimum easterly side yard depth of 4.05m, whereas 4.5m is required; a reduced landscaped open space of 8%, whereas 15% is required; a reduced minimum parking setback of 0m from the ultimate road allowance, whereas 3m is required; and to maintain the existing number of parking spaces.

In the Highway Service Commercial Zone and Restricted Service Commercial Zone, minimum front yards, exterior side yards, interior side yards, and rear yard depths are established relative to building height resulting in larger setbacks for taller buildings. However, when the buildings were constructed on site larger setbacks were incorporated for the front and the rear yards to accommodate parking in the front and back. At such time the site redevelops in a more comprehensive manner, the front yard will be reduced to achieve a street-oriented and transit-oriented building design to reflect current urban design standards in The London Plan, which encourage buildings to be positioned with minimal setbacks to public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (*Policy 259_). That being said, staff have no concerns with the existing building setbacks.

The existing interior side yard depths are able to provide adequate separation between the proposed development and adjacent buildings, while also providing access to the rear yard. The easterly interior side yard abuts a fire station with a substantial setback and the westerly interior side yard abuts a restaurant with a setback that permits access to these yards for maintenance and access. Notwithstanding, at such time the site redevelops, building location and setbacks will be evaluated to incorporate current site design standards.

Staff is satisfied that the special provisions recognize existing conditions and is a good interim, adaptive use of the site until a comprehensive redevelopment of the property is contemplated.

Conclusion

The requested amendments are consistent with the policies of the 2020 *Provincial Policy Statement* (PPS) which promote economic development and competitiveness by providing for an appropriate mix and range of employment uses. The proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the application of policies for specific areas intended for sites where existing policies do not accurately reflect the intent of Council with respect to the future use of the land. The amendment also conforms to the in-force policies of The London Plan, including but not limited to the City Structure Plan and Transit Village Place Type policies.

Recognizing that the subject site will develop in the future for mixed-use in a more comprehensive manner, under the vision for Transit Village Place Type, the recommended amendments facilitate an appropriate proposal that support the reuse of the existing buildings with uses that are compatible with the surrounding context.

Prepared by:	**Alanna Riley, MCIP, RPP** **Senior Planner, Planning & Development**
Reviewed by:	**Mike Corby, MCIP, RPP** **Manager, Planning Implementation**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P. Eng.** **Deputy City Manager,** **Planning and Economic Development**

cc:
Heather McNeely, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A London Plan Amendment – Policies for Specific Areas

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

By-law No. C.P.-1284-
A by-law to amend The London Plan for the City of London, 2016 relating to 600 Oxford Street West.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on March 22, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 2022

AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to the Specific Policies for the Transit Village Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit "automotive uses, restricted" within existing buildings.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 600 Oxford Street West in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement 2020, conforms to the City of London 1989 Official Plan, and conforms to The London Plan. The amendment provides for the re-use of the existing building stock taking advantage of existing municipal services and infrastructure while contributing to the economic viability of the subject site.

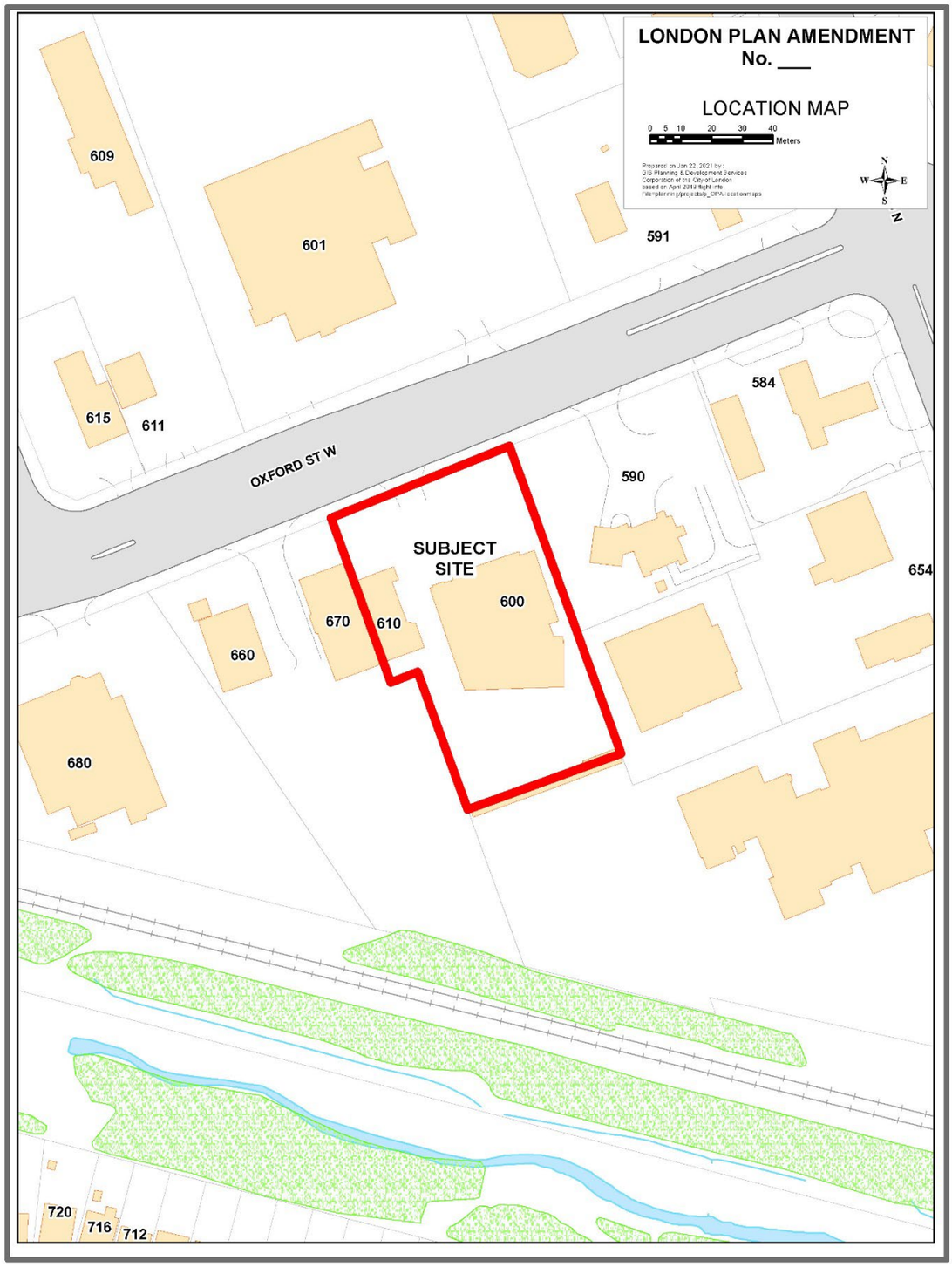
D. THE AMENDMENT

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

1. Specific Policies for the Transit Village Place Type of The London Plan for the City of London is amended by adding the following:

   ( ) In the Transit Village Place Type at 600 Oxford Street West, "automotive uses, restricted" within existing buildings may be permitted.

2. Map – 7 Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 600 Oxford Street West in the City of London, as indicated on "Schedule 1" attached hereto.


LONDON PLAN AMENDMENT
No. ___
LOCATION MAP
0 5 10 20 30 40
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Prepared on Jan 22, 2021 by :
GIS Planning & Development Services
Corporation of the City of London
based on April 2019 flight info
N:\template\maps\projects\plp_OPA_LocationMaps
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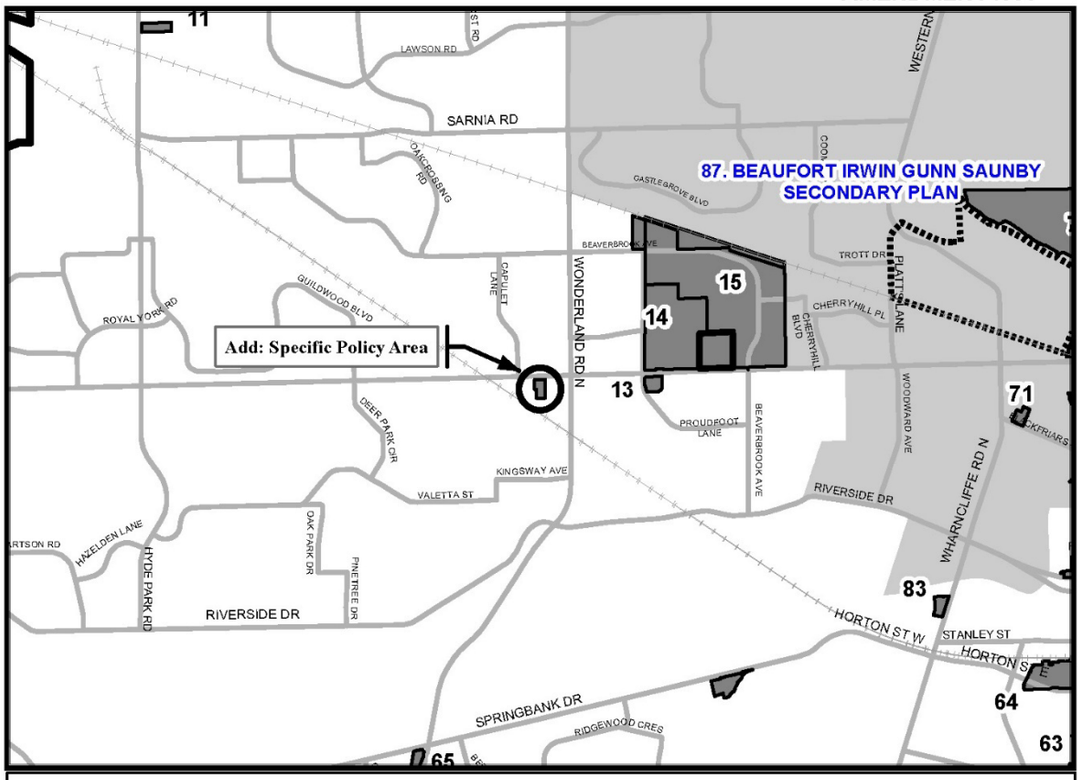
AMENDMENT NO:



LEGEND

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE 1
TO
THE LONDON PLAN

AMENDMENT NO. _____

PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

FILE NUMBER: OZ-9437
PLANNER: AR
TECHNICIAN: RC
DATE: 2/3/2022

Document Path: E:\Planning\Projects\p_officialplan\workconsol00\amendments_LondonPlan\OZ-9437\OZ-9437_AMENDMENT_Map7_SpecialPolicyAreas_b&w_8x11.mxd

Appendix B Official Plan Amendment – Policies for Specific Areas

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

By-law No. C.P.-1284-
A by-law to amend the Official Plan for the City of London, 1989 relating to 600 Oxford Street West

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on March 22, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 2022

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a Chapter 10 policy in Section 10.1.3 of the Official Plan for the City of London Planning Area – 1989 to permit “office”, “retail” and “commercial recreation establishments” within existing buildings, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 600 Oxford Street West in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2020, and the in-force policies of the 1989 Official Plan and The London Plan.

The recommended amendment would permit additional commercial uses within the existing buildings until such time as the site redevelops through a comprehensive proposal helping achieve the vision of the Transit Village Place Type.

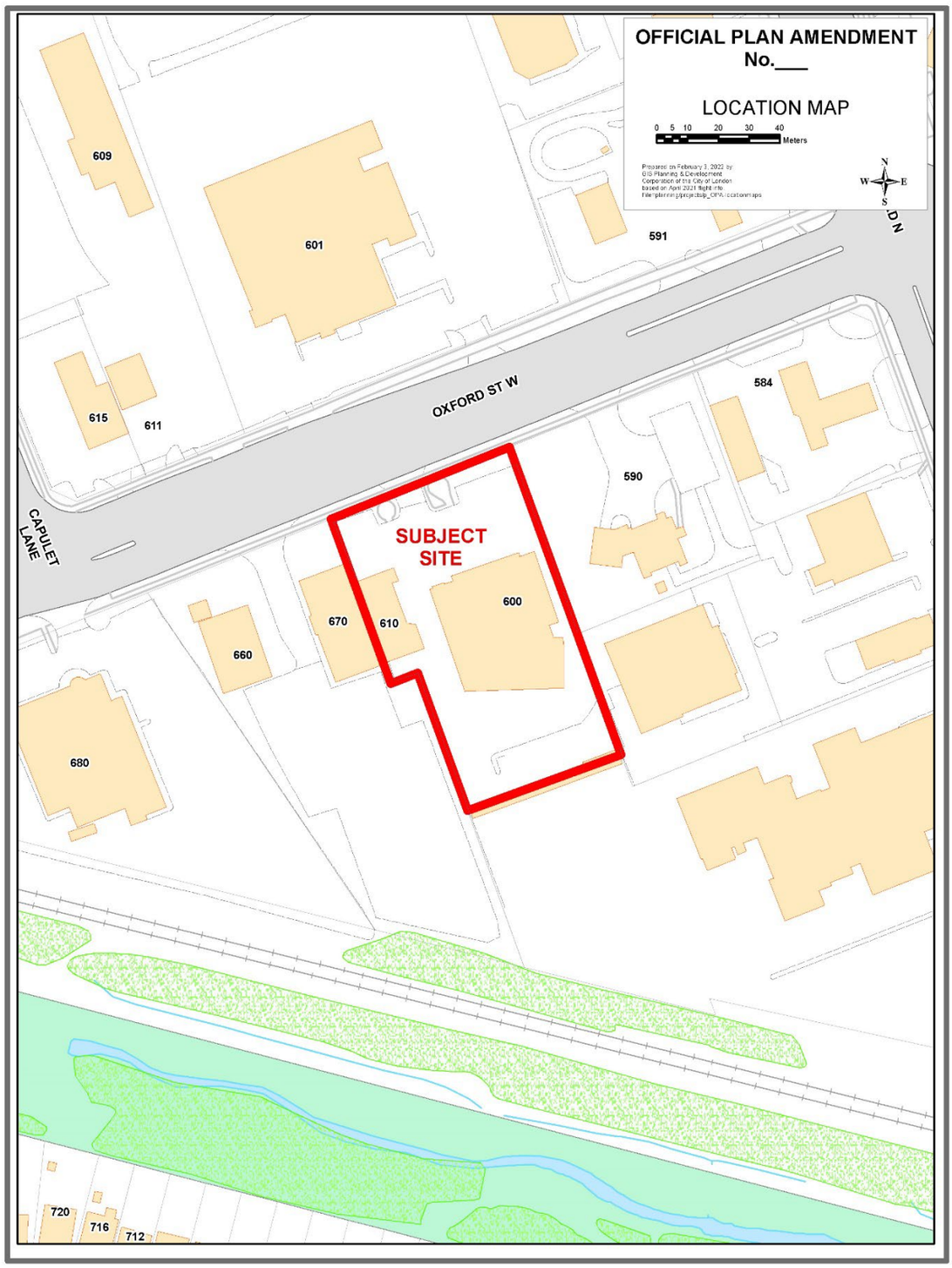
D. THE AMENDMENT

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

1. Chapter 10 – Policies for Specific Areas of the Official Plan for the City of London is amended by modifying the following:

Oxford Street West

( ) At 600 Oxford Street West, within the Auto-Oriented Commercial Corridor designation, “office”, “retail” and “commercial recreation establishments” within existing buildings may be permitted.


OFFICIAL PLAN AMENDMENT
No.___
LOCATION MAP
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Meters
Prepared on February 3, 2022 by:
GIS Planning & Development
Corporation of the City of London
based on April 2021 flight info
File:planning/projects/p_OPA_locationmaps
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S
D N
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601
591
615
611
OXFORD ST W
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590
CAPULET LANE
SUBJECT SITE
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670
610
660
680
720
716
712

Appendix C

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 600 Oxford Street West.

WHEREAS Maverick Real Estate Inc. has applied to rezone an area of land located at 600 Oxford Street West, 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 600 Oxford Street West, as shown on the attached map comprising part of Key Map No. A110, from a Highway Service Commercial/Restricted Service Commercial (HS/RSC1) Zone to a Highway Service Commercial Special Provision (HS( )) Zone.

2) Section Number 27.4 of the Highway Service Commercial is amended by adding the following Special Provision:

) HS( ) 600 Oxford Street West

a) Additional Permitted Uses

i) Offices,
ii) Retail Stores
iii) Commercial Recreation Establishments

b) Regulations

i) Location of Permitted Uses: Permitted uses shall be restricted to the existing buildings.

ii) West Interior Side Yard Setback (Minimum) 1.25 metres

iii) East Interior Side Yard Setback (Minimum) 4.05 metres

iv) Existing Landscaped Open Space (Minimum) 8%

v) Parking Setback from the Ultimate Road Allowance (Minimum) 0.0m

vi) Existing Number of Parking Spaces totalling 71

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.

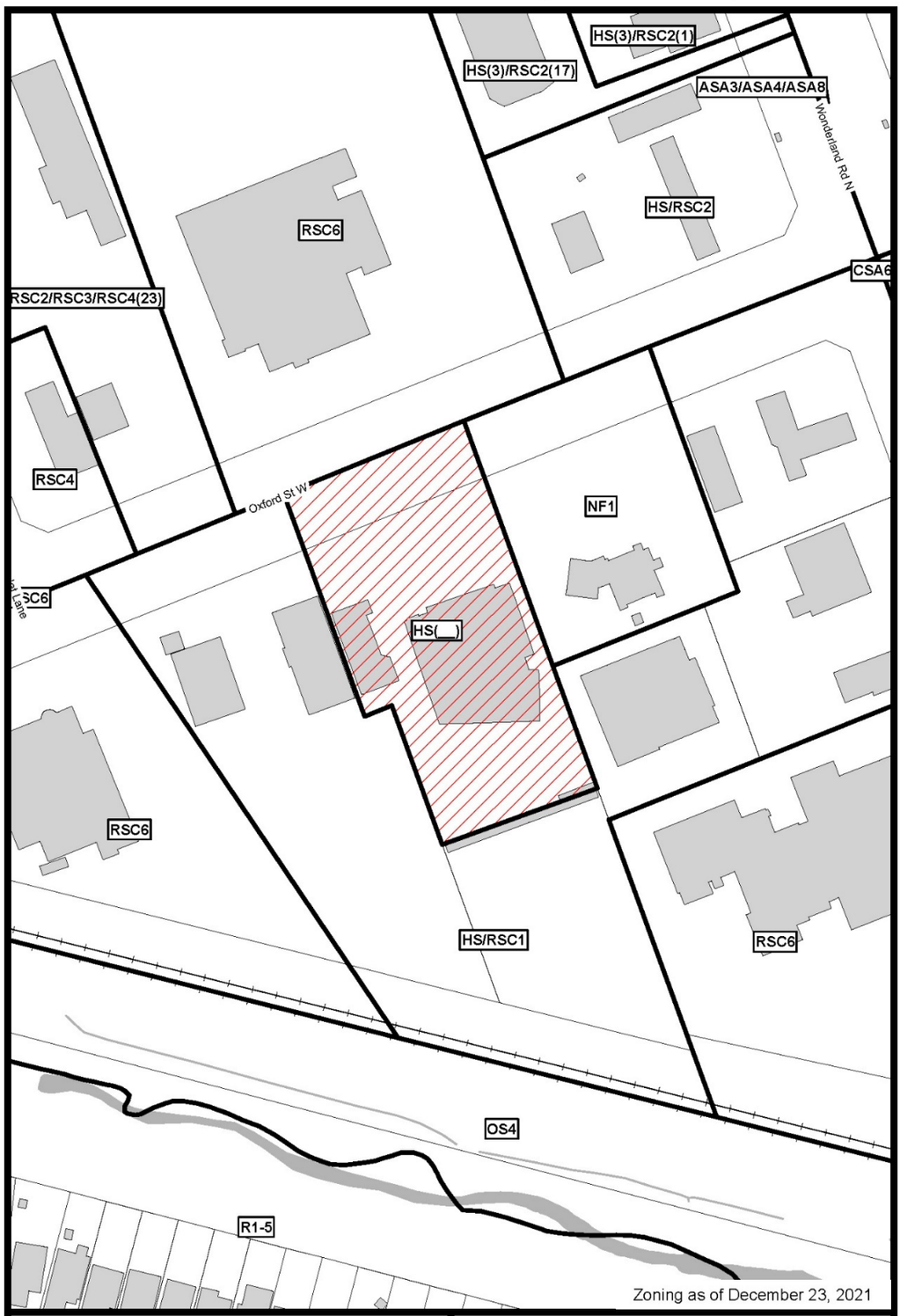
PASSED in Open Council on March 22, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 2022

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



File Number: OZ-9437

Planner: AR

Date Prepared: 2022/02/02

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:1,500

0 5 10 20 30 40 Meters

Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application:

On November 25, 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 November 25, 2021. A "Planning Application" sign was also posted on the site.

1 reply of support was received.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit "office", "retail", and "automotive uses, restricted" within existing buildings on the subject lands. Possible amendment to the 1989 Official Plan to add a Chapter 10 Specific Area Policy to permit "office", "retail" and "commercial recreation establishments" uses within existing buildings, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation. Possible amendment to The London Plan to add a Specific Policy Area to permit "automotive uses, restricted" within existing buildings, in addition to the uses permitted in the Transit Village Place Type. Possible change to Zoning By-law Z.-1 **FROM** Highway Service Commercial/Restricted Service Commercial (HS/RSC1) Zone **TO** a Highway Service Commercial Special Provision (HS(_)) Zone. Special provisions would add "office", "retail store" and "commercial recreation establishments" to the range of permitted uses, and permit: a westerly interior side yard depth of 1.25m, whereas 4.5m is required; an easterly interior side yard depth of 4.05m, whereas 4.5m is required; a landscaped open space of 8%, whereas 15% is required; and parking to be setback 0m from the ultimate road allowance, whereas 3m is required. The City may also consider additional special provisions

Notice of Revised Application:

On January 20, 2022, Notice of Revised Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 20, 2022.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit "office", "retail", **"commercial recreation establishments" and** "automotive uses, restricted" within existing buildings on the subject lands. Possible amendment to the 1989 Official Plan to add a Chapter 10 Specific Area Policy to permit "office", "retail" and "commercial recreation establishments" uses within existing buildings, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation. Possible amendment to The London Plan to add a Specific Policy Area to permit "automotive uses, restricted" within existing buildings, in addition to the uses permitted in the Transit Village Place Type. Possible change to Zoning By-law Z.-1 from Highway Service Commercial/Restricted Service Commercial (HS/RSC1) Zone to a Highway Service Commercial Special Provision (HS(_)) Zone. Special provisions would add "office", "retail store" and "commercial recreation establishments" to the range of permitted uses, and permit: a westerly interior side yard depth of 1.25m, whereas 4.5m is required; an easterly interior side yard depth of 4.05m, whereas 4.5m is required; a landscaped open space of 8%, whereas 15% is required; and parking to be setback 0m from the ultimate road allowance, whereas 3m is required. The City may also consider additional special provisions.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
1.1.1 b)
1.1.1 e)
1.1.3.1
1.1.3.2
1.1.3.3
1.1.3.4
Section 1.4 – Housing
1.4.3
Section 1.7 – Long Term Economic Prosperity

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)
Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth
Policy 54_ Our Strategy, Key Directions
Policy 59_1, 2, 4, 5, and 8 Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City
Policy 61_10 Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone
Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions
Policy 66_ Our City, Planning for Growth and Change
Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification
Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification
Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification
Policy 256_City Building Policies, City Design, How Are We Going to Achieve This, Site Layout
*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout
*Policy 811 Permitted Uses
*Table 9 Range of Permitted Heights
Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification
Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

Official Plan (1989)

Auto-Oriented Commercial Corridor Policies

11.1. Urban Design Policies

Planning Impact Analysis	
Criteria	**Response**
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land uses contribute to the existing commercial area until such time as the site redevelops in a more comprehensive manner.

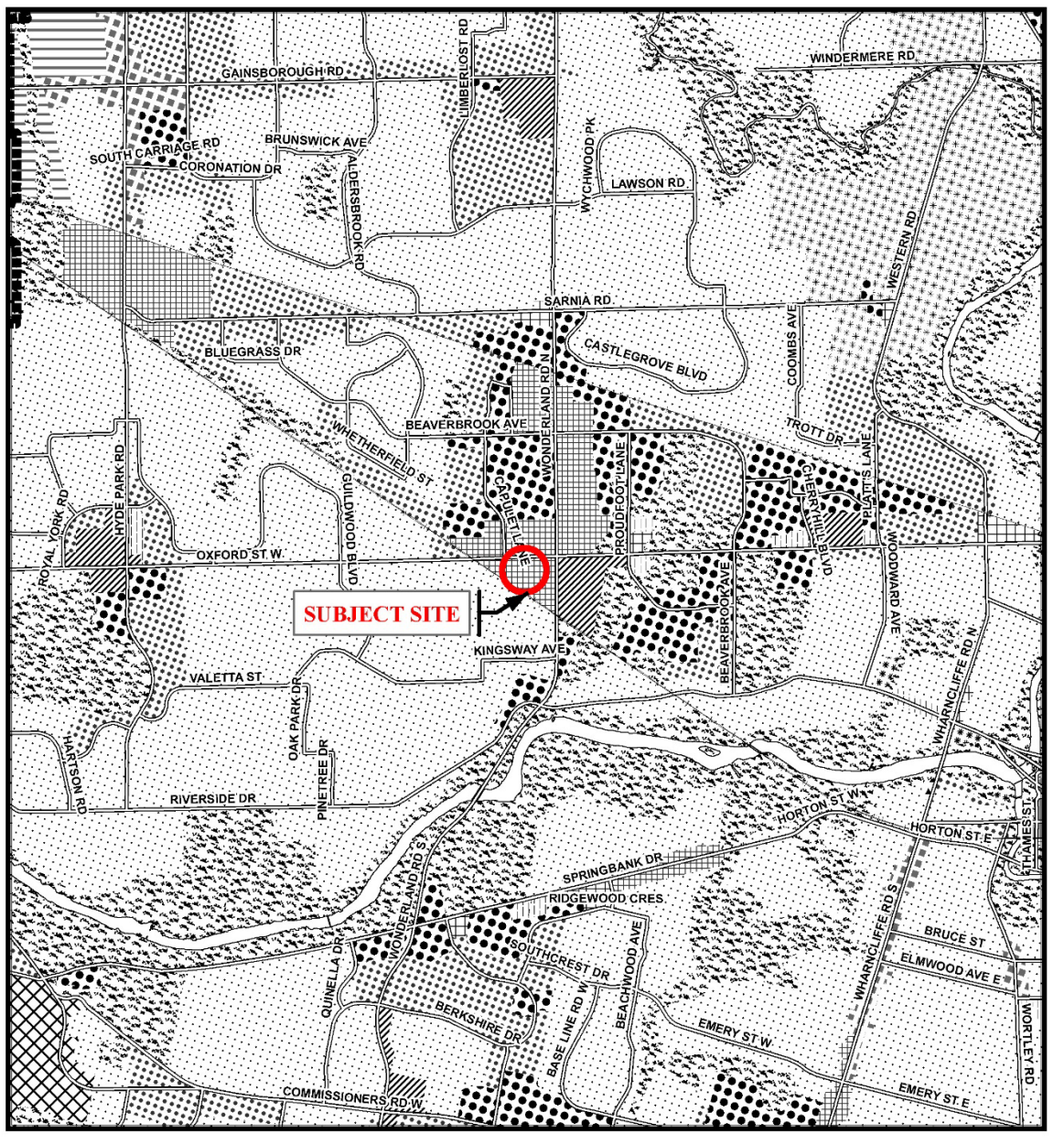
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site is able to accommodate the proposed uses. Special provisions have been recommended to reflect existing conditions.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The height, location and spacing as proposed are all considered appropriate as existing.
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;	Landscaping and screening opportunities through vegetation are appropriate as existing.
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;	Transportation Division has no concerns.
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;	The buildings are existing. At such time as the site redevelops Urban Design policies will be applied.
The potential impact of the development on surrounding natural features and heritage resources;	Not applicable.
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	There are no environmental constraints
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;	The requested amendment is consistent with the recommended Official Plan Amendment and the in-force policies of The London Plan. The buildings are existing and special provisions will be in place to recognize this.
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	Landscaping and setbacks were put in place when the site was developed years ago.
Impacts of the proposed change on the transportation system, including transit	The additional uses on the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.

1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	**Response**
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses;
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal supports Key Directions related to the creation of a compact City and strong, healthy and attractive neighbourhoods.
Conformity with the policies of the place type in which they are located.	The proposal provides for the use and intensity of development that is appropriate until such time as redevelopment occurs in a comprehensive manner within the Transit Village Place Type.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site is serviced by municipal services.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Transportation Division has no concerns.
Noise	The proposed additional uses are not expected to generate any unacceptable noise impacts on surrounding properties.
Parking on streets or adjacent properties.	The site has existing parking which is reflected in the recommendation under a special provision. The existing parking provided is n acceptable for sites located on streets that support a good level of public transportation.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed additional uses will not generate noxious emissions.
Lighting	Lighting details will remain the same which were approved under the previous site plan approval.
Garbage generated by the use.	Garbage facilities will remain the same which were approved under the previous site plan approval.

Privacy	Existing adequate separations were provided between the existing buildings and surrounding properties.
Trees and canopy cover.	Through the previous site plan stage, consideration was given to the removal of some or all of the existing trees in favour of the provision of fencing in combination with new enhanced landscaping

Appendix D – Relevant Background

1989 Official Plan – Schedule A – Land Use



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

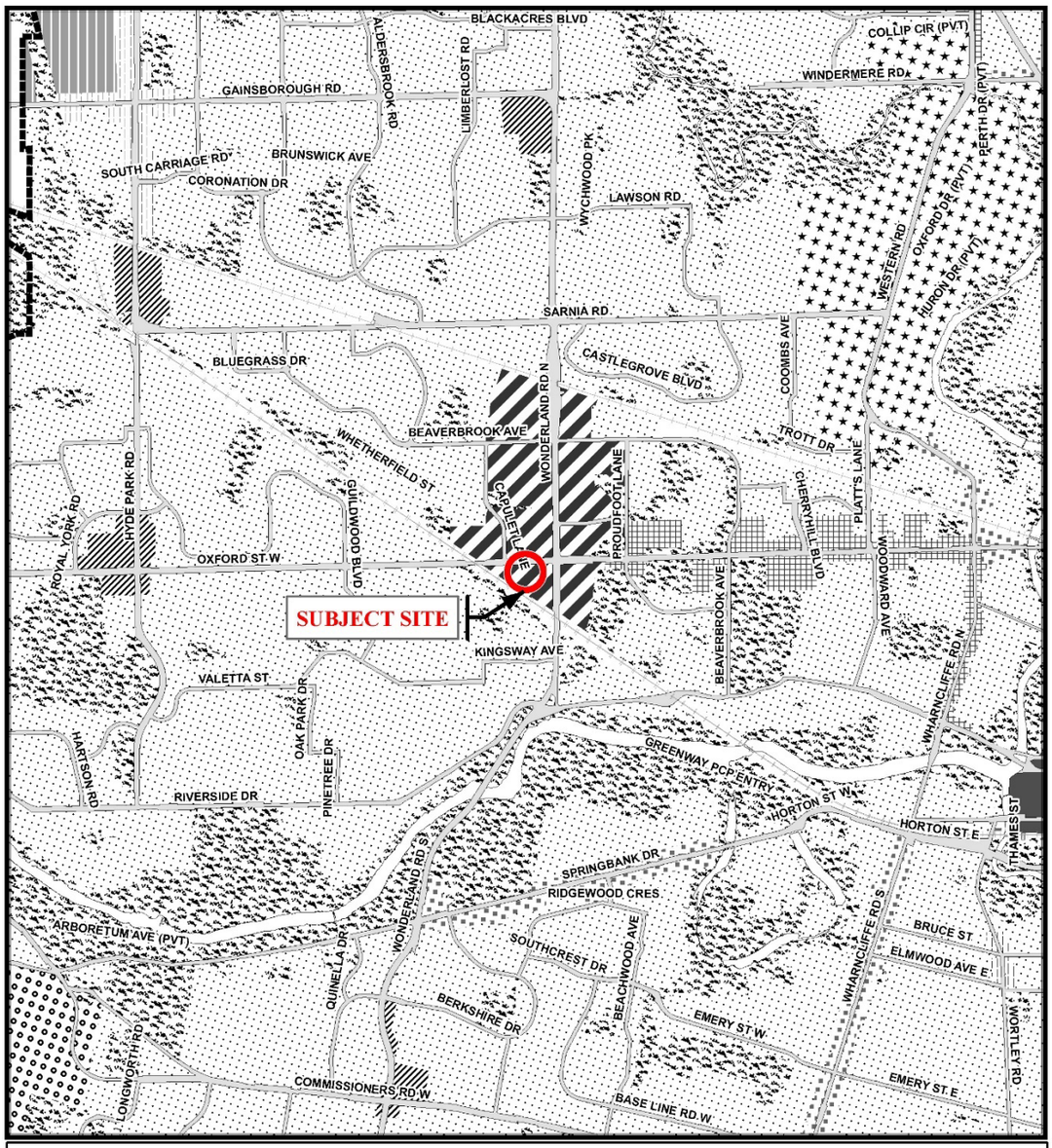
0 155 310 620 930 1,240 1,550

Meters

FILE NUMBER:	OZ-9437
PLANNER:	AR
TECHNICIAN:	RC
DATE:	2022/02/02

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

The London Plan



Legend

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

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

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	OZ-9437
Planner:	AR
Technician	RC
Date:	February 3, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\OZ-9437-Map1-PlaceTypes.mxd

Zoning By-law Z.-1 – Zoning Excerpt

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO: OZ-9437 AR

MAP PREPARED: 2022/02/03 RC

1:1,500

0 5 10 20 30 40 Meters

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers MPA, P. Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **Hyde Construction (c/o Pete Hyde)**
1420 Hyde Park Road
Public Participation Meeting
Date: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Hyde Construction (c/o Pete Hyde) relating to the property located at 1420 Hyde Park Road:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 22, 2022 to amend the Official Plan for the City of London Planning Area – 1989 by **ADDING** a policy to Section 3.5. – Policies for Specific Residential Areas to permit a maximum residential density of 111 units per hectare to align the 1989 Official Plan policies with the Neighbourhood Place Type policies of The London Plan;

(b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on March 22, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London as amended in part (a) above), to change the zoning of the subject property **FROM** a Temporary/Urban Reserve (T-51/UR3) Zone, **TO** a Residential R9 Special Provision (R9-4(_)) Zone;

(c) **IT BEING NOTED** that the following site plan matters were raised during the application review process:

i) provide a strong pedestrian relationship between the inside and the outside of the building at the intersection of Hyde Park Road and South Carriage Road;
ii) provide individual lockable front door entrances to ground floor units on the street-facing elevations and design amenity spaces as open courtyards or front porches to create a pedestrian-oriented streetscape;
iii) provide direct walkway access from ground floor units to the public sidewalk;
iv) co-ordinate the design of the site with the memorial plaza to be constructed by the City at Hyde Park Road/South Carriage intersection;
v) provide further details on the use of the outdoor amenity space at the corner of South Carriage Road and Hyde Park Ave. Remove the wall and fencing to provide for better activation with the street and memorial plaza;
vi) design the space between the building and the right-of-way with a main sidewalk, slightly raised planting beds with trees and foundation plantings generally consistent with the public/private interface approved for other developments within the Hyde Park community;
vii) provide privacy fencing along the west and south property boundaries;
viii) provide enhanced landscaping, including buffering and screening from the development to the existing and future uses on adjacent properties and screening of parking visible from South Carriage Road;
ix) continue the public sidewalk along the South Carriage Road frontage between Hyde Park Road and Prince of Wales Gate to provide better pedestrian connections within the neighbourhood and to Cantebury Park,

noting sidewalk construction will require the removal of nine existing trees located in the City boulevard;
x) provide a centrally located outdoor common amenity space that is sufficiently sized for the number of units proposed;
xi) provide trees and plantings every 15 parking spaces and within all parking islands.
xii) locate the garbage facilities close to the building, away from neighbouring properties;
xiii) provide mitigation measures to address potential on-site conflicts between sidewalks and the parking area, and individual ground floor units and their private amenity areas; and,
xiv) locate and design snow storage areas to retain snow-melt on site.

Executive Summary

Summary of Request

The owner has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands to permit the construction of a new, four (4) storey, 74 unit apartment building with 86 surface parking spaces. Having originally requested a Residential R6 Special Provision (R6-5(_)) Zone, the owner amended the application in response to City staff comments made during the review process to request a Residential R9 Special Provision (R9-4(_)) Zone. The requested Residential R9 Special Provision (R9-4(_)) Zone permits apartment buildings, lodging house class 2, senior citizen's apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities with a standard permitted density of 115 units per hectare and a maximum height to be determined on the Zone Map.

The requested zoning special provisions include a maximum height of 16.0 metres, a reduced maximum density of 111 units per hectare, a minimum front yard depth of 1.5 metres whereas a 10.0 metre depth is required; a minimum exterior side yard depth of 1.5 metres whereas an 8.0 metre depth is required; maximum front and exterior side yard depths of 3.0 metres whereas the requested zone does not specify maximum yard depths; a minimum interior side yard depth of 4.2 metres whereas a 7.2 metre depth is required; and a minimum parking rate of 1.1 spaces per unit whereas a minimum rate of 1.25 spaces per unit is required (82 spaces in place of 95 spaces).

The City also initiated an Official Plan amendment to add a Specific Policy Area in the Multi-family, Medium Density Residential designation to permit a maximum residential density of 111 units per hectare, in place of a maximum density of 75 units per hectare with the potential to bonus up to 100 units per hectare. The intent is to align the 1989 Official Plan policies with The London Plan policies that apply to the site.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a four (4) storey, 74 unit apartment building with 86 surface parking spaces. Special provisions establishing a maximum height of 16.0 metres, a maximum density of 111 units per hectare, minimum and maximum front and exterior side yards, a reduced minimum interior side yard, and a reduced parking rate are recommended to facilitate a development that is appropriate for the site. The recommendation also includes site design matters that were raised during the application review process.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;

2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation;
4. The recommended amendment facilitates the development of a site immediately adjacent to the Built-Area Boundary in an area planned for the logical expansion of urban residential development.

Linkage to the Corporate Strategic Plan

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

Climate Emergency

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is comprised of one lot located at the southwest corner of the intersection of Hyde Park Road and South Carriage Road. Formerly the site of a single detached dwelling and related outbuildings, the site is currently vacant and has a frontage of 65.8 metres along Hyde Park Road and an area of 0.67 hectares.

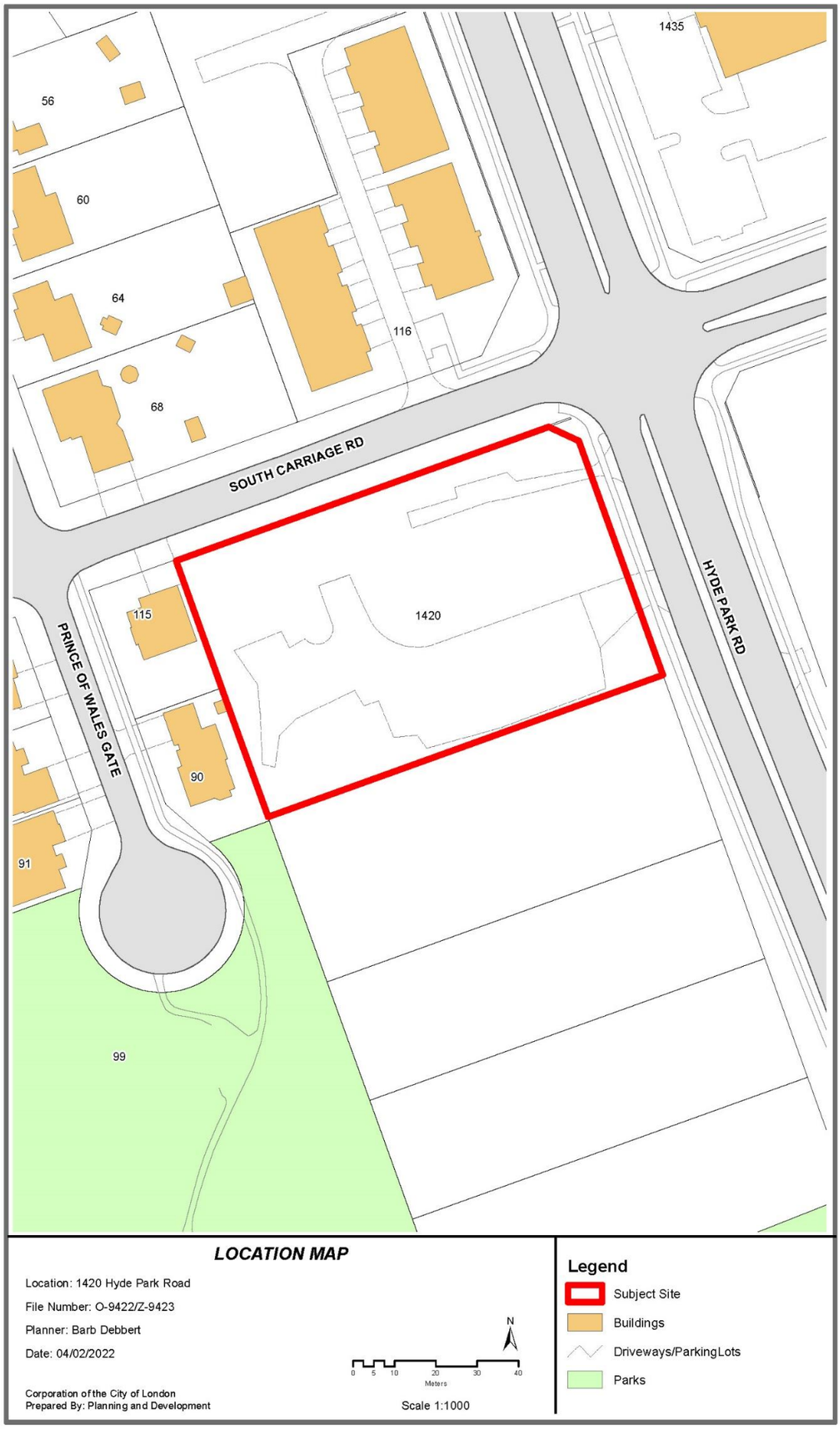
Hyde Park Road is an arterial road with an average annual daily traffic volume north of South Carriage Road of 27,500 vehicles per day, and south of South Carriage Road of 28,500 vehicles per day. South Carriage Road is a local street. The intersection is signalized with dedicated left turn lanes on Hyde Park Road in both directions. Public sidewalks are available along both sides of Hyde Park Road, with no public sidewalk on the portion of South Carriage Road that fronts the subject lands.

The subject property is also directly adjacent to the chosen location for the erection of a memorial plaza, mural and Community Garden in honour of Our London Family authorized by City Council at its February 15, 2022 meeting. City staff have initiated co-ordination of the design and features of the municipal installation with the proposed future private development.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type (intersection of a Civic Boulevard and a Neighbourhood Street)
- Existing Zoning – Temporary/Urban Reserve (T-51/UR3) Zone

1.4 Location Map



1.5 Site Characteristics

- Current Land Use – vacant
- Frontage – 65.8 metres
- Depth – 101.5 metres
- Area – 0.67 hectares
- Shape – rectangular

1.6 Surrounding Land Uses

- North – townhouses, single detached dwellings
- East – commercial, high-rise apartment building, vacant land (Main Street Place Type - subject to Planning File OZ-9438)
- South – vacant land (Neighbourhoods Place Type), Cantebury Park (soccer pitch and playground).
- West – single detached dwellings

1.7 Intensification

The proposed 74 residential units do not contribute to residential intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Original Development Proposal (September 2021)

On September 27, 2021, the City accepted a complete application that proposed a four (4) storey, 74 unit apartment building with 95 surface parking spaces accessed from South Carriage Road. The proposed building is oriented to and situated close to both Hyde Park Road and South Carriage Road. The original site concept is shown in Figure 1. The original building renderings and elevations are shown in Figures 2 through 5.

Figure 1: Original Site Concept Plan

Figure 2: Original View from Intersection of Hyde Park Road and South Carriage Road


Figure 3: Original View from South Carriage Road

Figure 4: Original Aerial View from Above Hyde Park Road and South Carriage Road

Figure 5: Original Aerial View Above South Carriage Road and Prince of Wales Gate

2.2 Revised Development Proposal (January 31, 2022)

On January 31, 2022, the applicant requested a revision to the application in response to concerns raised by City staff. The requested number of units and number of storeys remains the same as the original request. The revisions include:

- A more centralized and appropriately sized amenity space added in the south-east corner of the parking lot;
- Changes to the parking area to meet technical requirements for landscape islands and to relocate the garbage moloks closer to the building;
- Redesign of the parking area to resolve lay-by conflict with a parking space;
- Reduction in the number of proposed parking spaces to accommodate these changes;
- Architectural changes include accommodation for a parapet feature at the top of the building resulting in a height increase of 2.5 metres.

The revised site concept is shown in Figure 6. Revised building renderings are shown in Figures 7 through 9.

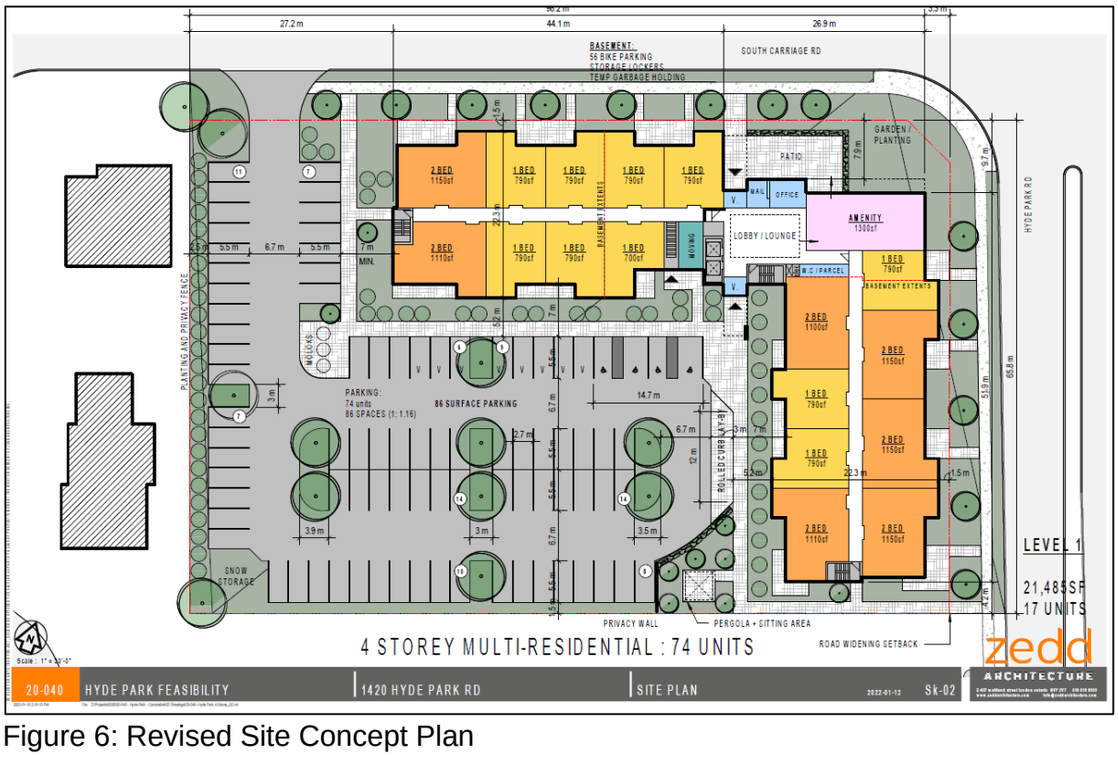


Figure 6: Revised Site Concept Plan

Figure 7: Revised View from Intersection of Hyde Park Road and South Carriage Road


Figure 8: Revised View from South Carriage Road


Figure 9: Revised Aerial Views from Two Angles

2.3 Original Requested Amendment (September 2021)

The applicant originally requested a change in zoning from a Temporary/Urban Reserve (T-51/UR3) Zone to a Residential R6 Special Provision (R6-5(_)) Zone, which permits a range of housing types from single detached dwellings to stacked townhouses and

apartment buildings, with a maximum height of 12.0 metres and a maximum density of 35 units per hectare. Special zoning provisions were requested for:

- a maximum density of 111 units per hectare;
- minimum front and exterior side yard depths of 1.5 metres where 8.0 and 6.0 metre yards depths are required, respectively;
- a minimum interior side yard depth of 4.2 metres whereas a 6.0 metre depth is required; and,
- a maximum height of approximately 13.5 metres whereas a maximum height of 12.0m is permitted.

2.4 Revised Requested Amendment (January 31, 2022)

On January 31, 2022, the applicant requested a revision to the application to implement the design modifications and to respond to staff concerns that the requested Residential R6 Special Provision (R6-5(_)) Zone did not appropriately reflect the intended density of development. The applicant requested a Residential R9 Special Provision (R9-4(_)) Zone, which permits apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities with a maximum height to be determined through site-specific zoning, and a maximum density of 115 units per hectare. Special zoning provisions were requested for:

- a maximum density of 111 units per hectare (uph) in place of a maximum density of 115 uph;
- a maximum height of 16.0 metres whereas a maximum height is to be determined on the zone map;
- a minimum front yard depth of 1.5 metres whereas a 10.0 metre depth is required;
- a minimum exterior side yard depth of 1.5 metres whereas an 8.0 metre depth is required;
- maximum front and exterior side yard depths of 3.0 metres whereas the requested zone does not specify maximum yard depths;
- a minimum interior side yard depth of 4.2 metres whereas a 7.2 metre depth is required; and,
- a minimum parking rate of 1.1 spaces per unit whereas a minimum rate of 1.25 spaces per unit is required (82 spaces in place of 95 spaces).

2.5 Community Engagement (see more detail in Appendix C)

Written responses were received from, or on behalf of, 2 households.

The public’s concerns generally dealt with the following matters:

- Height
- Density
- Use of Special Provisions to allow additional development
- Insufficiency of park facilities to accommodate additional residents
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic impacts/cut-through traffic on Prince of Wales Gate north of South Carriage Road
- Drainage impacts on neighbouring properties
- Loss of property value

2.6 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2020

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

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The London Plan

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

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

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

The site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard (Hyde Park Road) and a Neighbourhood Street, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as townhouses, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 2 storeys, and the maximum permitted height is 4 storeys, with the potential to bonus up to six storeys. (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

1989 Official Plan

The subject site is designated Multi-family, Medium Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The Multi-family, Medium Density Residential designation permits multiple-attached dwellings, such as row houses or cluster houses, low-rise apartments buildings, rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged. Development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential

areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3).

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application. The sidewalk extension to be constructed between Hyde Park Road and Prince of Wales Gate on the south side of South Carriage Drive is eligible for Development Charges funding.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The London Plan

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed four (4) storey apartment building would contribute to the existing mix of housing types currently available in the area.

The subject site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard and a Neighbourhood Street. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921_). At this location, Table 10 would permit a range of low-rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments. (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii). The subject property is designated Multi-family, Medium Density Residential in the 1989 Official Plan. This designation contemplates multiple-attached dwellings, such as row houses or cluster houses, low-rise apartments buildings, rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended low-rise apartment building will contribute to the existing range and mix of housing types in the area, which consists of one and two-storey single detached dwellings to the immediate west and north, townhouses to the north, and commercial uses, high rise apartments, street townhouses and single-detached dwellings to the east. The recommended amendment facilitates the development of a 4-storey apartment building with 74 units providing choice and diversity in housing options for both current and future residents while developing an underutilized vacant site within a settlement area. No new roads or public service infrastructure are required to service the site except for a DC eligible sidewalk extension, making efficient use of land and existing services. The property has suitable access to open space, transit, community facilities and shopping areas. While the recommended apartment building has a different intensity and built form than existing surrounding development, the analysis of intensity and form below demonstrates that the apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The London Plan

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit within 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 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property is located at the intersection of a Civic Boulevard and a Neighbourhood Street (*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

Development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3). Locational criteria for development in Multi-family, Medium Density Residential development shall consider surrounding land uses in terms of height, scale and setbacks, and the adequacy of municipal services. Traffic to and from the location should not have a significant impact on stable, low density residential areas, and the site or area should be of a suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses (3.3.2).

Analysis:

The subject lands have frontage on a Civic Boulevard (Hyde Park Road), which is a higher-order street, to which higher-intensity uses are directed. The subject lands have convenient access to the variety of office and commercial uses clustered at the intersection of Hyde Park Road and Gainsborough Road, and a broader range of services, stores and facilities located in the commercial centres at Hyde Park Road and Oxford Street to the south, and Hyde Park Road and Fanshawe Park Road to the north. The property lies within an area characterized by the mix of various housing forms ranging from single detached dwellings to townhouses and high-rise apartment buildings. The subject lands are of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site, previously developed with a single detached dwelling within a settlement area. The increased intensity of development on the site will make use of existing transit services, nearby active and passive recreation opportunities, and commercial uses. The subject property is located in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment. While the proposal complies with the maximum standard height of four (4) storeys in The London Plan, the requested density of development exceeds that normally permitted by the 1989 Official Plan.

The proposed development of 74 new apartment units equates to 111 units per hectare and does not conform to the maximum density of 75 units per hectare, with possible bonusing up to 100 units per hectare contemplated in the Multi-family, Medium Density Residential designation of the 1989 Official Plan. It is for this reason that a city-initiated Official Plan amendment has been recommended.

It has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan, and therefore a specific policy is recommended to allow for additional density for this development. Additional measures addressing the impacts of the proposed intensity on surrounding lands have been reviewed. The recommended zoning provisions provide assurances that an appropriate level of intensity will be permitted on the site.

Yard Reductions

Members of the public expressed concerns about the requested yard reductions as an indicator of too much development on the site. The requested front and exterior yard reductions to 1.5 metres are for the purposes of allowing building placement closer to property lines in support of contemporary urban design principles, as well as design flexibility. Maximum front and exterior side yard depths are also recommended to ensure the building forms a street edge. The requested interior yard reduction from 7.2 metres to 4.2 metres does provide for additional opportunities for more units on the site than would be achievable within the standard height restriction. It provides sufficient space along the southerly property line for landscape buffering, while providing for a strong street wall with minimal breaks between buildings and potential future development to the south.

No reduction to the rear yard depth is proposed. The parking area and landscape buffer along the west property line provide sufficient mitigation of potential overlook and privacy impacts with the two single detached dwellings located to the immediate east and fronting on Prince of Wales Gate.

Parking Reduction
The revised application includes a parking reduction request from 1.25 spaces per unit to 1.1 spaces per unit, with an effective reduction in the required number of parking spaces from 95 to 82. Eighty-six parking spaces are shown on the revised site plan concept; the requested rate includes the potential for the removal of an additional 4 parking spaces to facilitate further greening of the site if it is considered appropriate at the site plan approval stage. The reduced parking rate is a common and acceptable modern standard for sites located on streets that support public transportation, such as Hyde Park Road.

Traffic Impacts
A Traffic Impact Assessment will be required at the site plan approval stage to address whether anticipated traffic pattern changes will have a negative impact due to a possible increase in traffic volume on Prince of Wales Gate north of South Carriage Road. On a preliminary basis, impacts are expected to be minimal, as the signalized intersection at Hyde Park Road and South Carriage Road provides controlled access for both north and southbound traffic.

Overall, the addition of traffic volume from a 74 unit development on South Carriage Road will have a negligible impact and is not an impediment to the proposed development.

Impact on Stormwater Flows
One of the neighbours to the immediate east expressed that given the existing surface topography of the subject lands they are concerned with rain water and melt water from snow storage facilities draining onto their properties resulting in flooding.

The City requires stormwater flows to be self-contained on site, up to the 100-year event and safely convey up to the 250-year storm event. Stormwater run-off from the subject lands is not permitted to cause any adverse effects to adjacent or downstream lands.

The location and design of snow storage areas to prevent snow melt onto adjacent properties has been identified in the staff recommendation as a matter to be considered at the site plan approval stage.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and The London Plan. An amendment to the 1989 Official Plan is recommended to align the policies with The London Plan and support of a development that is of an appropriate intensity within the existing and planned context of the area.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

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

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

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

1989 Official Plan

Development within areas designated Multi-family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii)).

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Located adjacent to a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed apartment building represents a more compact form of development than the single detached dwelling that formerly occupied the site.

The location and massing of the proposed building is consistent with urban design goals. The building is proposed to be situated close to the intersection of Hyde Park Road and South Carriage Road, defining the street edge and encouraging a street-oriented design with ground floor entrances facing the streets. The preliminary building design includes building articulation, rhythm, materials, fenestration, and balconies along both public street frontages. The recommended zoning includes minimum front and exterior side yard depths of 1.5 metres and maximum front and exterior side yard depths of 3.0 metres to provide for the required design flexibility while ensuring the building continues to be located close to the street.

The parking area is located behind the building and does not extend into the exterior side yard beyond the building façade. Adequate space is provided around the edges of the parking lot to provide for appropriate screening of the parking from the street and adjacent to abutting properties.

The proposed building is taller than the surrounding single detached dwellings to the immediate west, and the townhouses opposite the proposed development on the north side of South Carriage Road. The proposed building placement provides for a suitable separation between the proposed development and existing homes, mitigating compatibility concerns including loss of privacy. Sufficient space is available to provide for appropriate fencing and/or vegetative screening along the west and south property boundaries adjacent to existing and possible future development.

City staff have evaluated the detailed Planning Impact Analysis criteria within the 1989 Official Plan and the Evaluation Criteria for Planning and Development Applications in the Our Tools section of The London Plan and are satisfied that these criteria are met through the recommended Zoning By-law amendment or can be met through the site plan approval process.

The review by City staff relating to urban design and site plan matters and comments from the Urban Design Peer Review Panel highlighted various considerations for more detailed design to be completed at the site plan approval stage. The design refinements illustrated on the revised site concept plan provide certainty with respect to appropriate

building location and massing, centralized amenity space, and buffering and parking lot design standards in order to establish suitable zoning regulations. At the site plan approval stage, City staff will continue work already underway with the applicant to implement building and site design features in the final approved drawings and development agreement, including:

- provide a strong pedestrian relationship between the inside and the outside of the building at the intersection of Hyde Park Road and South Carriage Road;
- provide individual lockable front door entrances to ground floor units on the street-facing elevations and design amenity spaces as open courtyards or front porches to create a pedestrian-oriented streetscape;
- provide direct walkway access from ground floor units to the public sidewalk;
- co-ordinate the design of the site with the memorial plaza to be constructed by the City at Hyde Park Road/South Carriage intersection;
- provide further details on the use of the outdoor amenity space at the corner of South Carriage Road and Hyde Park Ave. Remove the wall and fencing to provide for better activation with the street and memorial plaza;
- design the space between the building and the right-of-way with a main sidewalk, slightly raised planting beds with trees and foundation plantings generally consistent with the public/private interface approved for other developments within the Hyde Park community;
- provide privacy fencing along the west and south property boundaries;
- provide enhanced landscaping, including buffering and screening between the development and existing and future uses on adjacent properties and screening of parking visible from South Carriage Road;
- continue the public sidewalk along the South Carriage Road frontage between Hyde Park Road and Prince of Wales Gate to provide better pedestrian connections within the neighbourhood and to Cantebury Park, noting sidewalk construction will require the removal of nine existing trees located in the City boulevard;
- provide a centrally located outdoor common amenity space that is sufficiently sized for the number of units proposed;
- provide trees and plantings every 15 parking spaces and within all parking islands.
- locate the garbage facilities close to the building, away from neighbouring properties;
- provide mitigation measures to address potential on-site conflicts between sidewalks and the parking area, and individual ground floor units and their private amenity areas.

These have been included as matters of note in the staff recommendation for the Site Plan Approval Authority to consider through the site plan approval process.

The proposed development is of a suitable form to meet high level urban design goals. Further minor refinements of site and building design will result in a development that is compatible with, and a good fit, with the existing and planned context of the area.

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. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation. The recommended amendment will facilitate the development of an underutilized vacant site situated immediately adjacent to the Built-Area Boundary in an area planned for the logical expansion of urban residential development, with a land use, intensity, and form that is appropriate for the site.

Prepared by:	**Barb Debbert** **Senior Planner, Development Services**
Reviewed by:	**Mike Corby, MCIP, RPP** **Manager, Planning Implementation**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers MPA, P. Eng.** **Deputy City Manager, Planning and Economic Development**

cc:
Heather McNeely, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

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 1420 Hyde Park Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to the 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(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on March 22, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 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 in Section 3.5. 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 1420 Hyde Park Road 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 in the form of a low-rise apartment building, located at the intersection of a high-order street and local 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 and mix of uses to accommodate a diverse population of various ages and abilities.

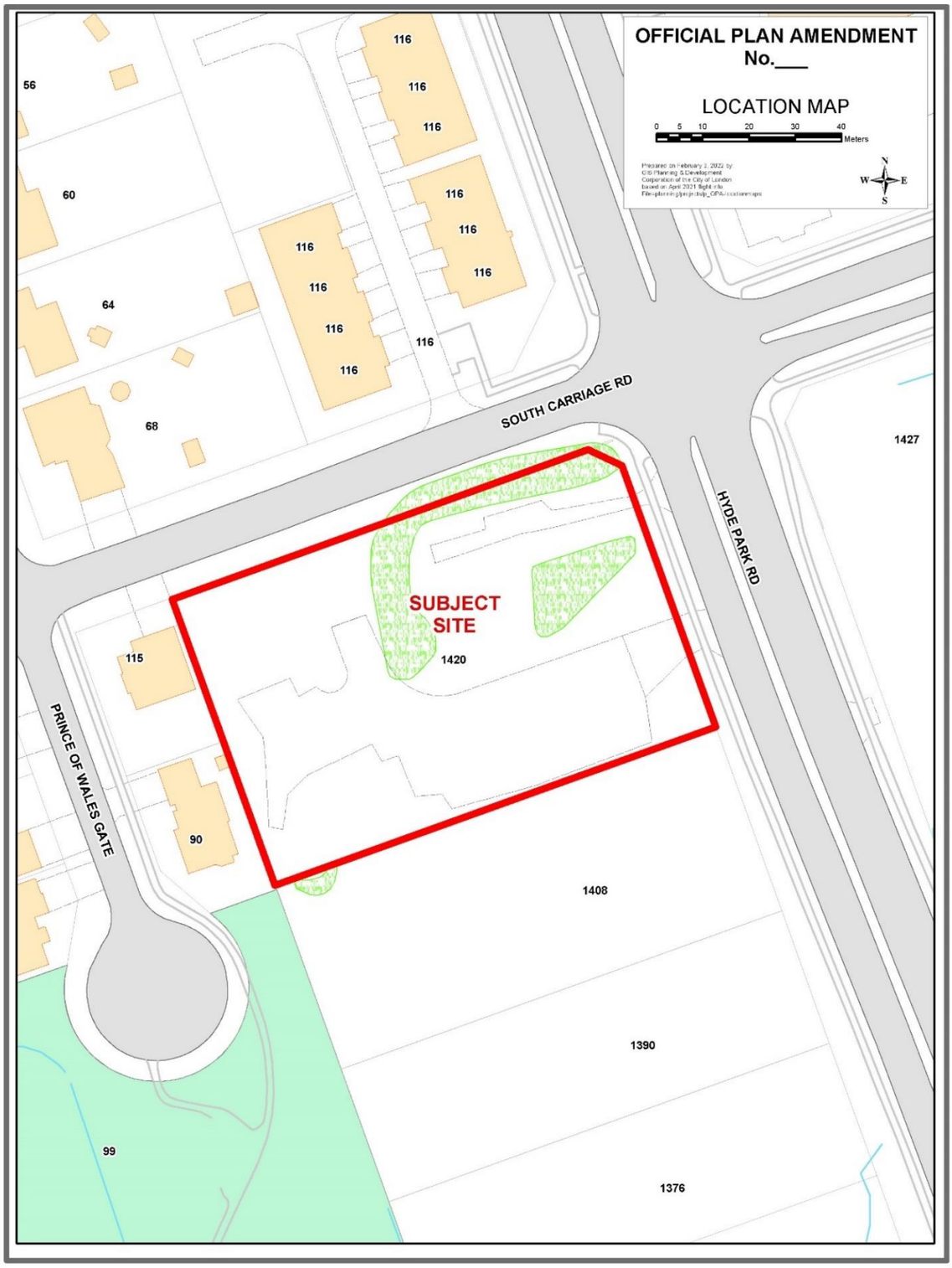
D. THE AMENDMENT

The Official Plan for the City of London Planning Area - 1989 is hereby amended as follows:

1. Section 3.5. – Policies for Specific Residential Areas of the Official Plan for the City of London – 1989 is amended by adding the following:

1420 Hyde Park Road

( ) At 1420 Hyde Park Road, residential development for the permitted uses of the Multi-family, Medium Density Residential designation may be permitted with a maximum density of 111 units per hectare. The City Design policies of The London Plan shall apply.


OFFICIAL PLAN AMENDMENT
No.___
LOCATION MAP
0 5 10 20 30 40
Meters
N
W E
S
SOUTH CARRIAGE RD
HYDE PARK RD
PRINCE OF WALES GATE
SUBJECT SITE
1420
56
60
64
68
116
115
90
99
1427
1408
1390
1376

Appendix B

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1420 Hyde Park Road.

WHEREAS Hyde Construction (c/o Pete Hyde) has applied to rezone an area of land located at 1420 Hyde Park Road, 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 1420 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101, from a Temporary/Urban Reserve (T-51/UR3) Zone, to a Residential R9 Special Provision (R9-4(_)) Zone.

2) Section Number 13.4 of the Residential R9 (R9-4) Zone is amended by adding the following Special Provision:

) R9-4( ) 1420 Hyde Park Road

a) Regulations

i)	Front Yard Depth (Minimum)	1.5 metres (4.92 feet)
ii)	Front Yard Depth (Maximum)	3.0 metres (9.84 feet)
iii)	Exterior Side Yard Depth (Minimum)	1.5 metres (4.92 feet)
iv)	Exterior Side Yard Depth (Maximum)	3.0 metres (9.84 feet)
v)	Interior Yard Depth (Minimum)	4.2 metres (13.78 feet)
vi)	Height (Maximum)	16.0 metres (52.49 feet)
vii)	Density (Maximum)	111 units per hectare
viii)	Parking (Minimum)	1.1 spaces per unit

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

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

Section 34 of the *Planning Act*, *R.S.O. 1990, c. P13,* either upon the date of the passage of this by-law or as otherwise provided by the said section.

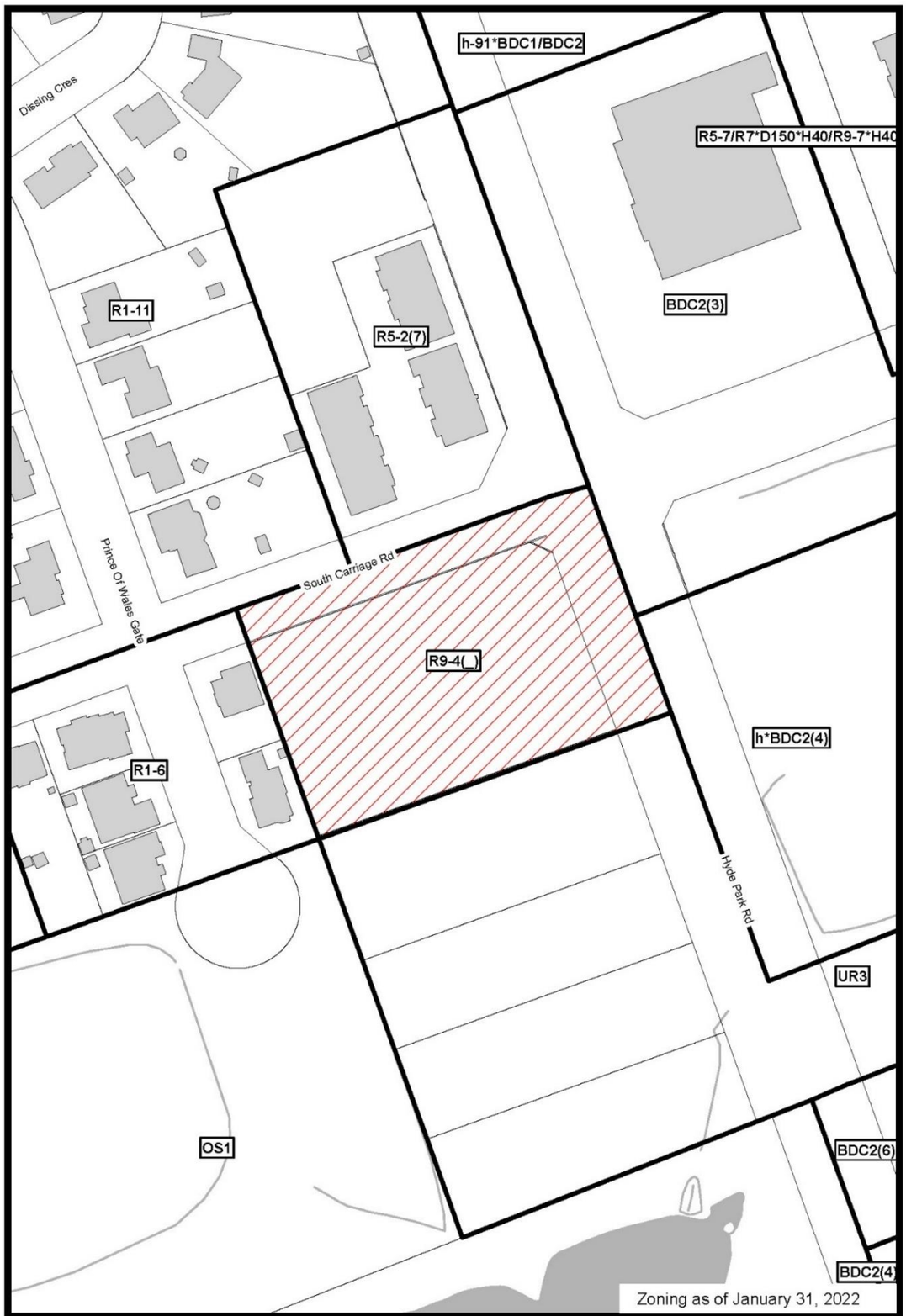
PASSED in Open Council on March 22, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 2022

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



File Number: O-9422/Z-9423

Planner: BD

Date Prepared: 2022/02/04

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:1,500

0 5 10 20 30 40 Meters

Geodatabase

Appendix C – Public Engagement

Community Engagement

Notice of Application (October 20, 2021):

On October 20, 2021, Notice of Application was sent to 39 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 21, 2021. A "Planning Application" sign was also posted on the site.

Replies were received from, or on behalf of, 2 households.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a four-storey apartment building with 74 dwelling units. Possible amendment to the 1989 Official Plan to **ADD** a specific area policy to the Multi-family, Medium Density Residential designation to permit a maximum residential density of 111uph, in place of a maximum density of 75uph with the potential to bonus up to 100uph. The intent is to align the 1989 Official Plan policies with The London Plan policies that apply to the site. Possible change to Zoning By-law Z.-1 **FROM** a Temporary/Urban Reserve (T-51/UR3) Zone **TO** a Residential R6 Special Provision (R6-5(_)) Zone to permit a 4 storey (13.5m) apartment building with a maximum density of 111uph. Special Provisions are requested to: permit a minimum front yard depth of 1.5m whereas an 8.0m depth is required; a minimum exterior yard depth of 1.5m whereas a 6.0m depth is required; a minimum interior side yard depth of 4.2m whereas a 6.0m depth is required, and a maximum height of approximately 13.5m whereas a maximum height of 12.0m is permitted. For the requested zoning, the City may also consider establishing a maximum front yard depth.

Revised Notice of Application (February 8, 2021):

On February 8, 2021, a revised Notice of Application was sent to 41 property owners in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 10, 2022.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a four-storey apartment building with 74 dwelling units. Possible amendment to the 1989 Official Plan to **ADD** a specific area policy to the Multi-family, Medium Density Residential designation to permit a maximum residential density of 111uph, in place of a maximum density of 75uph with the potential to bonus up to 100uph. The intent is to align the 1989 Official Plan policies with The London Plan policies that apply to the site. Possible change to Zoning By-law Z.-1 **FROM** a Temporary/Urban Reserve (T-51/UR3) Zone **TO** a Residential R9 Special Provision (R9-4(_)) Zone to permit a 4 storey (13.5m) apartment building with a maximum density of 111uph. Special Provisions are requested to permit: a maximum density of 111uph in place of a maximum density of 115uph; a maximum height of 16.0m whereas a maximum height is to be determined on the zone map; a minimum front yard depth of 1.5m whereas a 10.0m depth is required; a minimum exterior side yard depth of 1.5m whereas an 8.0m depth is required; maximum front and exterior side yard depths of 3.0m whereas the requested zone does not specify maximum yard depths; a minimum interior side yard depth of 4.2m whereas a 7.2m depth is required; and a minimum parking rate of 1.1 spaces per unit whereas a minimum rate of 1.25 spaces per unit is required (82 spaces in place of 95 spaces).

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

Concern for:

- Height
- Density
- Use of Special Provisions to allow additional development
- Insufficiency of park facilities to accommodate additional residents
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook

- Light/Noise impacts
- Traffic impacts/cut-through traffic on Prince of Wales Gate north of South Carriage Road
- Drainage impacts on neighbouring properties
- Loss of property value

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Paul-Virgil Terek 90 Prince of Wales Gate London ON N6H 5M2
	you ja An 68 Prince of Wales Gate London ON N6H 5M2

Paul-Virgil Terek
90 Prince of Wales GateLondon, Ontario
N6H 5M2

November 4, 2021

Barb Debbert – Planner
bdebbert@london.ca
Planning & Development - City of London
300 Dufferin Ave., 6th Floor
PO Box 5035
London, Ontario
N6A 4L9

CC: Josh Morgan – jmorgan@london.ca

Re: File: O-9422/Z-9423 / October 20, 2021
Official Plan & Zoning By-Law Amendments on 1420 Hyde Park Road
https://london.ca/business-development/planning-development-applications/planning- applications/1420-hyde-park-road

Dear Ms. Debbert,

We knew that a day for a development on the corner lot of this neighborhood would come, butwe had to wait more than 10 years for it. Unfortunately, the proposal presented is far from what we hoped to see coming up in our neighborhood.

General Issues
The "medium density" solution proposed by the City for the 1420 Hyde Park lot (Lot) is in our opinion unsuitable for the existing Sub-division.

1. The existing Sub-division (which includes this Lot) is a "low density" zone of single detached dwellings, with the exception of an insignificant number of townhouses. All structures are 1 or 2-levels in height.
2. The **unmodified** re-zoning proposed for the Lot provides enough building options without requiring "special provisions." The "special provisions" are simply a permit to crammore units than would be reasonable in a lot this size, to maximize tax income. No special provisions should be permitted!
3. The proposed 4-level apartment building with 111 units/hectare density is, in fact, a **HIGH-DENSITY** solution, in contradiction with London's 1989 Official Plan designation of this land as "a Multi-family, **Medium Density** Residential" area.
   A 3-level structure, in the same configuration, would not conflict with the Official Plan provision in respect to density, would need less or no Special Provisions, allowing the inclusion of more green space, less parking, and less pollution. This

would blend more easilywith the rest of the sub-division.

4. Despite the Lot's small size, the intended building is designed to accommodate 78 units,translatable to 78 families. This would double the number of families in the entire Sub- division. How is this a logical balance in maintaining an urbanistic/architectural aspect of the existing Sub-division? This Sub-division has no sidewalks, no street-lighting, and a park with two swings and a slide! Where are all these people supposed to recreate?
5. Of all the "permitted uses" listed for the new zoning, a 4-level apartment building is the worst choice for this area, as it conflicts with the existing neighborhood in a radical manner.

Project Issues

The "Special Provisions" of the Project imply a number of drastic alterations from the required conditions of the Zoning: reducing minimum depth towards the dividing lines (vicinities), increased maximum number of units/hectare for a medium density to the range of high density (111 vs 100), and increased height limit (13.5m vs 12m). All these provisions are affecting the neighboring properties negatively, by reducing privacy, increasing noise, therefore, lowering property values.

1. The position of the garbage collection Moloks and the Snow Storage area are directly against the nearest properties. This is ridiculous when there is the obvious option of placing both of these areas to the south of the Lot, at a substantial distance from nearby homes.
2. At present, the elevation of the Lot is such that rain water and melt water on the Lot drain into the two neighboring yards to the west, causing unnecessary flooding. In order to prevent this situation, Lot elevation and grading must prevent further water diversion onto the properties to the west. <u>All water should drain towards the center of the Lot</u>. This information is **not** provided in the Site Concept drawing.
3. Minimum 8-foot SoftSound Noise Wall Barriers should be installed on the property line towards the west (between the parking lot and the back yards of the homes to the west) in order to provide privacy and a proper sound and emission barrier.

Why is there no "presentation billboard" erected on the Lot site to inform all tax-payingproperty owners of the Sub-division of these plans?

Perhaps it is to avoid further criticism!

Thank you,

Paul Terek

From: [you ja Ann]
Sent: Tuesday, November 2, 2021 1:48 AM
To: Debbert, Barb <bdebbert@London.ca>
Subject: [EXTERNAL] Fwd: 1420 Hyde Park Road

I am you ja An
Home address: 68 prince of Wales gate london ontario Canada

l am writing to express my strong opposition to the proposed rezoning and construction of condominium at 1420 Hyde Park Rd.

The proposed planning will cause traffic and safety problems for pedestrians, invasion of privacy and potentially lower the property value of existing community.
Planner Note: A friend of the owners of 68 Prince of Wales Gate also contacted City staff by telephone on the owner's behalf. In more detail, there was a concern about the loss of back yard privacy, driveway conflicts, traffic volume, and additional cut-through traffic from the development west on South Carriage Drive and then north on Prince of Wales Gate to use the Gainsborough and Hyde Park intersection instead of the South Carriage and Hyde Park intersection.

Paul-Virgil Terek
90 Prince of Wales Gate
London, Ontario
N6H 5M2

February 22, 2022

Barb Debbert – Planner
bdebbert@london.ca
Planning & Development - City of London
300 Dufferin Ave., 6th Floor
PO Box 5035
London, Ontario
N6A 4L9

CC: Josh Morgan – jmorgan@london.ca

Re: File: O-9422/Z-9423 / February 08, 2022
Official Plan & Zoning By-Law Amendments on 1420 Hyde Park Road
https://london.ca/business-development/planning-development-applications/planning- applications/1420-hyde-park-road

Dear Ms. Debbert,

The Revised amendment on the specified Official Plan and Zoning on location 1420 Hyde Park Road is not responding to any of the issues of concern (general issues or project issues), we brought up to your attention in our first letter, dated Nov.04, 2021.

We noticed very few changes done, mostly just esthetics, **ignoring completely the major issue of the size of the building and the impact to the neighbourhood.** These problems were in detail reasoned in our letter, but not dealt with or taken into consideration!

One change to be noticed is the the Requested Zoning change, from R6-5(…) to the R9-4(…). Without going into the specifics of the new zoning, we see it as just an attempt to enter into a more “tolerant” legal frame to accommodate the too numerous and excessive Special Provisions of the Application.

In fact, **NONE** of our project/design observations were addressed, with only one exception: the relocation of the Moloks!

Some of the design issues that **MUST be addressed** are:

- The **Snow Storage** area. This location will direct more water to our property from melting snow. A common-sense location should be on the south side of the Lot, at a substantial distance from nearby homes.
- The **elevation and grading** of the Lot MUST prevent further water diversion onto the properties to the west. All water should drain towards the centre of the Lot.
- The **privacy fence** on the property line towards the west shall be a minimum 8-foot “SoftSound Noise Wall” in order to provide privacy and a proper sound and emission barrier for the surrounding properties.

Thank you,

Paul V. Terek, P.Eng.

Departmental and Agency Comments

Urban Design (November 25, 2021, modified January 5, 2022)

- Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
- Provide elevations for all four sides of the proposed building with materials, colours and dimensions labelled. Further urban design comments may follow upon receipt of the elevations.
- This proposal is located within the Hyde Park Community Plan. Consistent with the Hyde Park Community Plan Guidelines, please incorporate the following:
    - Design the space between the building and the ROW so it is generally consistent with the design that has been implemented for other developments in the area.
        - Provide a main sidewalk along the curb edge with a 2m clearway between the curb and the start of planters. This should include a 0.25m exposed aggregate band on either side of a 1.5m concrete sidewalk.
        - Provide a combination of large planting beds for trees and foundation plantings between sidewalks and the face of the building with individual walkways to the ground floor unit entrances. Planters should be close to the walkway.
        - Ensure the planters are aligned parallel to the street with a 0.15m curb to clearly define the clearway. Include two trees per planter with other assorted low laying plantings.
- Provide individual entrances to ground floor units on the street facing elevations and design amenity spaces as open courtyards or front porches to create a pedestrian-oriented streetscape. Provide direct walkway access from ground floor units to the public sidewalk.
- Continue the sidewalk along the South Carriage Road frontage to provide a better connection to Prince of Wales Gate/Cantebury Park.
- Provide a centrally located outdoor common amenity space that is sufficiently sized for the number of units proposed.
- Provide enhanced landscaping to screen any parking that is visible from the South Carriage Road.
- Extend the walkway located along the east side of the building to South Carriage Road.
- Provide trees and plantings every 15 parking spaces and within all parking islands.

Urban Design (additional comments – February 16, 2022)

Please see below for UD comments related to the zoning application at 1420 Hyde Park Road. Many of these comments can be dealt with at the Site Plan phase.

- Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
- Include the details of the anticipated memorial at the corner of South Carriage Road and Hyde Park Road and incorporate it into the overall design of the site.
- Provide further details on the use of the outdoor amenity space at the corner of South Carriage Road and Hyde Park Ave. Remove the wall and fencing to provide for better activation with the street.
- This proposal is located within the Hyde Park Community Plan. Consistent with the Hyde Park Community Plan Guidelines, please incorporate the following along Hyde Park Road:
    - Design the space between the building and the ROW so it is generally consistent with the design that has been implemented for other developments in the area.
        - Provide a main sidewalk along the curb edge with a 2m clearway between the curb and the start of planters. This should include a 0.25m exposed aggregate band on either side of a 1.5m concrete sidewalk.

        - Provide large planting beds for trees and low lying plantings between the sidewalk and the building edge.
- Design the private amenity spaces facing the streets as open courtyards or front porches to create a pedestrian-oriented streetscape. Ensure the doors are designed as lockable front doors and not sliding patio doors.

Urban Design Peer Review Panel (October 20, 2021)

- See Appendix F for comments and applicant replies

Site Plan (December 6, 2021)

- Provide an appropriate sized, outdoor common amenity area
- As per the Site Plan Control By-law, the parking islands are to be a minimum 3.0m wide and landscaped
- Explore opportunities to reduce the amount of asphalt on site. This could include underground parking or requesting a parking reduction through the Zoning By-law Amendment process.
- The sidewalk widths adjacent to parking stalls is to be a minimum of 2.1 metres to accommodate any vehicle overhang.
- Landscape planting islands are required every 15 parking stalls in accordance with the Site Plan Control By-law. The division of parking stalls through the proposed garbage location does not satisfy this requirement.
    - The proposed garbage location is to be relocated closer to the building, away from neighbouring properties
- The current lay-by conflicts with parking stall “11”. This is to be revised accordingly.

Parks (October 21, 2021)

- 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.

Landscape Architect (Tree Preservation)(November 18, 2021)

- The development poses some risk of injury to CoL boulevard trees along South Carriage Rd. **All trees located on City of London Boulevards** (including their root zones) are protected from any activities which may cause damage to them or cause them to be removed. Applicant will need to contact Forestry Dispatcher at trees@london.ca with details of their request to injure trees’ roots. Consent must be obtained from Forestry Operations prior to excavation.
- The proposed 2.5m setback provided from the west property line provides sufficient room to plant vegetative screening between the parking area and private residences to the west.

Ecology (Dec 2, 2021)

- There are currently no ecological planning issues related to this property or associated study requirements.

Major issues identified

- No Natural Heritage Features on the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.
- Adjacent lands include naturalized vegetation and indications of previous disturbance.

Notes

- No studies are required associated with the OPA/ZBA
- The following mitigation shall be considered during the Site Plan application stage:
    - Impacts to naturalized vegetation on the adjacent lands can be mitigated provided that the construction works and staging areas do not extend beyond the 1420 Hyde Park property limit.
    - Installation of ESC fencing along the southern property line.

- Avoid tree removal within the active bat roosting period (April 30 – September 1) to reduce potential interactions with Endangered bat species, to avoid contravention of the *Endangered Species Act.*
- Avoid vegetation removal within the active breeding bird period (April 1 – August 1) to avoid disturbing nesting birds and contravening the *Migratory Bird Convention Act.*

Upper Thames River Conservation Authority (December 12, 2021)

- These lands are not regulated by the UTRCA; no comments

Archaeological (November 24, 2021)

- This memo is to confirm that I have reviewed the following and find the report's analysis, conclusions and recommendations to be sufficient to fulfill the archaeological assessment requirements for O-9422/Z-9423:
    - Lincoln Environmental Consulting Corp. Stage 1-2 Archaeological Assessment of 1420 Hyde Park Road […] Middlesex County, Ontario (PIF P1289-0036-2021), April 21, 2021.

- Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended." (p2)
- An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated May 13, 2021 (MHSTCI Project Information Form Number P1289-0036-2021, MHSTCI File Number 0013880).
- Archaeological conditions can be considered satisfied for this application.

Engineering (December 2, 2021)

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

Transportation:

- The applicant will be required to lift the 1ft reserve along South Carriage Road to permit access.
- Presently the width from centerline for Hyde Park Road adjacent to this property is 18.288m. Therefore no widening is required to attain 18.0m from c/l.
- Detailed comments regarding access design and location will be made through the site plan process

Planners Note: In response to specific questions raised by the public regarding cut-through traffic, Transportation responded on November 26, 2021 that it is anticipated a negligible amount of traffic will use Prince of Wales Gate but a Transportation Impact Assessment will be requested at the site plan approval stage for confirmation.

Sewers:

- The municipal sanitary sewer for the subject lands is a 450mm diameter trunk sanitary sewer on Hyde park via a 200mm PDC that flows south and west through a SWM block and Cantebury park via a 375mm/250mm diameter sanitary sewers in easement.

Stormwater:

- The subject lands are located in the Stanton Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stanton Drain Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will

be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devises.
- The proposed land use of a high density residential will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010.
- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- 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.
- Additional SWM related comments will be provided upon future review of this site.

Water:
- Water servicing is available from the 200mm PVC main on South Carriage Rd/or the 450mm PVC main on Hyde Park Rd (Both watermains are high-level water mains)
- No connection to the 900mm main CONC on Hyde Park Rd will be permitted.
- The owners engineer submitted only the sanitary design report. A water servicing report will be required for the next submission addressing domestic water demands, fire flows and water quality.
- Water servicing to the site will be to City Standard 7.9.4.
- Further comments to be provided during site plan application.

Development Finance (December 3, 2021)
- The proposed external sidewalk on the south side of South Carriage Rd connecting Prince of Wales Gate and Hyde Park Rd would be considered DC eligible under our Sidewalk Minor Road Works program. At the time of first submission of engineering drawings, the Owner would be required to submit a Work Plan for our review and acceptance. The Work Plan would include cost estimates for the construction and engineering tasks related to the external sidewalk. These cost estimates would be included as a claims clause in the DA which will allow the Owner to be reimbursed once the works are complete and accepted by the City.

Enbridge (October 20, 2021)
- 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 Gas for the provision of gas services for this project, in a form satisfactory to Enbridge.

- Should you require any further information, please contact the undersigned.
  Barbara M.J. Baranow
  Analyst Land Support
  Enbridge Gas Inc.
  50 Keil Drive North, Chatham, ON N7M 5M1

London Hydro (October 21, 2021)

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements and availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Canadian Pacific Railway (November 1, 2021)

- Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: http://www.proximityissues.ca/.

- Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Thank you,

CP Proximity Ontario

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 as follows:

Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
1.1.1 a), b), c), d), e),
1.1.3
1.1.3.1
1.1.3.2
1.1.3.3
1.1.3.4
Section 1.4 – Housing
1.4.3
Section 1.7 – Long Term Economic Prosperity

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)
Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth
Policy 54_ Our Strategy, Key Directions
Policy 59_ 1. 2. 4. and 5. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London
Policy 61_ 10. Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone
Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions
Policy 66_ Our City, Planning for Growth and Change
Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification
Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification
Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification
*Policy 193_ City Design, What are we trying to achieve?
Policy 235_, City Design, Streetscapes
Policies 252_, 253_, 256_, *258_, *259_, *261_, 268_, 269_City Design, Site Layout
Policies *271_, *277_, *278_, *279_, *280_ , *282_, *283*_ City Design, Parking
Policy *284_, *285_, *286_, *287_, *291_, *295_, *301_City Design, Buildings
Table 10 Range of Permitted Uses in Neighbourhoods Place Type
*Table 11 Range of Permitted Heights in Neighbourhoods Place Type
Policy 916_3., 8. Place Type Policies, Urban Place Types, Neighbourhoods, Our Vision for the Neighbourhoods Place Type
918_ Place Type Policies, Urban Place Types, Neighbourhoods, How Will We Realize Our Vision?
Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form
921_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses
*935_1 Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Intensity
936_ 4., Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods - Form

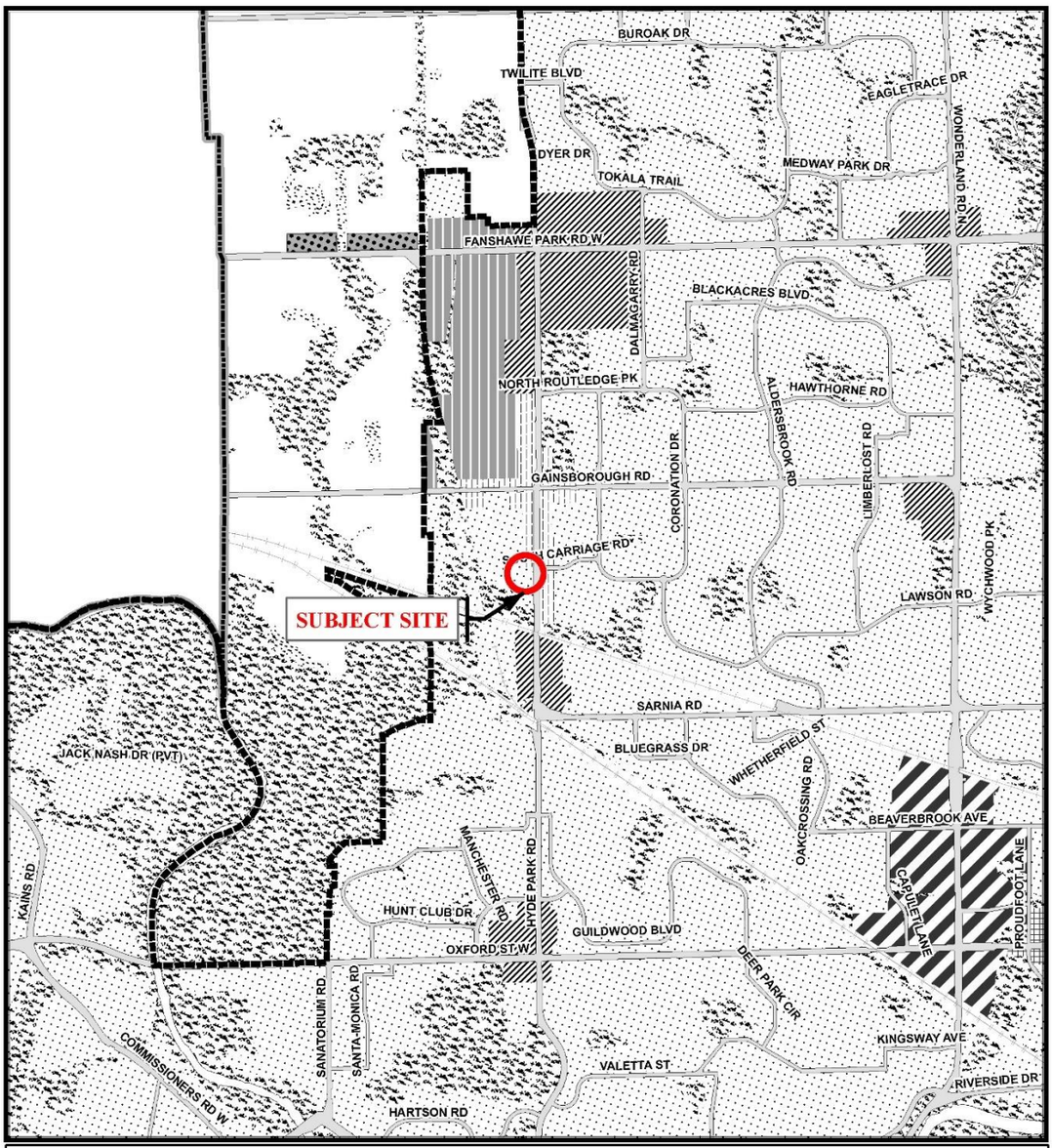
Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods
Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification
Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification
Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications
Policies 1766_ , 1768_, 1770_, Our Tools, Noise, Vibration and Safety

Official Plan (1989)

3. Residential Land Use Designation
General Objectives for All Residential Designations
3.1.1 ii)
3.1.3 – Multi-family, Medium Density Residential Objectives
3.3 Multi-family, Medium Density Residential Designation
3.3.1 – Permitted Uses
3.3.2 - Location
3.3.3 – Scale of Development
3.7 - Planning Impact Analysis
3.7.2 – Scope of Planning Impact Analysis
3.7.3 – Required Information
11 – Urban Design Principles
11.1.1 ii), v), x), xi), xiii), xiv), xv), xvi), xvii), xviii)
19 Implementation
19.9.5 Noise, Vibration and Safety
19.9.5 i) Noise Attenuation
19.9.6 Additional Noise Attenuation Policies for Residential Land Uses Adjacent to Arterial Roads

Appendix E – Relevant Background

The London Plan – Map 1 – Place Types



Legend

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

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

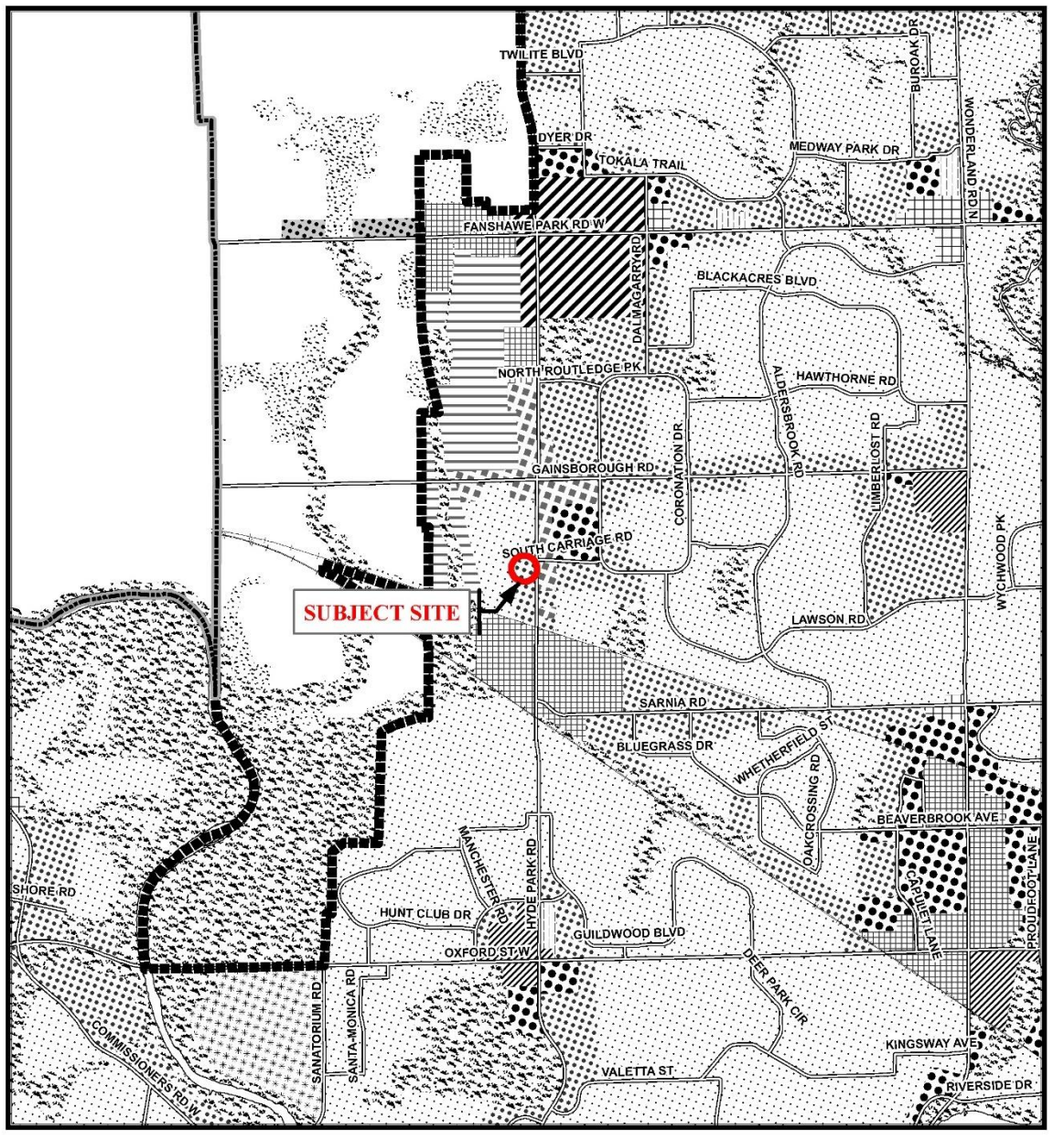
Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	O-9422/Z-9423
Planner:	BD
Technician	RC
Date:	February 4, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\O-9422-Z-9423-Map1-PlaceTypes.mxd

1989 Official Plan – Schedule A – Land Use



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 165 315 630 990 1,260 1,650

Meters

FILE NUMBER:	O-9422/Z-9423
PLANNER:	BD
TECHNICIAN:	RC
DATE:	2022/02/04

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO:
O-9422/Z-9423 BD

MAP PREPARED:
2022/02/04 RC

1:2,000
0 10 20 40 60 80
Meters

Appendix F – Applicant's Reply to UDPRP Comments

Comment:
The Panel noted that the overall organizing framework for the site is generally well considered, with the built form appropriately addressing the adjacent streets and the corner condition of the site.
Applicant Response:
Acknowledged and thank you.
Comment:
The Panel also expressed appreciation for elements of the preliminary architectural design concept, particularly the rhythm and scale of openings vs. solid surfaces on the street facing facades.
Applicant Response:
Acknowledged and thank you.
Comment:
The Panel suggested that further consideration be given to providing a relationship between the interior floor plan and exterior corner amenity area.
Applicant Response:
Elements such as entrance doors and clear glazing are design options that will be explored at the intersection to provide for an appropriate pedestrian scale transition from outside to inside. These features shall be further refined through the future site plan review process.
Comment:
The Panel strongly recommended that the Applicant explore further opportunities for "greening" of the site. The current site design is dominated by a substantial asphalt parking area. The Applicant and City should explore opportunities for additional amenity/greenspace (through a reduction in the parking area) and further opportunities to preserve existing trees along South Carriage Road and the south property line.
Applicant Response:
The site plan has been updated to provide additional opportunities for landscaping and planting. In particular additional landscaping opportunities at the driveway access point, and green space within the parking area through additional curb cuts and landscaped strips and islands. Areas for additional plantings are provided along both building frontages and at the intersection.
Comment:
The Panel recommends consideration be given to incorporating additional planting islands within the surface parking area to introduce a vertical element within the parking area and assist with increased aesthetics and the urban heat island effect. Appropriate soil volumes and planting islands widths should be provided to ensure long term longevity of trees and other understory plant material.
Applicant Response:
Additional 3m-wide planting islands have been provided in the surface parking area for increased aesthetics. Appropriate soil volumes will be provided to ensure promote health and longevity for the proposed plantings.
Comment:
The Panel recommends shifting the location of the proposed molok/earth bin system to a location adjacent to the building such that residents do not need to traverse the parking area to access it.
Applicant Response:
The molok containers have been located to the other side of the internal drive aisle closer to the building. Residents will not have to cross the drive aisle to access this facility. A new landscaping strip will help screen the moloks from South Carriage Road.
Comment:

The Panel recommends the Applicant work with the City through the future Site Plan Control process to fully extend the city sidewalk from Hyde Park Road, along the south side of South Carriage Road, to the nearby Cantebury Park. Strengthening this connection could help alleviate concerns about a lack of on-site amenity space.
Applicant Response:
The applicant is willing to work with the City to provide a new sidewalk along the South Carriage Road frontage of the property. This sidewalk will connect with the existing sidewalk along Hyde Park Road. It is our understanding that this sidewalk is DC eligible. These matters will be further refined through the Site Plan process.
Comment:
The Panel suggests that further planting/screening be deployed in the area surrounding the proposed site access form South Carriage Road to further soften the appearance of the surface parking area as visible from the street.
Applicant Response:
Additional tree plantings will be proposed at the South Carriage Road vehicular entrance to soften the pedestrian view of the parking area from the road. These details will be further reviewed and refined through the Site Plan process.

1420 Hyde Park Road

To the Planning and Environment Committee;

The ratio of surface parking to open green space with this development is distorted. The City of London recognized that climate change is an emergency and has sunk resources into developing a climate change action plan yet continues to ignore basic planning principles that would mitigate the pressure of development on the climate crisis. In this particular case, the parking area needs to be tiered to allow for greater open green space to alleviate storm water pressure. It is also good for people to have greenspace where they live. It has become notable that people are rarely considered in these discussions. Never do Committee Members ask whether new development would be good children, for families or anyone living in these news buildings. People just don't matter in these decisions.

This building is ugly for lots of reasons but most notably is the amount of land dedicated to cars verses people. The reason these developments continue to come forward is because the city sets such a low bar and lacks the resolve to take action. It is discouraging.

Sarah Jones

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **Scott Mathers MPA, P. Eng.,**
Deputy City Manager, Planning and Economic Development
Subject: **6756 James Street**
Public Participation Meeting
Date: **March 7, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Domus Development London Inc. relating to the property located at 6756 James Street:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 22, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan to change the zoning of the subject property **FROM** a Residential R1 (R1-10) Zone **TO** a Residential R5 Special Provision (R5-2(_)) Zone.

(b) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

i) Boundary landscaping along the north, east and west property boundaries that meet the standards of the Site Plan Control By-law and have screening/privacy qualities;

ii) Board-on-board fencing along the north, east and west property boundaries where possible that meet the standards of the Site Plan Control By-law and do not negatively impact on-site stormwater management or any existing landscaping.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to a Residential R5 Special Provision (R5-2(_)) Zone to facilitate a 2-storey, 22-unit cluster townhouse development.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to facilitate a 2-storey, 22-unit cluster townhouse development.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020;
2. The recommended amendment conforms to the in-force policies of the Southwest Area Secondary Plan, including but not limited to the Low Density Residential designation of the Lambeth Neighbourhood;
3. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
4. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation;

5. The recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

None.

1.3 Property Description

The subject lands are located on the north side of James Street in the Lambeth Planning District, between Duffield Street and Campbell Street North. The subject lands have a frontage of 46 metres and an area of 8,087 square metres. The lands are currently developed with an existing single detached dwelling.

Figure 1: Subject lands (view from James Street)

1.4 Current Planning Information

- Southwest Area Secondary Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – Residential R1 (R1-10) Zone

1.5 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 30.48 metres (100 feet)
- Depth – 46 metres (150.9 feet)
- Area – 8,087 square metres (87,047.74 square feet)
- Shape – Rectangular

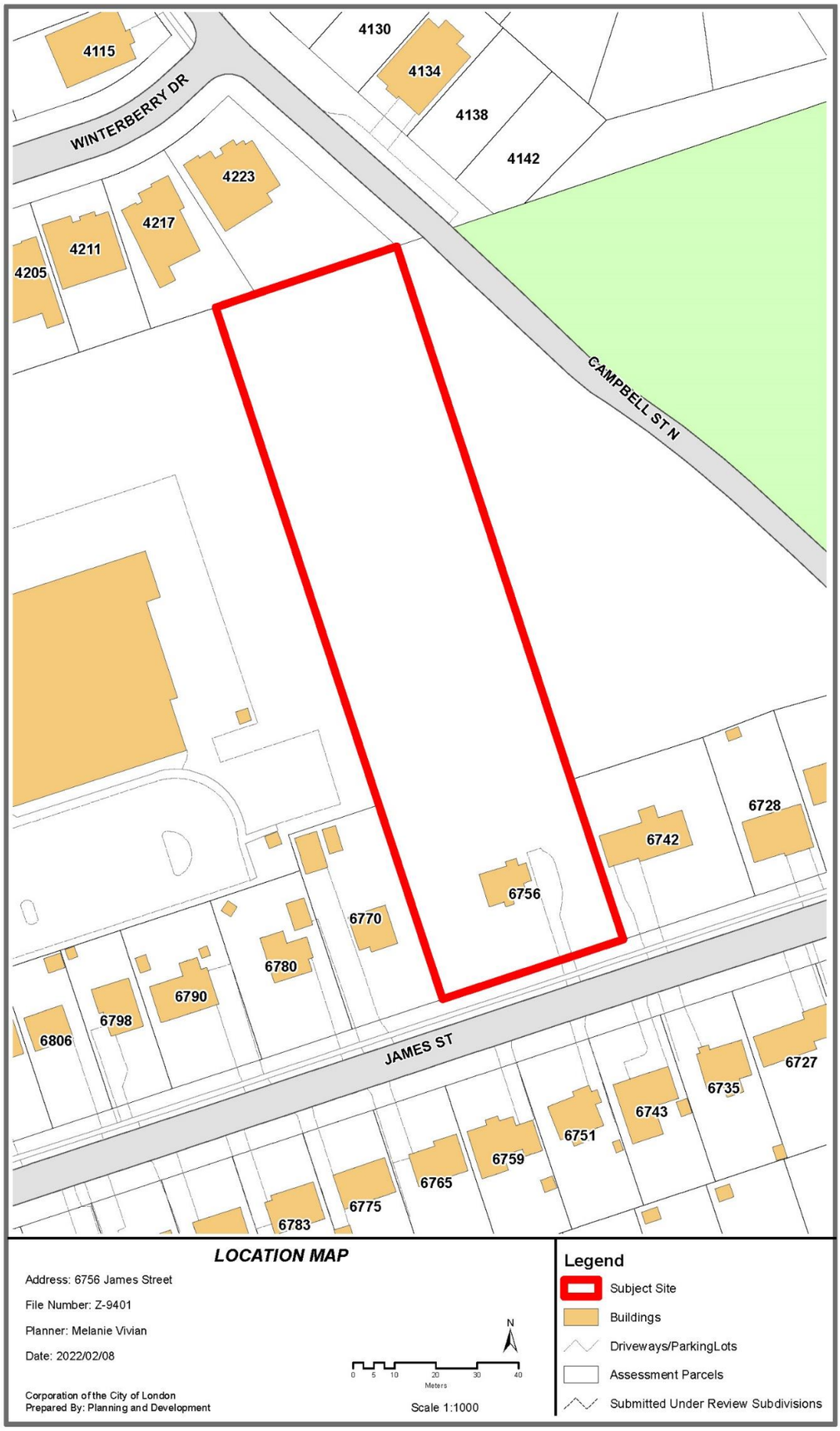
1.6 Surrounding Land Uses

- North – Low rise residential
- East – Low rise residential and undeveloped land
- South – Low rise residential
- West – Low rise residential and Lambeth Public School

1.6 Intensification

The proposed 22 residential units represent intensification within the Built-area Boundary. The site is located outside of the Primary Transit Area.

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

Original Proposal

The owner has requested to rezone the subject site to facilitate the development of 22 two-storey cluster townhouses in five townhouse blocks. Parking is proposed within private garages and driveways and a small surface parking area for visitor parking. A previous iteration of the proposed development included an 8.8 metre trail dedication at the rear of the site. However, upon further discussions with Parks Planning and Design staff, this trail connection was removed from the plan.

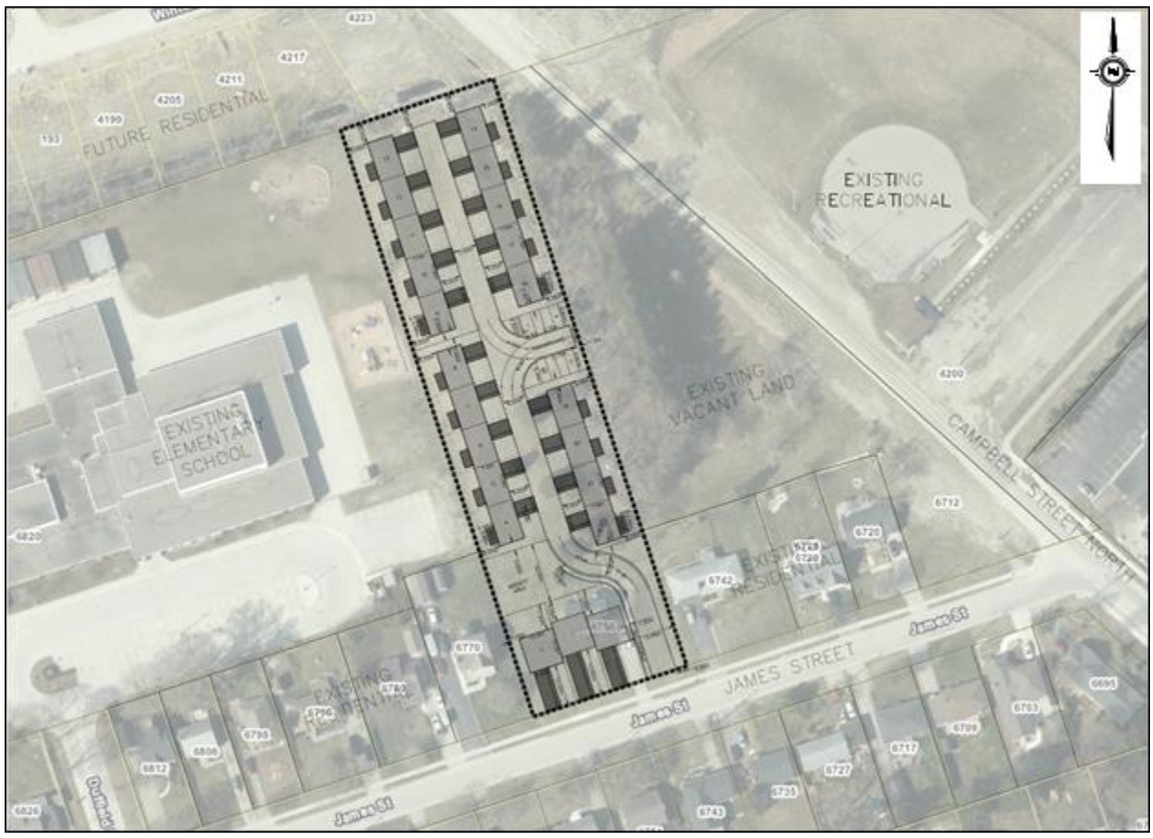


Figure 2: Site concept plan


Figure 3: Conceptual rendering

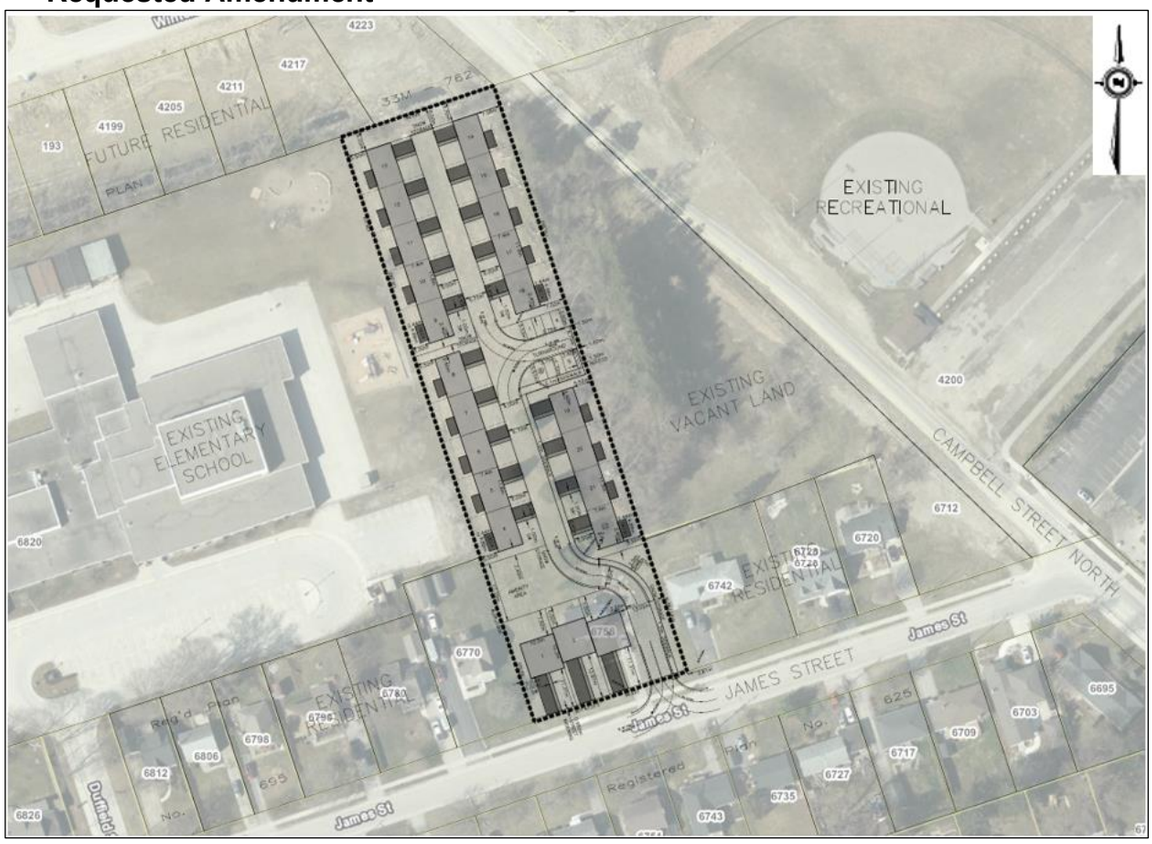
Revised Proposal

On January 19, 2022 staff received a revised concept site plan to address site design concerns.

The updated concept site plan includes a sidewalk from James Street extending to the visitor parking area. To accommodate the internal pedestrian connection, an interior side yard setback of 5.5 metres is proposed where a wall of a unit contains windows to habitable rooms. Parking on site is still proposed within private garages and driveways. It being noted that the driveway lengths are proposed at 6.0 metres to accommodate any vehicle overhang on the sidewalks. As the proposed trail at the rear has been removed, a rear yard setback of 6.0 metres is proposed, which complies with the R5-2 base zone.

Figure 4: Updated Concept Site Plan

2.2 Requested Amendment



Through the original application submission, the applicant had initially requested a Residential R6 Special Provision (R6-5(_)) Zone. Special provisions would permit a reduced maximum density of 30 units per hectare (whereas a maximum of 35 units per hectare is permitted) and a reduced rear yard depth of 1.8 metres (whereas 6 metres is required). Following the circulation of the application, the applicant amended their application to request a Residential R5 Special Provision (R5-2(_)) Zone. Special provisions are required to permit a reduced interior side yard setback of 5.5 metres when the wall of a unit contains windows to habitable rooms (whereas 6.0 metres is required when the wall of a unit contains windows to habitable rooms). Further special provisions are being included to establish the location of the units fronting James Street through a maximum front yard setback of 13.0 metres and a minimum front yard setback of 11.0 metres. Staff are recommending the special provision for the prohibited use of stacked townhouses. The use of stacked townhouses on the lands would require additional review to ensure compatibility with the surrounding land uses.

2.3 Community Engagement (see more detail in Appendix B)

36 written responses and four (4) phone calls were received from the public, which are addressed in Appendix B of this report.

2.4 Policy Context

Provincial Policy Statement, 2020

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

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

Southwest Area Secondary Plan

The subject lands are designated Low Density Residential in the Lambeth Neighbourhood of the Southwest Area Secondary Plan (SWAP), in accordance with Schedule 6. The intent of this designation is to provide for low-intensity residential uses consistent with existing and planned development (20.5.7.1.i). Where there is a conflict or inconsistency between the parent policies or maps of The London Plan and/or the 1989 Official Plan and the policies or maps of a secondary plan, the secondary plan policies or maps will prevail in accordance with policy *1558_ of The London Plan and policy 19.2.1iii) of the 1989 Official Plan.

The London Plan

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

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

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

- Planning to achieve a compact, contiguous pattern of growth – looking "inward and upward";
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

The site is in the Neighbourhoods Place Type on a Neighbourhood Connector, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. The Neighbourhoods Place Type contemplates a range of low-rise residential uses, including townhouses, in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type. A maximum height of 2.5-storeys is contemplated in accordance with *Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type.

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 is applied to lands that are primarily developed or planned for low-rise, low density housing forms including detached, semi-detached, and duplex dwellings (3.2).

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed, is promoted by the PPS (1.4.3d)).

The PPS is supportive of 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 (1.7.1e)).

The recommended amendment is in keeping with the goals of the PPS as it facilitates the development of an underutilized site within a settlement area and represents a form of intensification through infill development. The proposed 22-unit cluster townhouse development contributes to the mix of housing types in the area providing choice and diversity in housing options for both current and future residents. No new roads or infrastructure are required to service the site, making efficient use of land and existing services.

Consistent with the PPS, intensification of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth and development. than the current single detached dwelling.

4.2 Issue and Consideration #2: Use

Southwest Area Secondary Plan

In accordance with policy 20.5.7.1.ii) of SWAP, the primary permitted uses of the Low Density Residential designation of the 1989 Official Plan shall apply. As identified below, primary permitted uses include single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted. As such, the proposed cluster townhouses are a contemplated use in conformity with the Low Density Residential designation in the Lambeth Neighbourhood of SWAP.

The London Plan

The subject lands are within the Neighbourhoods Place Type on a Neighbourhood Connector in The London Plan. The range of uses permitted within the Neighbourhoods Place Type is directly related to the classification of street onto which a property has frontage (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The proposed townhouse use is included in the range of primary permitted uses within the Neighbourhoods Place Type for sites fronting on a Neighbourhood Connector. Further, the recommended amendment facilitates the provision of a mix of housing types, consistent with the policies of The London Plan and PPS.

1989 Official Plan

The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted as well as residential intensification proposals subject to the provisions of policy 3.2.3 (3.2.1). The proposed cluster townhouses are contemplated, as multiple-attached dwellings are permitted and serve as a form of intensification through infill development.

4.3 Issue and Consideration #3: Intensity

Southwest Area Secondary Plan

Within the Low Density Residential area of the Lambeth Neighbourhood of SWAP, a minimum density of 15 units per hectare and a maximum density of 30 units per hectare is contemplated (20.5.7.1.iii)a)). Building heights shall not exceed four storeys and shall be sensitive to the scale of development in the surrounding neighbourhood. A density of 27.8 units per hectare and building height of two storeys is proposed, and the recommended Residential R5 Special Provision (R5-2(_)) Zone applies a maximum density of 30 units per hectare and a maximum building height of 12 metres. As such, the proposed development and recommended zoning are in conformity with the Southwest Area Secondary Plan.

The London Plan

The London Plan contemplates intensification where appropriately located and provided in a way that is 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 one storey and a maximum height of two storeys is contemplated for sites fronting on a Neighbourhood Connector (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The proposed two-storey townhouse development is within the maximum intensity permitted by The London Plan.

The Neighbourhood Place Type policies also identify that the intensity of development must be appropriate for the size of the lot (953_3.). Through the application review process the applicant has worked closely with staff to resolve site design matters and ensure the site functions in a manner which is appropriate for the size of the lot while satisfying the requirements of the Site Plan Control By-law. The site design has been able to incorporate all required parking and an adequate outdoor amenity area and meet the additional requirements of the Zoning By-law outside of a small reduction for the interior side yards. Generally, reductions in parking and landscaped open space, and increases in height, density, and lot coverage serve as indicators of possible over intensification. Although the reduction to the interior side yard setback is required it is considered minor and does not represent over intensification of the site. In Staff's opinion the site is of sufficient size to support the proposed intensity and site design. It is noted that staff is also recommending a special provision for minimum and maximum front yard depths to ensure a consistent street wall is maintained.

1989 Official Plan

Development within areas designated Low Density Residential shall have a low rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy (3.2.2). Within the Low Density Residential designation, Residential Intensification will be considered in a range up to 75 units per hectare. Infill housing may be in the form of single detached dwellings, semi-detached dwellings, attached dwellings, cluster housing and low rise apartments (3.2.3.2).

The recommended amendment would facilitate the development of the subject site with cluster townhouses at a density of approximately 27.2 units per hectare. In accordance with Section 3.2.3.2 of the 1989 Official Plan, Zoning By-law provisions are to ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area. Surrounding land uses in the immediate vicinity of the subject site are predominantly in the form of single-storey homes fronting on James Street and two-storey single detached dwellings fronting on Winterberry Drive. Also adjacent to the site is Lambeth Public School to the west and an undeveloped City-owned parcel to the east.

The proposed development is of a low-rise scale with a low lot coverage, providing little risk of shadowing and privacy issues on adjacent lands. This also allows for the opportunity for outdoor amenity and landscaping, as well as parking to serve residents and visitors. Residential intensification in the Low Density Residential designation is subject to a Planning Impact Analysis on the basis of criteria relevant to the proposed change (3.7.2). See Appendix C of this report for a complete Planning Impact Analysis addressing matters of both intensity and form.

4.4 Issue and Consideration #4: Form

Southwest Area Secondary Plan

The general urban design policies of SWAP seek to promote development that is compact, pedestrian-oriented and transit-friendly (20.5.3.9.i)a)). In the Low Density Residential designation of the Lambeth Neighbourhood, built form is to be street-

oriented on all public rights-of-way and specific building setbacks may be considered where a larger setback will support the preservation of existing character and the retention of ageing building stock (20.5.7.1.iii)b)). The proposed development provides for a form of intensification that is compatible with surrounding land uses with three (3) townhouse units fronting along James Street. The street facing units preserve the character of the existing neighbourhood while providing screening from the rear units.

A minimum and maximum front yard depth are recommended to ensure the development generally aligns with the existing street wall and consistent with the neighbourhood character, ensuring policy 20.5.7.1.iii)b) is achieved. The townhouse units along the James Street frontage have been designed with varying front yard depths of 11.3 and 12.8 metres. This setback is generally in line with the front yard depths of neighbouring properties, resulting in a consistent street wall. A 6.0 metre rear yard setback and a 5.5 metre interior side yard setback provide a sufficient setback between neighbouring properties and offers adequate space for perimeter tree planting. Tree planting efforts will be considered at the site plan stage in accordance with applicable policies, by-laws, and regulations. During that review, the applicant should be encouraged to choose tree species that have screening/privacy qualities.

With the exception of the three units oriented to James Street, the majority of the units have been positioned beyond the property lines of the adjacent low density residential properties. As a result, the units back onto the neighbouring school site to the west and undeveloped City-owned property to the east, rather than private residential properties. Private amenity spaces have been provided for each unit in the form of at-grade patios, rather than raised decks. These design considerations assist in alleviating privacy concerns for adjacent neighbours.

The two-storey townhouse units have been designed with private garages with an additional parking space in the driveway to accommodate two (2) parking stalls per unit. The surface parking area for visitor parking has been positioned such that it is adjacent to the undeveloped City-owned property to the east, rather than adjacent residential properties.

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_) and encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4) and encourages supporting infill and intensification in meaningful ways, to manage outward growth (59_8).

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

1989 Official Plan

The Low Density Residential designation of the 1989 Official Plan contemplates residential intensification in different forms, including multiple attached dwellings and low rise apartment buildings. The scale and form of infill housing projects must recognize the scale of adjacent land uses and reflect the character of the area (3.2.3.2).

Residential Intensification projects shall use innovative and creative urban design

techniques to ensure that character and compatibility with the surrounding neighbourhood is maintained (3.2.3). Consideration has been given to the form of the proposed development and specific measures to mitigate compatibility concerns. Further analysis can be located within the SWAP policies above.

4.5 Issue and Consideration #5: Flood Hazard

Through the review of the application, the Upper Thames River Conservation Authority (UTRCA) confirmed the site is not regulated and a Section 28 permit is not required for the proposed development. However, while UTRCA staff confirmed there were no objections to the application from a regulatory perspective, conceptual floodline mapping for the Dingman Subwatershed (dated October 2021) was provided to City staff for review. Based on this conceptual mapping, the site would have no flood-free access through the surrounding road network. As a result, the UTRCA has identified the a possible issue for consistentcy with PPS policy 3.1.2 which states “development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards.”

Through discussions with the UTRCA, it was determined that flood-free access (based on the conceptual October 2021 mapping) to Colonel Talbot Road will become available via Campbell Street North and future roads constructed through the subdivisions to the north. In addition, flood-free access is currently available (based on the conceptual 2018 Dingman Screening Area mapping) to Main Street via either South Routledge Road or Campbell Street North. On this basis, and since both the 2018 and 2021 mapping are conceptual at this time, both City staff and the UTRCA are satisfied that flood-free access is currently available to the site.

4.6 Issue and Consideration #6: Traffic

Through the circulation of this application, several neighbouring property owners expressed concerns with respect to traffic. While the community has identified traffic along James Street as a pre-existing issue, City Transportation staff have confirmed the proposed 22 units does not meet the industry standard to warrant a traffic impact assessment. Further, Transportation staff have confirmed the number of units would not exacerbate any pre-existing traffic issues in the neighbourhood. James Street currently contains three sets of speed cushions and a pedestrian crosswalk will be installed at the intersection of James Street and Campbell Street. This will provide a safe crossing for students and parents in the Heathwood Subdivision to the north, and for those who park their vehicles at Lambeth Optimist Park to walk their children to school. Requests for further traffic calming measures on other streets in the neighbourhood should be made by the community in accordance with the Council-approved process and are beyond the scope of this planning application.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of the Southwest Area Secondary Plan. The recommended amendment is in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions and Neighbourhoods Place Type, and the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation. The recommended amendment would facilitate the development of an underutilized site with a land use and intensity that is appropriate for the lands and with the surrounding context.

Prepared by:	**Melanie Vivian** **Site Development Planner**
Reviewed by:	**Mike Corby, MCIP, RPP** **Manager, Planning Implementation**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**

Submitted by: **Scott Mathers, MPA, P. Eng**
Deputy City Manager, Planning and Economic Development

cc:
Heather McNeely, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 6756 James Street

WHEREAS Domus Development London Inc. has applied to rezone an area of land located at 6756 James Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 6756 James Street, as shown on the attached map comprising part of Key Map No. A110, from a Residential R1 (R1-10) Zone to a Residential R5 Special Provision (R5-2(_)) Zone.

2) Section Number 9.4 of the Residential R5 (R5-2) Zone is amended by adding the following Special Provision:

R5-2(_) 6756 James Street

a) Prohibited Uses

i) Cluster Stacked Townhouses

b) Regulations

i)	Front Yard Depth (minimum)	11m
ii)	Front Yard Depth (maximum)	13m
iii)	Interior Side Yard Depth (minimum)	5.5m when a wall of a unit contains windows to habitable rooms

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.

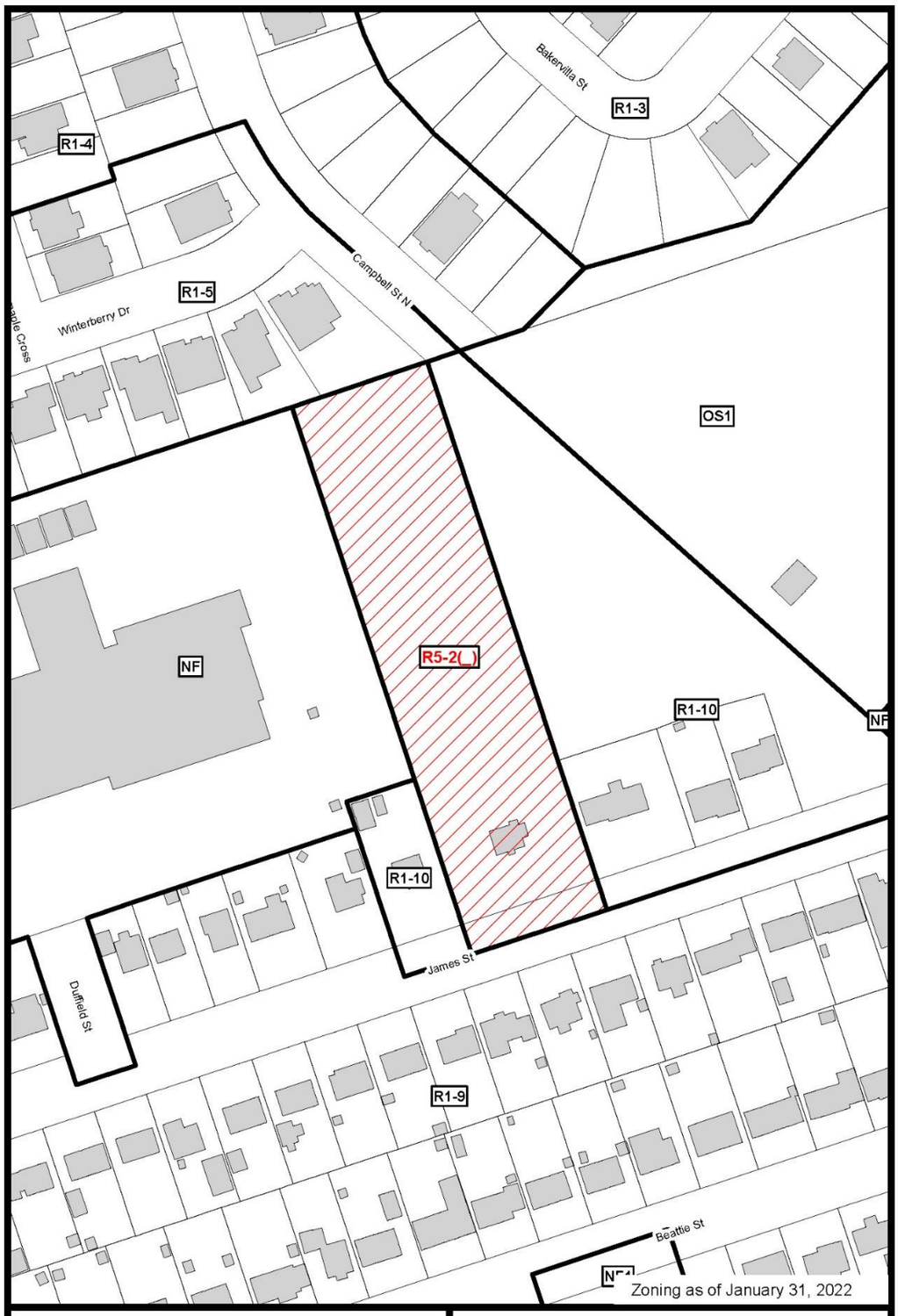
PASSED in Open Council on March 22, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – March 22, 2022
Second Reading – March 22, 2022
Third Reading – March 22, 2022

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



File Number: Z-9401
Planner: MV
Date Prepared: 2022/02/08
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE

1:1,500

0 5 10 20 30 40
Meters

Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On September 1, 2021, Notice of Application was sent to 77 property owners and 5 tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 2, 2021. A "Planning Application" sign was also posted on the site.

The applicant hosted a virtual Community Information Meeting on November 25, 2021. 13 members of the public were in attendance.

A petition containing 65 signatures in opposition to the proposed development was received. An electronic (change.org) petition with 242 signatures in opposition to the proposed development was also received.

On February 9, 2022, Notice of Revised Application and Notice of Public Meeting was sent to 84 property owners and 5 tenants in the surrounding area. Notice of Revised Application and Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 10, 2022.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of a 2 storey, 22 unit cluster townhouse development. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-10) Zone **TO** a Residential R6 Special Provision (R6-5(_)) Zone. Special provisions would permit a reduced maximum density of 30 units per hectare (whereas a maximum of 35 units per hectare is permitted) and a reduced minimum rear yard depth of 1.8 metres (whereas a minimum of 6 metres is required). The City may also consider an alternative zone variation and/or additional special provisions. File: Z-9401 Planner: C. Maton ext.5074

The purpose and effect of this zoning change is to permit the development of a 2-storey, 22-unit cluster townhouse development. Possible change to the Zoning By-law Z.-1 **FROM** Residential R1 (R1-10) Zone **TO** a Residential R5 Special Provision (R5-2(_)) Zone. Special provisions would permit a reduced minimum interior side yard setback of 5.5 metres when a wall of a unit contains windows to habitable rooms (whereas a minimum interior side yard setback of 6.0 metres is required when the wall of a unit contains windows to habitable rooms), establish a maximum front yard setback of 13.0 metres and a minimum front yard setback of 11.0 metres. File: Z-9401 Planner: M. Vivian

Responses: Three phone calls and 45 written responses from 36 members of the public were received. The following concerns were raised:

- Inaccurate portrayal of the site/surrounding context in submission materials (ie use of outdated aerial imagery and labelling of existing homes as "future residential");
- Need for robust landscaping to provide buffering/screening at the rear of the site to mitigate privacy concerns and issues with vehicle headlights shining into homes/yards (note that infiltration beds on properties fronting on Winterberry Cres prevent homeowners from planting trees and shrubs);
- Potential stormwater runoff/drainage issues;
- Privacy/safety/security concerns regarding the previously proposed trail at the rear of the site;
- Increased traffic along James Street;
- Traffic safety concerns given the site's proximity to Lambeth Public School;
- Over-intensification of the area and increased pressure on the capacity of Lambeth Public School;
- The site should be used for an expansion to Lambeth Public School rather than residential development;
- Inappropriateness of 2-storey townhouses and the impacts they would have on the aesthetic of the neighbourhood, as it is predominantly developed with single detached dwellings;
- Need for a single storey seniors complex rather than townhouses;

- Reduce the proposed height from 2-storeys to 1-storey and remove the units fronting James Street;
- Noise and shadow impacts from the new development;
- Decreased property values.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Leslie Harden 4223 Winterberry Drive London, ON N6P 0H5	Leslie Harden 4223 Winterberry Drive London, ON N6P 0H5
Jim Posthumus 6770 James Street London, ON N6P 1A4	Jenn McNabb 3915 Stacey Crescent London, ON N6P 1E8
Marion Hardy 6759 James Street London, ON N6P 1A7	Jessica Kanally
	Sue Litke 36 Sunray Avenue London, ON N6P 1C3
	Clari Thornicroft 71 David Street London, ON N6P 1B4
	Erin Morris
	Jo-Dee Snell 6817 James Street London, ON N6P 1A4
	Candice Moffatt
	Dominic and Mary Vita 7030 James Street London, ON N6P 1A1
	Jeremy Ward
	Joe Overberghe
	Jim Posthumus 6770 James Street London, ON N6P 1A4
	Don and Teresa Mayo 6870 Beattie Street London, ON N6P 1A3
	W. Unger 6695 James Street London, ON N6P 1A6
	Rob Mugford
	Allison Sitarz
	Maureen Brookes 6751 James Street London, ON N6P 1A6
	Kristyn Colvin
	Laura Webster 2068 Bakervilla Street London, ON N6P 0E9
	Dawn Eedy
	Wayne Eedy
	Maxine Eedy

	Jen Locker 2067 Westwick Walk London, ON N6P 0A2
	Ray and Shirley Refoir 6783 James Street London, ON N6P 1A4
	John D'Orsay 6775 James Street London, ON N6P 1A6
	Betty Posthumus 6770 James Street London, ON N6P 1A4
	C. Vanderboog 6955 Lambeth Walk London, ON N6P 1A5
	Dilpreet Bajwa
	Kim Bartlett 2 Martin Street London, ON N6P 1B2
	Michael Molnar
	Kamila Karpierz 6742 James Street London, ON N6P 1A2
	Harnek Kalirai
	Lisa Grieve
	Klaud Czeslawski 931 Oxford Street East London, ON N5Y 3K1
	Ivana Loncarevic 39 Kirk Drive London, ON N6P 1E2

From: L H
Sent: Thursday, September 2, 2021 2:50 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: Z-9401 - 6756 James Street

Thank you Catherine. In taking a quick look I have a question regarding the drainage plan. Our lot has an infiltration bed at the back of our property which drains down towards the pond. All properties along our rows were challenged to manage heavy rains and would not be capable of handling additional load. Is there an infiltration bed or similar drainage support as part of this plan
Please advise regarding the source for this
Regards, Leslie Harden

From: Jenn McNabb
Sent: Thursday, September 2, 2021 3:57 PM
To: Development Services <DevelopmentServices@london.ca>; Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James Street

To whom this may concern,

I am a resident of Lambeth, and my children attend Lambeth PS. Through social media, I have become aware of the proposal for a condo development at the lot located at 6756 James Street.

I am strongly opposed to this development, as I'm sure many area residents and Lambeth PS parents will be.

There is simply not enough capacity for a development there. Whoever has planned this clearly doesn't live in the area and has no idea of the congestion along James due to the school. My sister lives across from this location - some days she can barely reverse from her driveway. I invite whoever designed and/or submitted this for approval to come try to drive James Street next week - good luck. To add another development would be a sure fire traffic issue.

Further, there is no capacity at Lambeth PS. Where are the plans for another school since Lambeth PS has been over capacity from the beginning when MacEachern was closed??

The rate in which this area is growing is unsustainable. Lambeth PS is overfull. There is no parent parking. The old streets of Lambeth are not designed to handle this kind of population. The area is still on septic. Not to mention, growing at this rate has really taken the small town feel that many of us moved here in search of away. In continuing to jam these overfull developments where they do not belong, you are ruining this area.

This property should have been sold or given (or however that works with the school board) to Lambeth PS to use as a continuation of their parking/round about for parents to take the congestion off the street. It could've also expanded the school yard for Lambeth PS students, since their yard is getting smaller and smaller by the year with the addition of many portables (due to the overcrowding). These uses would serve the Lambeth area much better than any townhouse development.

In conclusion, this is a terrible idea. There are much better uses of this property for the Lambeth area or Lambeth PS. Please don't continue to ruin the Lambeth we all love.

Respectfully,

Jenn McNabb
Lambeth Resident/Lambeth PS Parent

From: jessica kanally
Sent: Thursday, September 2, 2021 4:36 PM
To: Maton, Catherine <cmaton@london.ca>; Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Feedback on 6756 James street proposal

Good Evening,

I saw that you were accepting feedback on the townhouse development for 6756 James Street. I just wanted to say that living in lambeth and walking down James street everyday to bring my kids to school, that this development would be an awful idea and would negatively impact the lambeth neighbourhood. The traffic on this road is already pretty bad during the school year and already really compact with people.

Also as a parent of 2 children that attended Lambeth Public School, I would hate to see even more construction happening so close to the school for many more years to come. The small school is already filled with over 800 children and to add 22 more family to the area with all the other development would be unnecessary and potentially add a lot more children to attend the school and make the area even more compact.

Also to have an intersection in that spot would potentially be dangerous and have a big impact on traffic in that area. During the school year cars are lined up down the street and 800 kids are leaving the school out of one entrance.

I do not support this project and think it will negatively impact the neighbourhood in many aspects.

Jessica Kanally

From: Sue Litke
Sent: Thursday, September 2, 2021 5:48 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James St, Lambeth development

Hello:

I am writing to offer my input as a Lambeth resident and homeowner for almost 20 years, in support of this development. Yes, I said in support of the plan to develop this lot.
I think it is great for neighbourhoods to have varied forms of housing available, and not to have single family homes exclusively. I know this is not the most popular opinion and you will have many opposing it, and so I hope that my voice will count for something in the conversation, for what weight or value that holds.
I don't believe in exclusivity in neighbourhoods.
I believe that many opportunities should be available to have options for where to live, and welcome any and all new neighbours to the community of Lambeth. Most areas of the city of London have varied and mixed housing, and I don't believe our area should be excluded. This is a great opportunity for in-filling of space and saves us from sprawling outward instead.
Thank you for your time, and have a great day,

Susanna (Sue) Litke
36 Sunray Ave (and 58 Broadway Ave)

From: clari thornicroft
Sent: Thursday, September 2, 2021 9:09 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] James St building

This is not what we need in Lambeth. We are being swallowed up by subdivisions. Lovely Lambeth needs a new seniors community living area, one floor . There is a great need for this in Lambeth. 11 Howard has a long wait list, is in need of some TLC. We who have lived in Lambeth for many years or our whole life time, wish to stay in Lambeth. I hope this will be considered rather than town house building.
Thanks.
Clari Thornicroft
71 David St
London On.

From: Erin Morris
Sent: Thursday, September 2, 2021 10:24 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James Street

In regards to the proposed land use change on James Street near Lambeth Public School.

I am oppose to this zoning amendment!

As it stands now the school is not equipped to handle the current student population. This land is now the only empty space that Lambeth Public School could expand into to accommodate more staff and students and/or to provide more realistic safe parking and drop off points for the staff/parents/students. For the best interest of the community it is purdent to consider allowing this land to be utilized for our already growing elementary age population to ensure they are safe in school, have an appropriate classroom setting to learn in and green space to be outdoors.

Townhouses are not what Lambeth needs. Stop taking space from our children to cram in more unnecessary buildings.
Thank you
Erin Morris

From: clari thornicroft
Sent: Thursday, September 2, 2021 11:47 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Building in Lambeth

This is a BIG black mark on Lovely Lambeth. This is not what we need. We need a seniors complex, single story units for our folks who wish to stay in Lambeth. Yes, we have 11 Howard, it's getting so it needs a face lift, and has a long wait list. We need a place so we could get to Foodland easy, etc. If you can get into the Lambeth face book page, there are many many people saying this very same thing. I think that this council and planning committee need to rethink this building and do something that will give us seniors a comfortable affordable place to live.
I would welcome your thoughts on this. I hope this is not a cut and dried plan.
Clari Thornicroft
71 David St
London On

From: Sue Litke
Sent: Friday, September 3, 2021 10:27 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: 6756 James St, Lambeth development

Thank you Catherine, for your response.

I feel that most of the concerns from residents are going to be around traffic volume on James and adjoining streets, due mainly to families delivering and picking up children from the public school there, attending events at the school etc. So I also would hope that we in Lambeth are in line for the next new school building, as Lambeth Public School is bursting at the seams with over 800 students and 9, or is it 10 - portable classrooms, which are not dignified learning spaces. Common area use is rationed and not all students get fair access to facilities, ie playground equipment, music program, gym time etc. New residents are having their children bussed to other neighbourhoods which is not an ideal solution. So along with this type of development, there needs to be a proper plan in place immediately about the school situation here.

Where should we direct these concerns if not the city? Is it a provincial oversight?

Please add these comments along with any others of mine.

Thanks so much again,

Sue Litke

From: Candice Moffatt
Sent: Friday, September 3, 2021 1:21 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James St

I am a resident on James St in Lambeth and I think there are better alternative living accommodations that could go in on this property than townhomes, of which there are an abundance of on Main St which are currently sitting vacant(Mostly due to the amount of rent).

London has a gross shortage of affordable wheelchair accessible housing. I propose we have a 2 or 3 story apartment building with fully wheelchair accessible 1 and 2 bedroom units. This would also be good for the aging population that has mobility issues but are still able to live independently. The seniors in this community that are finding a house and yard to be too much work would be able to stay in the area they know and love and might even find joy in the sound of the students of Duffield playing at recess.

The residents that need assisted living could live on the ground floor and those that can live without help would live on the second and third floors. Currently for assisted living there is a multi-year wait list, forcing families to retrofit their homes in order to ensure their loved ones are getting the care they need without being isolated in one room.

Should you have any questions or comments, please don't hesitate to reach out.
Candice Moffatt

From: Dom V
Sent: Friday, September 3, 2021 2:09 PM
To: Maton, Catherine <cmaton@london.ca>; Mary Vita; Mike Vita
Subject: [EXTERNAL] DOMUS DEVELOPMENT 6756 JAMES ST. OBJECTION

I am an owner on James St. I do not agree with a dramatic departure in our single-family home zoning
area. It changes the whole look and feel of our small community. The two storey buildings are not clustered in one the area with most being single floor homes nearby. There are story and 1/2 and two story on James but spread apart. 2 story is not the issue but the density is.

Consider a small court street with 5 residences or other, not high density. A cluster of one floor condos much
like Applegate community is also better with less units. These are commanding $700,000 now. Domus can
do better.

Dominic and Mary Vita
7030 James St.
London Ontario.

From: Jeremy Ward
Sent: Friday, September 3, 2021 10:27 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James St 👍

Hi Catherine,

I just wanted to say that I saw the proposal for 6756 James St, and I think it is fantastic. Lambeth needs more affordable housing, and I think townhouses in the area would be great.

I'm sure you get lots of angry emails… there's a whole Lambeth Facebook group who are griping about change. I'm sure that's how all new developments go though.

Keep up the good work.

Regards,

Jeremy Ward

From: L H
Sent: Saturday, September 4, 2021 10:13 AM
To: Maton, Catherine <cmaton@london.ca>; Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Inaccurate Portrayal of lands surrounding 6756 James Street-Planning and Design Report

I am very concerned about the **inaccurate portrayal of the area surrounding 6756 James Street, London in the planning and development report dated August 12,2021.**

The planning and design report pictures, including the one on the front page of the presentation, show empty fields behind the property(north) and refer to this area as 'future development'. In fact, the lands directly bordering this property have many completed, owner occupied homes, construction is well underway in this entire development. As this report is supposedly current, it is surprising that the information is so out of date regarding the surrounding area.We looked at a completed model home at the corner of Campbell and Winterberry in August 2020 so I suggest these pictures are from several years ago. There are numerous paved roads etc in this location- not the farmland shown. Why would this report not include an accurate portrayal of the neighbourhood?

Note that in the city plan, there will be a large multifamily (60+ attached units) development near the corner of Campbell and Tripp- this is in the official Heathwoods plan supporting a variety of housing in Lambeth. This is approximately 2 blocks from the proposed plan and does offer housing choices to residents wishing to live in this part of Lambeth.

I will submit a more formal response however in the meantime, **I am concerned that many people, including key decision makers, may have a very different impression of the impact of this plan with the outdated photos and reference to 'future development' where established homes and neighbourhoods exist.**
Regards,
Leslie Harden
4223 Winterberry Drive
London

From: Jenn McNabb
Sent: Monday, September 6, 2021 9:09 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] RE: 6756 James Street

Hi Catherine,

I appreciate your response. I would absolutely like to be added to the list - my address is 3915 Stacey Cres, London, N6P1E8.

I have since read the proposal in its entirety and have a few further comments:

1) The site plan shows the lots behind Lambeth PS as future residential. There are already houses (lived in) there, meaning it is current residential. The houses have been there for 6+ months, putting the accuracy of the plan into question.

2) The new neighbourhood (Heathwoods) that extended Campbell Street will contain in excess of 60 high density units where Cambell St meets Tripp St. That is already more than this area can handle and satifies the mixed residential requirement for Lambeth. There is no need to add to this issue any further.

3) James Street and the pre-existing residential streets in the area are comprised of single family, primarily one floor homes. Adding a large span of two story townhomes will impact the overall esthetic, appearance and consistency of the area. Further they

will devalue the existing homes in the area, causing financial hardship to the residents of Lambeth.

In summary, the use for this lot needs to be reconsidered. The residents of Lambeth (many multi-generational) should not be caused any hardship, whether it be due to financial, overcapacity, traffic congestion or loss of neighbourhood appeal, to line the pockets of any developer (or the City).

Respectfully,

Jenn McNabb

From: Joe Van Overberghe
Sent: Tuesday, September 7, 2021 5:07 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] 6756 James St Lambeth Village

Just wanted to say that this project looks good. Add a little bit of more affordable housing to to area. Also on a great side of the street with sidewalk access to the local school, parks and shopping.

Overall a good infill project. Biggest concern is the parents who park up and down the street at the end of the school day, but that is not this project.

Joe Van Overberghe

From: Teresa Mayo
Sent: Thursday, September 9, 2021 11:46 AM
To: Planning <Planning@london.ca>
Subject: [EXTERNAL] 6756 James St. London

I am a life long resident of Lambeth, having lived here for 60 + years. I am very concerned about how the City of London is changing the landscape of Lambeth. I understand everything changes however to fill in a small piece of vacant land with townhouses is unacceptable.

The proposal of 6756 James St. Is not in keeping with the current neighbourhood. Questions about traffic overload seem to be overlooked, as James St. and Beattie St. are already struggling with high traffic volumes. It looks James St. will be only access in and out of this townhouse complex. Not to mention where are all of these kids going to go to school, as the Lambeth Public School is overflowing and maxed out with portables.

The families that have lived here are just trying to live a quite, respectful life, and along comes some money grabbing developer with deep pockets and destroys all that people have worked hard all their lives to achieve and maintain.

It seems the City of London is always more concerned with tax dollars, than average people or existing neighborhoods. Lambeth has already been destroyed by being annexed and the city allowing big developers to gobble up good farm land and cut down heavily treed areas.

I would be great to see the City side with the regular people for once and not just cater to the big players.
We are all tax paying citizens and deserve respect and equal consideration.

Please stop this development from encroaching of this single family residential street.

Don & Teresa Mayo
6870 Beattie St.
London, Ontario

N6P 1A3

From: London ON
Sent: Thursday, September 9, 2021 4:25 PM
To: cmanton@london.ca; Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment. File Z-9401

September 9, 2021

To Whom it may concern,
As a long time resident of James street, I am NOT in favour of the proposed development on 6756 James St.

1. All of the houses on our street are 50 to 70 years old. The developer needs to find a property that would better accommodate his plan. This would not look good on our street.
Surely there are currently plenty of development sights around our city where these people could invest their money.

2. About 4 years ago when they put the new sanitary sewer down Campbell street, the neighbours on James close to Campbell wanted to hook up while the sewer line was open.
They were NOT ALLOWED! Strange that someone is allowing that now.
I would like to know who at city hall has tentatively approved hookup now?
No one would have gone this far in planning without hope of completion.
Why was approval given now and not 4 years ago?
Is it because somebody knows the right person in city hall or is paying the right person now?

3. Why would anybody be allowed to change the rear yard space from 6 meters to 1.8 meters? That sounds absolutely crazy. Again, I think you would need some friends in city hall to pull that off.

These are my concerns,
W. Unger
6695 James St
London

From: Rob Mugford
Sent: Thursday, September 9, 2021 11:04 PM
To: Hopkins, Anna <ahopkins@london.ca>; Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] James st townhouse development

Hello,

I'm sending this email I hopes to discourage the building of the 22 unit development on James st

The development is basically in a backyard, not properly zoned for dense housing.

Which would possibly add 22 households to an already over populated school with 10 portables

Rob Mugford

From: Allison Sitarz
Sent: Friday, September 10, 2021 6:33 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] James Street Lambeth

Good morning,

Could you please add my name as well as each member of my family to the petition agains the new builds on James street.

Allison Sitarz
Chris Sitarz
Aria Sitarz
Luka Sitarz

Thank you.

From: LEIGH BROOKES
Sent: Friday, September 10, 2021 10:37 AM
To: Maton, Catherine <cmaton@london.ca>; Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Planning Application 6756 James Street London

I am writing this in response to the planning application submitted for the above property. I am STRONGLY opposed to the change in zoning of this property from Single detached residential to residential R6 special provision zoning. This would affect the rest of the residential properties on the street with regards to traffic, taxes, utilities, peacefulness, etc. and, a building scale that doesn't fit with the rest of the street where the houses have been since the 50's and 60's. I don't think there are even 22 houses on the street.

I reside right across the street from this "development" and have lived on this street for 60 years and in my present location for 44 years. My house was built in 1950. All other houses around me are about the same, including 6756 James that will be demolished. I am retired, on a fixed income and future "developments" to the above mentioned property will no doubt, have an impact on my taxes, and overall disruption in the area.

The school on the street is already overcrowded and has been for the last number of years and have noticed further student, car and bus traffic over the last approx. 5 years.

I do NOT believe there should be any special provisions to accommodate this planning application and any future application should most definitely keep in mind the permitted uses and and policies concerning the above property.

I hope full attention is given to ALL objections and concerns of James Street residents and that this application will be DENIED!!

Maureen Brookes
6751 James Street
London, Ont.
N6P 1A6

From: Kristyn Colvin
Sent: Friday, September 10, 2021 11:15 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] James street condos

Hi
I am writing about the potential condos being built on James street.
That area is already dangerous enough during the school year with no parking, adding a condo development will cause more congestion.
Lambeth public school is already bursting at the seems, adding more housing in a small area will cause that school too become over populated.
It will ruin the little green space left within our small community.
There are condos on savoy close by and new buildings going up beside the fire station.

We are over populating this small area in Lambeth, with no space in schooling or local parks for the kids to go!

Please reconsider. A better use would be a parking lot for the parents and guests of the school, or leave it grass space for wild life and kids to watch and explore.

Kristyn Colvin

From: Laura Webster
Sent: Friday, September 10, 2021 3:27 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] James Street townhome development

Good afternoon Ms. Maton,

I'm emailing today to voice my opposition to the proposed townhouse development by Domus Development on James Street in Lambeth. I am new to the Lambeth community but love it very much.

This street is small, quiet and narrow. Presently it cannot accommodate more traffic and certainly townhomes would increase area traffic.

Additionally, the proposed townhomes are directly beside Lambeth Public School which has approx. 490 students aged JK to grade 8. Increased traffic in this area would be especially detrimental to the safety of the students and staff at the school. Drop off and pick up times in the area are chaotic with the street and sidewalks often packed with cars and people. Considering the small size of the street and surrounding streets, adding many residents into a compact area would be ill-advised.

Furthermore, this section of Lambeth has many older homes which have been lovingly cared for over decades. Personally, I feel a townhouse complex would not suit the aesthetic and community feel of this area.

I hope you will take this email into consideration while assessing the proposed by-law amendment.

Thank you for your time,

Laura Webster

From: Dawn
Sent: Friday, September 10, 2021 8:06 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: 6756 James Street in Lambeth (file Z9401)

Good Evening,

I'm emailing today to voice my opposition to the proposed by-law amendment by Domus Development at 6756 James Street in Lambeth (file Z9401). This amendment seeks to build a townhouse complex at said address.

James Street is a small, quiet and narrow street. Presently, it cannot accommodate more traffic and townhomes would certainly increase area traffic. The increased traffic would also negatively impact Beattie Street as well, which has already been impacted by the change to Main Street.

Additionally, the proposed townhomes are directly beside Lambeth Public School which has approx. 490 students aged JK to grade 8. Increased traffic in this area would be especially detrimental to the safety of the students and staff at the school. As with many school zones, drop off and pick up times are chaotic with the street and sidewalks often

congested with cars, buses and people. Considering the small size of this street and the surrounding streets, adding many residents into a compact area would be ill-advised.

Furthermore, this section of Lambeth has older homes which have been lovingly maintained for many decades. Personally, I feel a townhouse complex would not suit the aesthetic and community feel of this area.

Thank you for your time and consideration.

Regards,

Dawn Eedy

From: Wayne Eedy
Sent: Friday, September 10, 2021 8:48 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: Domus Development at 6756 James Street in Lambeth (file Z9401)

Dear Evening,

I'm emailing today to voice my opposition to the proposed by-law amendment by Domus Development at 6756 James Street in Lambeth (file Z9401). This amendment seeks to build a townhouse complex at said address.

James Street is a small, quiet and narrow street. Presently, it cannot accommodate more traffic and townhomes would certainly increase area traffic.

Additionally, the proposed townhomes are directly beside Lambeth Public School which has approx. 490 students aged JK to grade 8. Increased traffic in this area would be especially detrimental to the safety of the students and staff at the school. As with many school zones, drop off and pick up times are chaotic with the street and sidewalks often congested with cars, buses and people. Considering the small size of this street and the surrounding streets, adding many residents into a compact area would be ill-advised.

Furthermore, this section of Lambeth has older homes which have been lovingly maintained for many decades. Personally, I feel a townhouse complex would not suit the aesthetic and community feel of this area.

Thank you for your time and consideration.

From: Maxine Eedy
Sent: Friday, September 10, 2021 9:11 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] townhouses on James Street in Lambeth

I do not agree to the townhouses being built on James Street in Lambeth. The street cannot support more traffic. Besides the fact that sanitary sewers would be required when we have been fighting for years to get them on our streets ever since London has taken us over. No to the townhouses

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From: Derek and Jen Locker
Sent: Monday, September 13, 2021 10:30 AM
To: Maton, Catherine <cmaton@london.ca>; Hopkins, Anna <ahopkins@london.ca>
Cc:
Subject: [EXTERNAL] Notice of Planning Application (File # Z-9401)

Hello Catherine and Anna,

As a resident of Lambeth and Anna Hopkins Ward, I would like to voice my opinion regarding rejecting the 2-storey, 22 unit cluster townhouse development @ 6756 James St. near Lambeth Public School.

I have been a member of School Council and Home & School since September 2011 when our daughter started at the school and this will be my final year as our son is now in Grade 8. Our Elementary School and many portables (I have lost track, but I know it's over 8) is bursting at the seams with Enrollment and there currently isn't even enough parking spaces for staff and visitors. We have discussed numerous times to have a Kiss 'n' Ride as well as better & more spots for the 10+ school buses we have each day put in where the easement/vacant land is. To hear that more housing is being considered is unbelievable. We need a through-way and/or more parking, not more housing to an already overcrowded school to help with safety issues of our current students and staff.

Thanks,
Jen Locker and Family

p.s. -- I also signed the Petition this past weekend

From: John D'Orsay
Sent: Tuesday, September 14, 2021 9:56 AM
To: Hopkins, Anna <ahopkins@london.ca>; Planning <Planning@london.ca>
Subject: [EXTERNAL] James St Neighbours, Lambeth. File: Z-9401

To: City of London Planning,
We the neighbours on James St in Lambeth Ontario are writing you, the planning department of London, Ontario, in order to discuss the new zoning application filed under Z-9401.

We the neighbours, all stand together that we do not wish this specific land use change be approved. This area of James street is all 60' lots with single family homes. We wish to keep the curb appeal of the street as to not impact any land value and keep our current strong family atmosphere of the neighbour hood in tact.

We do not wish to block improvements to the land and would really enjoy being part of the process to ensure all parties can achieve the desired outcomes. We are confident that there are multiple ways forward to which we can all benefits from the land being developed while maintaining a fantastic neighbourhood.

I have personal signatures of each and every one of our neighbours. I request a meeting with both the planning department and the Anna Hopkins to discuss next steps on how we can all come together here to find a remedy that will work for all parties.

I look forward to hearing from you. Feel free to contact me anytime be email or phone or text.

Sincerely yours,

John D'Orsay and all the neighbours on James St, Lambeth

John D'Orsay

From: L H
Sent: Tuesday, September 14, 2021 1:21 PM
To: Hopkins, Anna <ahopkins@london.ca>; Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Follow up- application for 6756 James-

Follow up- application for 6756 James- Concerns specific to homes at north end of proposal

As homeowners at 4223 Winterberry we back on the described land 6756 James, please note the following requests to be considered in the planning of any development. Note, we did careful investigation into the existing zoning in advance of purchase and had guidance that the city does not approve R1-10 to multisite however in hindsight realize we should not have selected this lot due to inherent risk. Although I appreciate the current council goals and recognize that a multi-family development will likely be approved, I am seeking planning considerations to mitigate significant impacts associated with this townhouse proposal.

1) Direct Impacts to property

Car lights directly into back of home at 4223 Winterberry: Car lights on the driveway in the current proposal will shine directly into our property. As we have a city-installed infiltration drainage bed extending 55 feet across the back of our lot we cannot install any trees in this area. . Request barrier landscaping across the back of 6756 James as part of any project. A few trees are shown on the plan but would not block lights.

Note: City Engineering dept. can explain role, design and planting limitations of infiltration beds.

Proposed 'Trail'- not shown in any zoning plan SIGNIFICANT impact to Winterberry homes and Lambeth PS security.

Page 7 Planning and Design Report refers to '*an active frontage zone '*along the north portion of the subject lands along the future pedestrian trail. As the purchaser of lot 4223 Winterberry backing on 6756 James this is certainly new information not on any official plan. As noted the 55 foot infiltration drainage bed at the back of our property; (and all lots in this row) prevents us from installing landscaping barriers - the option usually taken to provide privacy. The 'trail' is shown as a narrow walkway that would not accommodate bikes, strollers or two way traffic in the volumes likely to use this access.

Lambeth PS is fenced and the play yard is secure at that corner. The school property was locked in the summer due to security concerns, has the school been consulted about the security impacts of this proposal?

Recommendation

a) Request substantial barrier landscaping to block lights

b) Consider relocation of trail to city lands on Campbell or further from shown property lines at the north end of 6756 James. Consider reducing number of units allowed by one on each side to allow properly drained, accessible pathway if it must be in this location.

2) Drainage- lot 4223 infiltration bed on this property at capacity (follow-up to Engineering Dept. response via C. Maton)

At the back of our lot 4223 Winterberry is a large infiltration vault to support drainage in this area. Despite this, significant ponding occurred at properties along the lots backing on 6756 James and Lambeth Public School. The city engineer has been consulted by the owners of lot 4205 Winterberry.

We have noted that clay soils in the area, significantly delay drainage (i.e. we had bull rushes growing in shallow ponds at back of our property during this rainy summer). Page 6 refers to underground storage chambers as part of Option A- where will these be located. Noted that option A is preferred in the report it is to be assumed that storm sewer upgrades have already occurred or will occur before building.

Thank you for your review of these concerns, Please call me at REDACTED if you have questions. I appreciated the telephone follow-up from Anna Hopkins September 14, 2012.

Regards, Leslie and Randy Harden

4223 Winterberry Drive

From: JIM/BETTY POSTHUMUS
Sent: Wednesday, September 15, 2021 10:35 AM
To: Maton, Catherine <cmaton@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] File Z-9401 Zoning amendment 6756 James St.

Catherine Maton
This letter is to address my concerns in regards to the proposed zoning change to 6756 James St.
In short I am against this change for our neighborhood. Every home on this street are single family homes and to put 22 two storey homes on one small lot will be so out of place and will destroy the look and feel of our community. It is nothing short of landscape pollution. I did talk with Anna Hopkins and she repeatedly stated that it had been reduced from 35 to 30 units per hectare which if that was supposed to make me feel better it did not. I live at 6770 James right beside the lot that has the proposed changes and I doubt that no one from the planning dept. has come out here to survey the lot and actually see what it will do to to our street's value and looks.

These are some of my personal concerns, but there are many other concerns that the planning dept. might not have considered. Some are as follows:
1) Traffic congestion with the school.
At present the cars are lined up and down the street as far as the eye can see and vehicles have a difficult time navigating the street let alone the school buses that can't at times even get down the street. Home owners have a difficult time getting out of their driveways at these times and then add approx. 44 more vehicles trying to navigate this congestion as well is a recipe for disaster.
2) Safety concerns:
There are no less than 200 kids many with parents walking to and from the school at peak times and we have personally seen kids that have almost been hit by cars. Again add more traffic to this scenario and it is a recipe for disaster. I would challenge some one from the planning dept. to come and actually see this when school is starting in the morning and when letting out in the afternoon. One option would be to have the TVSB. purchase the property and use it for school bus drop off and pick up as well as additional staff parking which is severely lacking as some staff have to park on the street at present.
3) Please consider one story retirement homes which are so desperately needed in this area which would be less of a traffic hazard at school times.
4) Septic problems. Every home is on septic tanks and how will this impact the homes in the immediate vicinity.
5) Consider reducing the two story dwellings to one story and remove the 3 town homes proposed for the front and keep that as green space to enhance the street view and start the town homes back by the school school line.

We are not opposed to changes but this seems to be way overboard for our neighborhood. Please consider our community with all of the proposed changes.

Sincerely,
Jim Posthumus
6770 James Street

From: JIM/BETTY POSTHUMUS
Sent: Wednesday, September 15, 2021 11:32 AM
To: Maton, Catherine <cmaton@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment for 6756 James Street

Re: File Z-9401

Good Morning Catherine,

I am writing this letter as I have some very serious concerns about the proposed 2 storey townhomes that may be slated to be built on the property of 6756 James Street.

1.) James Street has had single family homes for more than 60 years. A complex of 22-2 storey townhomes will not fit in at all with the current neighborhood.

2.) Lambeth Public School is already at over capacity. The new addition was built for 500 students and there are presently 825 students with 10 portables. With the new townhomes, there will be numerous families moving in with children who will need to attend a local school. There is no room left at our Lambeth school.

3.) James Street is a School Bus route. Every morning and mid afternoon James Street is packed with parked cars, occasionally on both sides of the street, belonging to parents who are dropping off or picking their children up from school. Along with this congested traffic, there are also several school buses trying to navigate the street. If 22 new homes are added to James Street, will it be safe for the children and parents walking to and from school? This is an accident or worse still, a death of a child waiting to happen. At present more than 225 children (I counted them) walk down this sidewalk every morning and evening. Can you guarantee the safety of our kids? Most families own 2 cars so now you're also potentially adding 44 vehicles entering and exiting the new complex. Our children will be in continuous danger with the increased traffic.

4.) There is a new intersection at James Street and Campbell Street North. I dare say more than half of the students who attend Lambeth Public School have to navigate this very unsafe intersection to reach their homes. Again, the traffic flow will only increase with the new builds on Campbell Street and James Street and further endanger the lives of the kids who must cross over Campbell Street to reach their homes.

We have lived on James Street for over 42 years and have always enjoyed the small town feel of Lambeth. There has been a lot of expansion over the years surrounding Lambeth which has brought in some great homes and families. However, trying to jam 22 townhomes onto a small piece of land in a single family residential area is a huge mistake in so many ways.

Please reconsider the plans for 6756 James Street. Come and see for yourselves how this proposed new build is not at all right for this area.

Sincerely,
Betty Posthumus
6770 James Street.

From: Case
Sent: Wednesday, September 15, 2021 1:42 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] zoning by-law amendment

RE: File Z-9401
6756 James Street

Catherine Maton

I object to the development. Lambeth Public School is also on James Street which hundreds of children attend. We already have enough traffic with people driving down James Street to avoid the lights at Main Street and North Talbot Road. We don’t need more people driving down James Street and endangering the lives of our children.
A better idea would to let Lambeth Public School to acquire the property so that they could expand the school so not as many portable classrooms would be needed.

Sincerely
C. Vanderboog
6955 Lambeth Walk
London, On

From: preet thind
Sent: Monday, September 20, 2021 5:58 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James st

Hello there,

File Z-9401

Applicant: Domus Development London Inc.

We received the the notice of planning new developments on campbell st and james st. That property should go to lambeth public school, there are so many new house has build and that school seems smaller for this big neighborhood. I drop my kid to school and noticed lambeth public school has 10 big size school buses which means this school will be over populated if city allow more house in this neighborhood.

Thank you

Dilpreet Bajwa

From: Kim Bartlett
Sent: Monday, September 20, 2021 10:46 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Condominiums beside Lambeth Public School

Hello,
I am writing to voice my concerns regarding the applications for condominiums to be built beside Lambeth Public School. This school is already over capacity. I, as a Lambeth resident for the last 31 years and a parent to 4 children in the primary division of the school, am against the condos being forced into this plot of land. The land should be allowed to be purchased by the TVDSB who, to my understanding, have made previous attempts to purchase it. The school needs be expanded to accommodate the family homes already being built around it. Lambeth Public School needs more land to be able to support our ever expanding community. There are too many children packed into a school which is built for half the student population it is currently supporting.

We have already seen four classrooms closed in the first two weeks of school due to Covid-19. How can we keep our children safe when we are packing them like sardines into that school?

Lambeth needs a bigger school, not more homes to fill.

Regards,
Kim Bartlett
2 Martin St
London, ON
N6P 1B2

From: Kamila Karpierz
Sent: Tuesday, September 21, 2021 4:46 PM
To: City of London, Mayor <mayor@london.ca>; developmentservices@ondon.ca; Maton, Catherine <cmaton@london.ca>

Cc: Hopkins, Anna <ahopkins@london.ca>; van Holst, Michael <mvanholst@london.ca>; slewis@ondon.ca; Salih, Mo Mohamed <msalih@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Lehman, Steve <slehman@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Turner, Stephen <sturner@london.ca>; Peloza, Elizabeth <epeloza@london.ca>; Kayabaga, Arielle <akayabaga@london.ca>; Hillier, Steven <shillier@london.ca>; Nicholson, Janet <jnichols@London.ca>
Subject: [EXTERNAL] File Z-9401 – Zoning By-Law Amendment on 6756 James Street, London

Tuesday, September 21, 2021
City of London
300 Dufferin Ave,
P.O. Box 5035
London Ontario
N6A 4L9

RE: File Z-9401 – Zoning By-Law Amendment on 6756 James Street, London

Dear City Council:

I am writing to you today to oppose the zoning amendment on 6756 James Street, London, Ontario.

As a new resident and next door neighbour to 6756 James Street, I was very disappointed when I received the notification of proposal for the zoning amendment for this particular property. James Street is a quiet and quaint street and this would significantly change the overall look and feel of the street. Currently, all the homes around 6756 James Street, are single family dwelling homes with one to two storeys and each have a beautiful front property along with a decent sized rear yard. The proposed plan would not match what is currently in and around the surrounding area and would not be visually attractive.

I am worried about the wrong portrayal of the surrounding areas, as it states there will be future residential development which in fact, this new development already exists with families already living in these new houses. Why haven't these new development homes been added to the proposed plans drawing? This will definitely have an impact on key decision makers overall final decisions about this proposed development and should be represented properly.

Lambeth Public School is an adjoining property to 6756 James Street and James Street is categorized as a school safety zone with many parents dropping off and picking up their children from school. During these drop off and pick up times, there are many cars that park along the street and over 200+ people walking along the sidewalk. I, personally, am not even able to leave my driveway during these times as there is a significant reduction in visibility of oncoming traffic coming down the street. With this proposed development, there would be an additional entrance/exit to a mini subdivision amongst an already busy street. This is a huge safety hazard in my eyes, especially during the winter months when tall snow banks accumulate with each snowfall along with icy and slippery road conditions. According to CAA statistics, 25% of drivers have reported witnessing an accident in a school safety zone, with more than half involving a child. I don't think much thought has gone into protecting these families and children in a school safety zone while planning this development. Has anyone from the planning committee come out to observe the morning drop off and afternoon drop off on James Street to determine if this development would be a good fit in a neighborhood like this? And if so, what were their observations?

Another safety hazard that exists is the children's safety during school hours. Who designed the rear yard depth of 1.8 metres, whereas a minimum of 6 metres is required? The distance from the school playground to the rear yard should be NO less

than 6 metres. Children should have privacy during school hours and this makes me very uneasy that people would be living this close to a school playground. Any development happening beside the school playground will need to be built with a fence completely blocking the view of the children playing in the school playground.

Lambeth Public School is already over capacity and I would like to know what is the proposed plan to offer education to all of these new families? The school currently already has portables that are currently being used and a certain amount of greenspace must be maintained for the children. Are there plans to build up the school or is another one coming to the area? 6756 James Street property would be best suited to be sold to the school to allow for the space for the growing population of students and teachers. The school did try to purchase some of this property and was declined. It seems to be that these developers are almost encouraged by the city to make a $$$ profit rather than support the existing community and build accordingly to their needs.

We purchased this property recently and really do love the neighborhood. We have a one year old son who recently started walking and running. He will soon be old enough to ride a bicycle and we purchased a house with this in mind. We wanted to live in a safe community for our son to grow up and play. I am afraid that adding the 22 townhouses would attract more crime to the neighborhood, as there would be at least 22-44 more people within a small area. Will these townhouses be up for rental or for sale? This obviously makes a difference in the type of people it will attract. Most tenants do not maintain their houses the same way a proud owner would maintain it. In terms of maintenance, who would be responsible for the lawn and road maintenance of the townhouses? Snow and garbage removal? Will there be any other access point to these townhouses or only from James Street? Does the city intend to continue building more townhouses on the existing vacant land to the east of 6756 James Street?

Additionally, these townhouses would negatively affect my property in a variety of different ways. This would significantly increase the noise level right beside me, especially with the proposed road entrance beside my driveway. Cars would constantly be entering and exiting, shining lights towards me and my neighbours. Not only will the noise increase, but so will the pollution. This new development will affect the amount of sunlight coming into my property, creating more shade, which may in turn affect the growth of the plants in my garden. Currently we have beautiful mature trees which inhabit many wildlife. Removing these trees would significantly impact the habitats of this wildlife. Has an ecological survey been done to report what wildlife currently exists and how best to maintain the environment and features to protect? In the summer months, there were many butterflies, including monarch butterflies and birds that would be significantly impacted with this new development. I would like more information about the completed ecological survey as well as with a soil survey. We, along with many others on James Street are on a septic tank. Some neighbours have expressed concern over recent water buildup on their property, which has resulted in flooding. While some have been granted approval to connect to municipal sewage systems, others were not allowed to. I am afraid of this new development causing issues with my own septic tank, flooding on the property with potential damages to the foundation or basement of my house. Who has approved the connection to municipal services for 6756 James Street? Is there enough capacity to allow for more sewage waste? Is there a possibility to connect others on the street?

I realize that the developer will develop something on this property but we ask that they build something that would fit with the current look of the street, maintaining the same size of lots that the surrounding houses currently have., especially the ones on James Street and giving them no less than 6 meters of a backyard. I encourage a representative from the planning and development committee to come and visit James Street and document how many vehicles and pedestrians pass by, especially on a typical morning school drop off time as well as an afternoon pick up time, keeping winter weather conditions in mind. I would like to see fences built between the backyards facing the school playground as well as along my property to protect the privacy and safety of my son and other children. Prior to any development beginning, I would like to see the soil and ecological surveys, confirming that this particular property can sustain

such development. As a city with the logo of a tree on it, and celebrating National Tree Day tomorrow, I really encourage some deep thought when reviewing this proposal and realize the damages you will be making to not only new residents, but to longtime residents of Lambeth. There are much better areas for this type of development.

I appreciate all of your time to review my concerns. I have attached photos for you to review along with a petition signed by residents of the community and emails voicing some of their concerns. I truly hope the communities' input will be considered and we are happy to work with the developer to ensure a seamless transition occurs during the development process. Please visit http://change.org/6756JamesStreet to view the online petition and read through the comments. A list of signatures and comments are also included as a separate attachment.

I am looking forward to hearing back from you in regards to next steps and can be reached by email: REDACTED or phone: REDACTED.

Thank you for your time,

Kamila Karpierz Joseph Di Napoli

6742 James Street
London Ontario

From: Harnek Kalirai
Sent: Tuesday, September 21, 2021 11:40 PM
To: Maton, Catherine <cmaton@london.ca>; Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Notice of Planning Application Opposition (File: Z-9401)

Hello Ms. Maton & Councillor Hopkins,

I am writing to express my strong opposition to the zoning amendment for 6756 James Street (File: Z-9401). While the local community may be unable to prevent development, that in itself will be detrimental to the area, nearly all residents in the Lambeth neighbourhood affected are completely opposed to the addition of multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on Campbell Street North already spans the distance between James Street deceleration lanes and Main Street intersection, and the intersection is routinely blocked by traffic turning onto James Street during rush hour. While the traffic may be lighter on average, the local neighbourhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing and newly developed Lambeth community. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to Lambeth Elementary Public School in the mornings. The school has already issued a formal notice to parents of students, informing them to park at nearby public parking lots and walk their children to school because of an already existing traffic issue and due to the undersized school parking lot. In general, the area traffic is continuing to increase, and heavy traffic is already common at times from James Street to Colonel Talbot Road, which may not have been anticipated during the last zoning approval.

Lambeth Elementary Public School is already reported at overcapacity due to nearby housing developments, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Furthermore, overcrowded classrooms are a safety concerns for the youth of this community due to the uprising of the Covid-19 pandemic and recent breakouts in the Lambeth community.

Property values are likely to go down in the area if multi-family townhouses or triplex dwellings are built. Multifamily dwellings are inconsistent with the neighbourhoods developed in the area. There was no indication of this proposal when new homeowners were moving into the nearby community.

I urge you to disapprove the proposed zoning, and from recent meetings and discussions with my neighbours, I know many who have not managed to attend meeting or write letters and emails share my opinions.

Thank you for your continued service and support of our communities.

Best regards,

Harnek Kalirai

From: Lisa Grieve
Sent: Wednesday, September 22, 2021 12:03 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Proposed Development project at 6756 James St

Hello Ms. Maton,

I am writing with concerns regarding the proposed development project at 6756 James St. I live on James Street and wish to express my observations and opinion concerning this very alarming proposal.

- This street is entirely comprised of single-family homes, with a very family-oriented nature and community. Building a "22 unit cluster" of townhouses is **inconsistent with the surrounding area** and should not be permitted.

- James Street has the entrance to the public school, and is a very busy street (even with large speed bumps already in place) the vehicle and pedestrian traffic is excessive for such a residential street. Adding an entrance onto James St. that connects to 22+ units would drastically increase the traffic which is a legitimate safety concern. **This change will significantly impact traffic and be a safety concern.**
- Changing the ratio of units per hectare from 35 to 30 does not, in any real way, address the problems with this proposed amendment.

Unfortunately, I am sure that it is nearly impossible to stop this development proposal entirely, now that it has been set in motion. However, I implore you to consider alternative options that still allow the plot to be developed, but with consideration to the James Street community.

- One suggestion - leave the lot that is directly on James Street as a single-family home (rather than three townhouses) and develop the plot of land behind it, which can then exit out onto Campbell St.
- Another suggestion, if there must be three townhouses built on James Street - which makes no sense in this neighbourhood - then, please do NOT have the 19 townhouses behind them have an entrance/exit onto James Street. PLEASE have the 19 townhouses only use a driveway onto Campbell St.

Development proposals like this, in this type of location, show no regard for the neighbourhood, community and place we call home.

Thank you for reading this letter in its entirety.

Lisa Grieve

From: Klaud Czeslawski

Sent: Wednesday, September 22, 2021 5:41 PM
To: Development Services <DevelopmentServices@london.ca>; Maton, Catherine <cmaton@london.ca>;; City of London, Mayor <mayor@london.ca>
Subject: [EXTERNAL] 6756 JAMES STREET LONDON OPPOSITION TO ZONING CHANGE

To: Development Services and London planning.
Cc' Karen Vecchio, Ed Holder

I am writing to oppose this zoning change that will allow 22 townhouses on James street.

I personally think the way the plan is proposed is a massive mistake to the area, traffic, and an unnecessary disruption to the residents of James street.
Putting a driveway for 22 homes next to the school, which is already over capacity, and creating a disaster of traffic flow is something that I cannot understand. The traffic on James is already a massive problem, and extremely poor planning of the development of Cambpell and its traffic flow just adds to more issues. The safety of the neighbours and children has not even been taken into account.

I was personally allowed only two lots on a 196ft frontage a few streets over and here 22 units are proposed. I am not against more housing in the area, but there is a much better way of doing this.

James should not have any type of access to this proposed project. On James street the city should only allow 2 single family residential lots, as to conform with the rest of the street. I personally recall going through a neighbourhood study, where I needed to conform to what is around me. A developer comes along and such things fail to exist? The way the turn around is setup in this development, that should be the entrance and the city should allow it to go through CITY LAND to Campbell street out of the way of traffic. This way the townhouse can be in the back and not interfere with James street traffic or residents. I personally cannot believe this proposal has actually managed to go this far and I am very curious how this is possible, when so many other attempts at infills are rejected by the city.

I would be very happy to discuss my thoughts and ideas on how this can still occur, in such a way as to be a viable option for everyone, however as is myself and hundreds of others, mainly all voters for Ms Vecchio, are completely opposed to this development and zoning change as proposed. Mr Holder your staff is in dire need of re-configuration when it comes to infills and re-development of lands and items in this city. There have been so many ideas put forward by many people that I am even aware of that get massive opposition from the city. I have personally had issues with previous staff members to the point where Michael Pease had to supervise a meeting, on how upset I was.

If the city will support such a project, I have a few myself that have been rejected that make way more sense. This clearly shows a large developer is being favoured over other residents of London. Either the city supports what is talked about in the London plan or they don't, all that I see is favoritism shown to certain individuals, while many others are opposed. The on-going farce is that the city claims to want development, infills, extra suites, industrial/commercial spaces changed to housing, and to provide affordable housing. Yet many times projects that are proposed, face such red tape and bureaucracy that the "little guys" give up and choose to go out of town. Why does the little guy have to depend on OMB to get anywhere? There is nothing affordable about luxury 700k townhouses here in Lambeth. They do have a place here, I 100% agree, but there is a much better setup for them.

I think what we actually should have is a meeting with regular people to bring forward ideas on how to create more housing, more affordable housing, and not just things to line the pockets of large developers, and others involved. I am a Real Estate agent, an investor in Real Estate, I have developed land and I fully support more housing options for this city. I am opposed to one way dealings the city seems to have with anyone that

is not a massive developer. This is just beyond unacceptable when compared to other municipalities in Middlesex and Elgin.

Thank you for your time, I hope I receive a response to this email.

From: Klaud Czeslawski
Sent: Thursday, September 23, 2021 3:21 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: Re: [EXTERNAL] 6756 JAMES STREET LONDON OPPOSITION TO ZONING CHANGE

Catherine

I am very happy to see your response. I honestly was expecting the email to fall on deaf ears. I am happy that comments actually get read and considered.
My address at the office is fine, np, and thank you for adding me.

As per other projects, are you willing to be a person that ideas could be brought to? Like I mentioned I have a few projects in mind, that actually will help with more rentals and affordable housing.

As per the James project, I can draw on the plan, what I was thinking about, if needed.

Thanks again for the reply

From: Ivana Loncarevic
Sent: Wednesday, September 29, 2021 9:08 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 6756 James st

Hello,

Curious if there is a timeline for this application to get processed? Also is there a propose build start and finish dates etc?

Thank you so much.

Sincerely

Ivana

From: **L H**
Date: Thu, 6 Jan 2022 at 11:20
Subject: Functional plan question with easement change 6756 James St.
To: Maton, Catherine <cmaton@london.ca>, Hopkins, Anna <ahopkins@london.ca>

Catherine and Anna,
First, thank-you for attending the open house for the proposed 6756 James St. Lambeth townhouse build. It was a very informative evening.
1) Functional Plan- 3.1 Sanitary Outlet Option A - impact of revised easement- see page 2. .
The site plan has been revised to remove the walkway and reduce the distance between the units and the north end of the lot. Please note that the preferred option for Sanitary Outlet in the Functional Plan regarding sanitary sewer is Plan A based on 8.8 metre easement. Can this still be accommodated in the updated site plan or will James Street be impacted by the need to switch to Plan B? If the narrower back easement allows the sewer, will it permit the planned trees (as noted infiltration bed at the back 12 feet of 4223 Winterberry prevent us landscaping to reduce lighting impact from traffic/street lights from the townhouse driveway- how invasive).

2) Stormwater Management-There is no capacity for any discharge of water to the lots north of the development due to discharge during rain or snow melt (assuming that snow piles could fill the back of the narrow easement). The developer suggested that this was solved but the status quo with the infiltration bed model in our lots is far from effective with the heavy clay in this area.
Drainage is a huge issue in this area- the clay soils do not allow water through as evidenced by several feet of water sitting in open construction lots and swamp conditions in the rough area west side of Campbell between Winterberry and James. Neighbours backing on 6756 James and the school on the Winterberry side have constant water pooling over the infiltration beds which prevent them from using the back 12 feet of their yards. Any further water from this development will further aggravate an unpleasant issue and possibly add a risk of basement flooding in the development. The infiltration beds are not effective to say the least- one neighbour had to remove the grass at the back of his property last summer as it rotted and stunk in the pooled water. There continues to be pooled water in these lots.
3) Emergency Access - Note single garage, single driveways. How will parking be managed to prevent blockage of the driveway to emergency vehicles? If driveway size is increased to double, this further reduces the area available to drain storm water. There are 8 overflow spaces yet reality seems that many people have 2 cars.
4) Construction Access- will there be a plan to minimise impact to surrounding neighbours and protect trees as noted in the tree plan. There was a thinly veiled suggestion during the open house discussion that the current 'turn around area' could be extended to Campbell to access the area- is that being proposed for the city owned land?
Thank you for your ongoing review of my questions. I want to ensure that plans are correct up front- it is too late if these issues are only noted after the build is complete.
Regards, Leslie Harden
4223 Winterberry Drive,
London, Ont.

Agency/Departmental Comments

September 8, 2021: Water Engineering

Water Engineering have no comments for the application noted above. Water is available for the subject site via the municipal 150mm watermain on James Street.

September 13, 2021: Transportation

- Right-of-way dedication of 10.75m m from the centre line be required along James St.
- Detailed comments regarding access design and location will be made through the site plan process.

September 15, 2021: Parks Planning and Design

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

- A letter of confirmation to allow a pathway connection to the school site is required from the Thames Valley District School Board.
- The minimum width of the pathway shall be 15m. The 8.8m width shown is not sufficient and is not supported.
- If the above conditions cannot be provided 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.

September 20, 2021: London Hydro

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required.

Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

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

September 22, 2021: Urban Design

Please find below UD Comments for ZBA Application related to **6756 James Street**.

Urban Design staff have reviewed the submitted application for the above noted address and provide the following urban design principles for the site consistent with the Official Plan, the London Plan, applicable by-laws, and guidelines:

- The applicant is commended for providing a site and building design that incorporates the following design features; a built edge with street-oriented units consistent with the established street line of adjacent properties and locating all parking away from the street and internal to the street.
- Explore opportunities to reduce the number of driveways along James Street frontage and locate the units closer to the street (similar or comparable to the setbacks of 6728 James Street) to provide additional space for the amenity space and landscaping internal to the site.
    - Include a special provision for minimum and maximum front yard setbacks along James Street consistent with the setbacks proposed (recommending min 6m, maximum 10m).
- Provide further articulation for units 1-3 to avoid the long continuous façade along the James Street and mimic the rhythm of the existing single detached houses on the street.
    - Consider staggering or breaking up the length by pushing the end units ‘1’ and ‘3’ close to the street and the middle unit towards inside to have the development appear as 2 single detached dwellings from the east and west approaches, consistent with the surrounding context.

September 22, 2021: Stormwater Engineering

The Stormwater Engineering Division staff have reviewed the above noted application and have no new or additional comments beyond those previously provided as part of the Pre-application Consultation for this site (see attached email from Jan. 15, 2021).

September 22, 2021: Sewer Engineering

The City has been consistent in the message that the outlet for these lands is by way of a possible future sewer extension on James St to the stub on Campbell that would also benefit other properties. This lot does not currently have frontage to Campbell.

SED has no objection to the proposed land use albeit according to AECOM’ area plan it was included as part of EXT area 2 as single family use (53people/ha)

October 4, 2021: Urban Design Peer Review Panel

The Panel was generally supportive of the organizing framework for the site and the proposed built form as an appropriate infill solution in this neighbourhood context. The modification of the typical townhouse form to provide shallow/wide unit layouts allows for better spatial separation between adjacent sites and is appreciated. In general, the discussion focused on the multiple opportunities to better respond to the unique context via the site layout, landscaping strategy and architectural design. The comments that follow provide guidance for further opportunities to strengthen the relationship between the proposal and the site context:

- The Panel recommends considering an alternative townhouse typology for the row facing James Street. The revised layout should include “rear-lane” access to the units to eliminate the driveways and curb cuts along James Street thereby

improving the pedestrian conditions and quality of the built environment as experienced from James Street.

- The Panel recommends realignment of the primary drive aisle to span straight from the rear of the site to James Street. The recommended realignment would create opportunity for two distinct building forms on either side of the site entrance along James Street which could be designed to frame the site entrance. The realignment would allow for better connectivity and pedestrian navigability from the rear pathway to James Street.
- The Panel recommends the inclusion of an internal pedestrian walkway (i.e., sidewalk) to allow for pedestrian connectivity from the rear pathway to James Street. Alternatively, the internal driveway could be redesigned with a more urban surface treatment signalling the driveway as a “shared space” which would enable mixing of pedestrian and vehicle traffic in a safer and more intuitive way.
- The Panel recommends that the future interface between the pathway and the proposed development block remains visually permeable so as to allow for “eyes on the pathway”. Standard privacy fencing should be avoided in this location.
- The Panel recommends relocation of the proposed outdoor amenity space to the rear of the site to better take advantage of and animate the adjacent pathway block. The coupling of the private amenity space with the public pathway block could allow for better opportunities for programming of those spaces.
- It is suggested that opportunities for landscape features such as seating nodes, knee walls, additional planting or other landscape elements be considered within the trail block to enhance user experience and subdivide the otherwise linear pathway connection.
- The Panel recommends consideration of further modifications to the material palette on the townhouse forms to provide a more consistent architectural strategy (e.g., the red brick veneer conflicts with the coldness of the more modern grey siding)
- The Panel recommended reviewing the proximity of the surface parking stalls to the sides of the adjacent townhouse units and determining is further spatial separation is warranted.

This UDPRP review is based on City planning and urban design policy, the submitted brief, and the noted presentation. It is intended to inform the ongoing planning and design process. The proposed plan requires further development of the site design to meet the stated policy goals for the site. The quality of the urban environment can be improved by exploring and implementing the recommendations above.

November 8, 2021: Upper Thames River Conservation Authority

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).*

PROPOSAL
The applicant is proposing to construct a 22-unit cluster townhouse development accessed via James Street. James Street is located within an existing neighbourhood in the community of Lambeth. It is understood that this application represents infill development of an existing lot that is currently under-utilized.

CONSERVATION AUTHORITIES ACT
As shown on the attached mapping, the subject lands ***are not*** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The subject lands do not contain any natural hazard features and are not located within the regulation limit of the UTRCA.

RECOMMENDATION
As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required for the proposed development.

While the UTRCA has no objections to this application from a regulatory perspective, we recommend that City of London staff examine the updated floodline mapping for the Dingman Subwatershed, October 2021, when reviewing this application. A copy of this mapping has been attached for review.

It appears that there currently may not be flood-free access to these lands from the surrounding road network. As per policy 3.1.2 of the PPS, *development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards.* City Planning staff need to satisfy themselves that this requirement of the PPS has been met.

Should additional information be required pertaining to the flood depths and velocities affecting this neighbourhood, please contact Chris Tasker, Manager - Watershed and Information Management Unit.

Thank you for the opportunity to comment.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY

<u>November 25, 2021: Landscape Architecture</u>

1. Increase limits of disturbance setback from east property line to 4 meters, by decreasing front yards/driveways of townhouses,
2. Update TPP for Site Plan Application:
    a. Confirm trees #17-19 are growing within site and are not boundary trees
    b. Include tree #10 in boundary tree removals
    c. Consent to remove boundary trees #10 and #20 from Development Services
3. Total dbh removed from site is 763.6 cm. Application of London Plan Policy 399 4b) Trees will generally be replaced at a ratio of one replacement tree for every ten centimetres of tree diameter that is removed. Guidelines, municipal standards. 49 trees are shown on concept landscape plan. The Landscape Plan will need to be updated at Site Plan application to include an additional 23 trees.

<u>November 25, 2021: Site Plan</u>

1. Extend the sidewalk off of James Street to the visitor parking area at the minimum. Noting that the sidewalk width is to be a minimum of 1.5 metres and the driveway lengths a minimum of 6.0 metres to account for any vehicle overhangs.
2. The minimum drive-aisle width is to be 6.7 metres minimum. Revise accordingly.
3. The barrier-free stall is to have direct connections to a sidewalk with a minimum width of 2.1 metres to accommodate for vehicle overhangs.
4. As per the Zoning By-law Z.-1, the minimum parking stall length is 5.5 metres (for the visitor parking area – currently greater than 6.0m is proposed). This may assist in creating more room for either the appropriate drive-aisle width or sidewalk width.

<u>December 20, 2021: Thames Valley District School Board</u>

We have no objections or comments to the proposed application.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

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

1.1.1.b)

1.1.1.e)

1.1.3

1.1.3.2

1.1.3.3

1.1.3.4

1.4 – Housing

1.4.1

1.4.3 b)

1.4.3 d)

1.7 – Long Term Economic Prosperity

1.7.1 e)

3.1 – Natural Hazards

3.1.2

The London Plan

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

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

Policy 54_. Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 59_2, 4, 8. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 66_ Our City, Planning for Growth and Change

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

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

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

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

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

Policy 939_ 2, 5. Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

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

*Policy 1558_ Secondary Plans, Status of Secondary Plans

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

1998 Official Plan

3.2 – Low Density Residential Designation

3.2.1 – Permitted Uses

3.2.2 – Scale of Development

3.2.3 – Residential Intensification

3.2.3.2 – Density and Form

3.7 – Planning Impact Analysis

3.7 Planning Impact Analysis	
Criteria	**Response**
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The proposed land use is a contemplated use in the Official Plan and contributes to a variety of housing forms within the neighbourhood. The townhouse units are compatible with the surrounding land uses as the units are proposed at 2-storeys in height, in keeping with the characteristic of the neighbourhood (ranging from 1-storey to 1.5 storeys). The proposed use is not anticipated to have any negative impacts on the surrounding area as only one special provision for setbacks (reduced to 5.5m minimum whereas 6.0m is required).
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 revised site concept achieves an intensity that allows for other on-site functions such as visitor parking, amenity space and pedestrian connections.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	As part of the newer subdivision to the north, vacant land with a variety of zones to facilitate uses ranging from street townhouse dwellings to apartment buildings exist, however large portions of the subdivision’s have yet to be finalized and registered.. Within the existing neighbourhood, there is no vacant land already designated or

	zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.	The site is located in relative proximity to the commercial uses along Main Street, adjacent to an elementary school and a park (open space).
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.	The proposed development is in an area in need of affordable housing units and provides for a mix of housing types which is inherently affordable.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed two-storey townhouses are consistent to that of the neighbouring single detached dwellings. Existing properties along James Street consist of one to one and a half storey dwelling single detached dwellings. The setbacks of the proposed townhouses are of sufficient size to provide for screening to mitigate impacts on the surrounding single detached dwellings.
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;	The proposed development provides for the retention of existing trees along the eastern property boundary which will assist in providing adequate screening. There is also an existing row of cedars along the eastern property boundary proposed to be retained. Additional screening opportunities through vegetation will be considered at a future Site Plan Approval stage. Site concept revisions provide additional green spaces, including landscape islands in the parking areas and an enlarged amenity area, in which tree planting can occur.
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	Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage.
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;	Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: for providing a site and building design that incorporates design features such as built edge with street-oriented units and locating all parking away from the street

	and internal to the site.
The potential impact of the development on surrounding natural features and heritage resources;	No natural heritage features are present that will be affected by the proposed development.
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;	N/A
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;	The requested amendment is consistent with the in-force policies of the Official Plan. Further, the proposed form of development will be reviewed for conformity to the in force Official Plan policies and comply with the City's regulatory documents prior to approval of the ultimate form of development through the Site Plan Approval process. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure functionality, including provision of landscape islands, drive aisle widths, visitor parking, pedestrian movements and an appropriate sized common amenity space.
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;	As discussed above, tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.

19.2.1.iii) – Secondary Plans and Guideline Documents

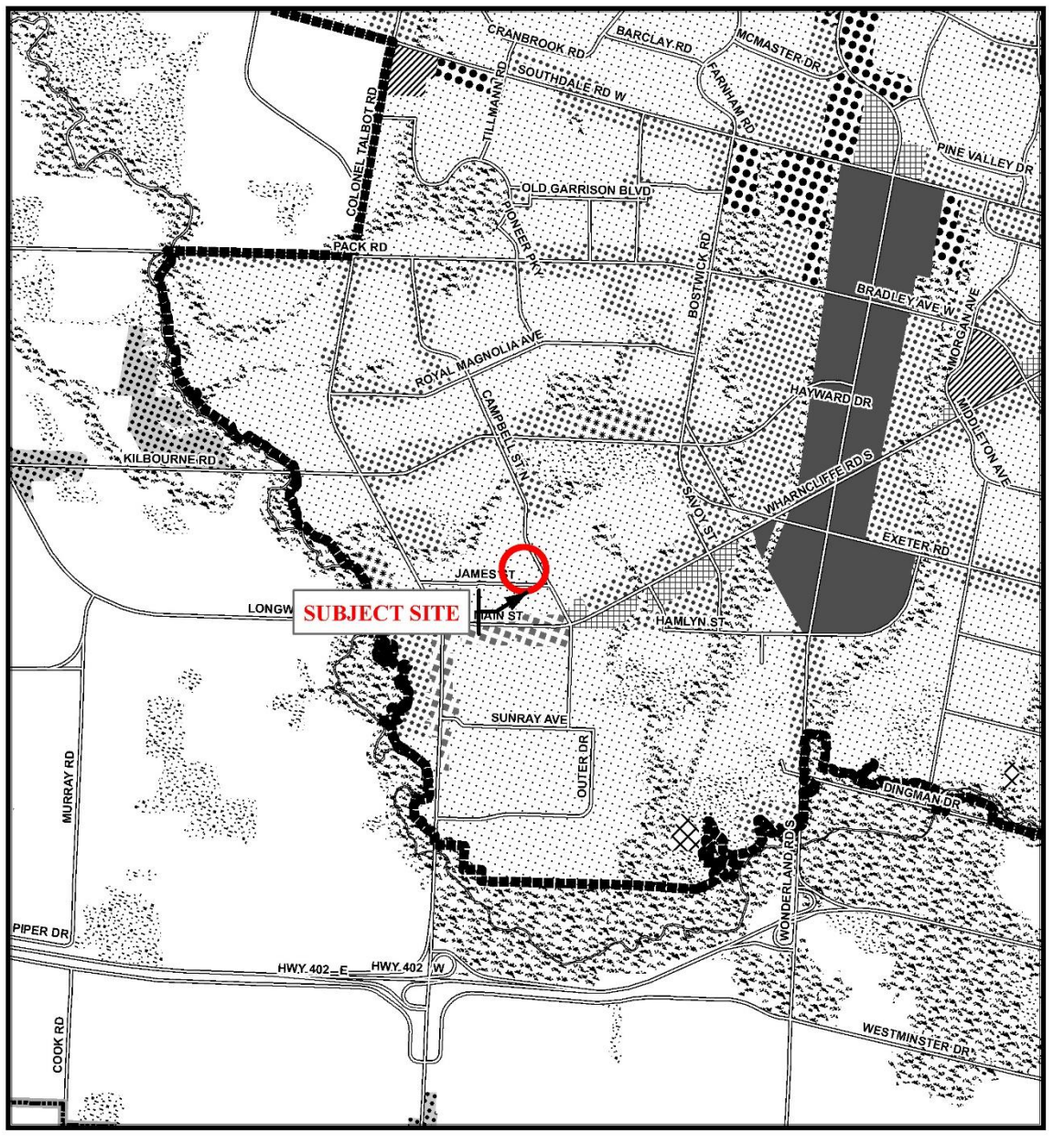
Southwest Area Secondary Plan

20.5.7 – Lambeth Neighbourhood

20.5.3 – General Policies

Appendix D – Relevant Background

Additional Maps



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

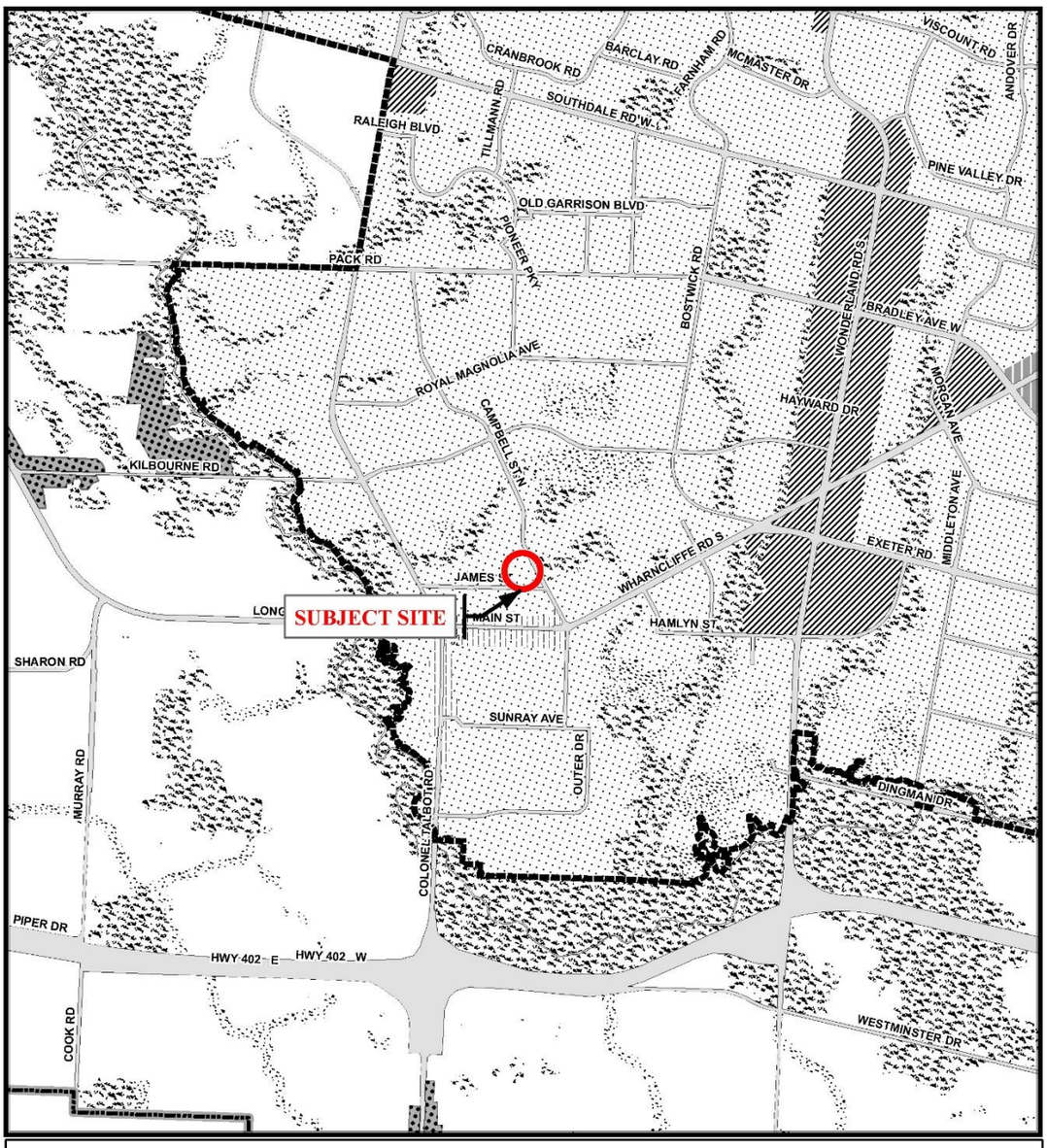
PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	Z-9401
PLANNER:	MV
TECHNICIAN:	RC
DATE:	2022/02/08

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

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

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 -

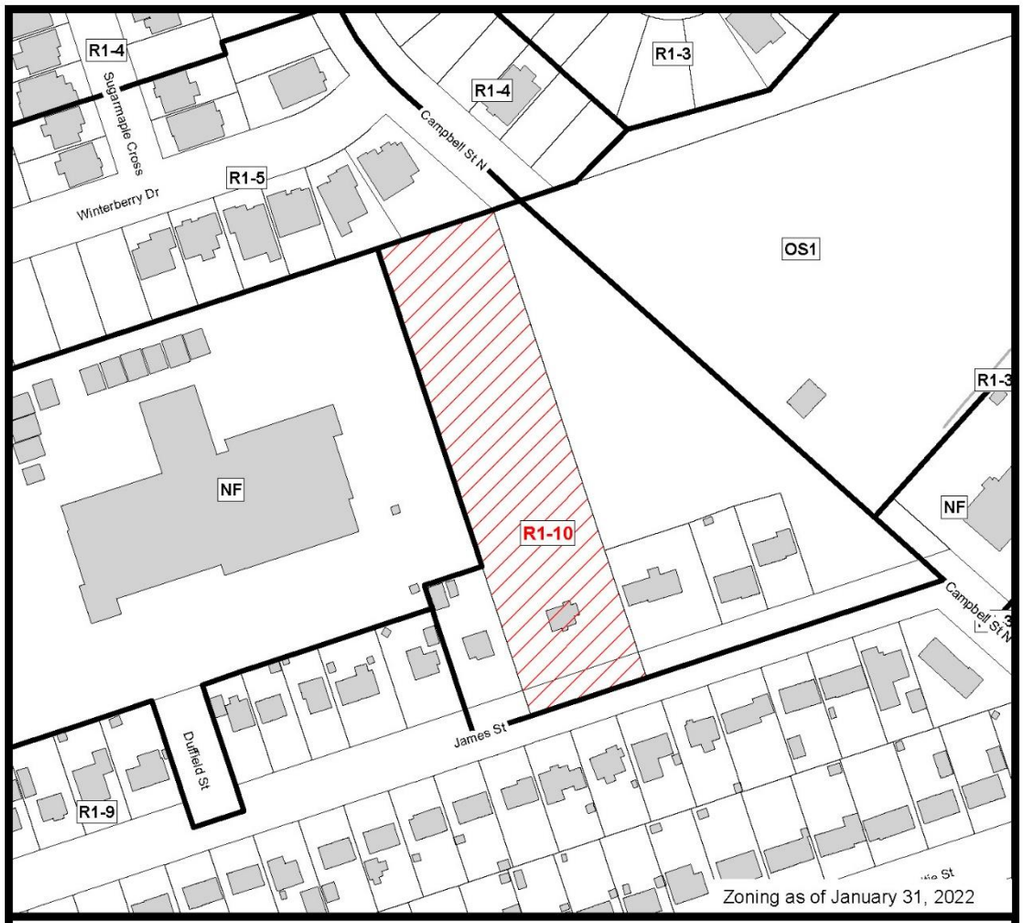
PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	Z-9401
Planner:	MV
Technician	RC
Date:	February 8, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9401-Map1-PlaceTypes.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO:
Z-9401 MV

MAP PREPARED:
2022/02/08 RC

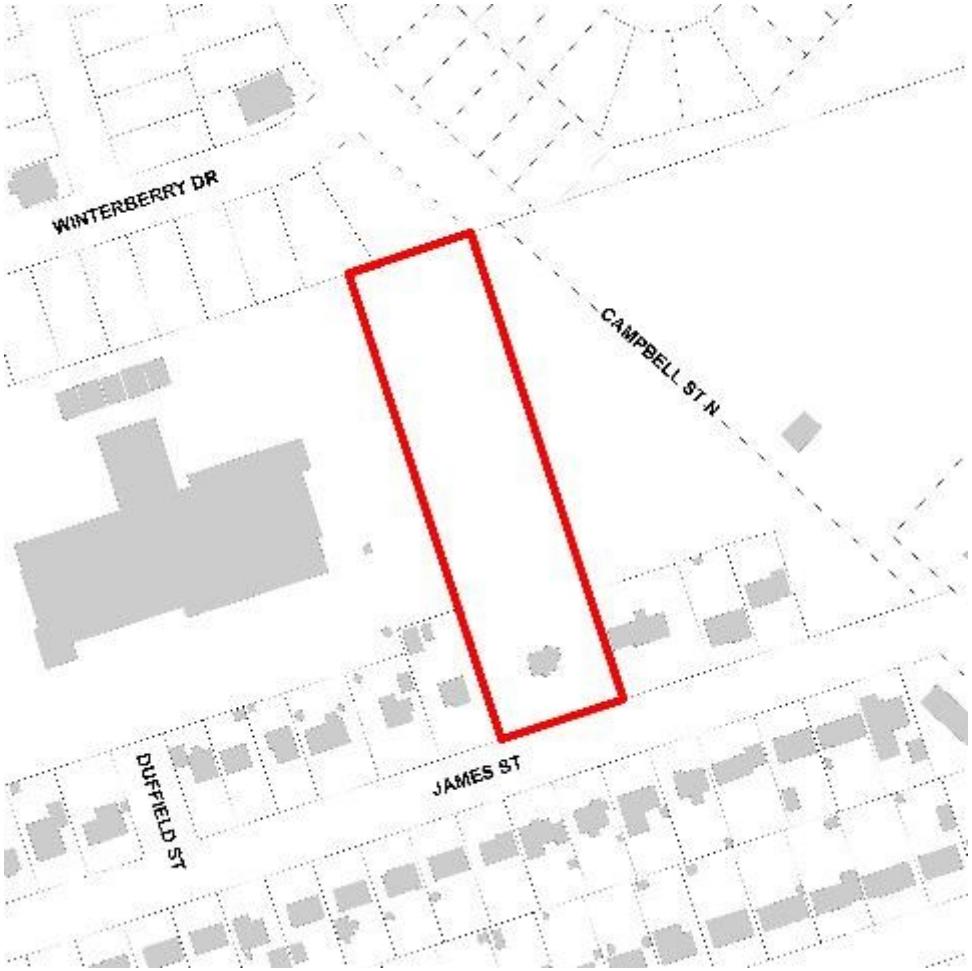
1:2,000
0 10 20 40 60 80
Meters

Slide 1 - Z-9401: 6756 James Street

City of London

March 7, 2022

Slide 2 - Subject Site



Slide 3 - Proposed Development

Slide 4 – Proposed Development

Slide 5 – Policy Context

The London Plan

- Neighbourhoods Place Type on a Neighbourhood Connector
- Contemplates a minimum height of 1-storey and maximum height of 2-storeys
- Encourages compact forms of development and infill and intensification to manage outward growth

1989 Official Plan

- Permits multiple-attached dwellings with residential intensification up to 75 units per hectare

Southwest Area Secondary Plan

- Primary permitted uses of the 1989 Official Plan apply
- Contemplates a maximum density of 30 units per hectare

Slide 6 – Neighbourhood Concerns

- *Over Intensification:*
- *Traffic*
- *Privacy*
- *Drainage*
- *Height*
- *Decreased property values*

Slide 7- Site Servicing and Transportation

Sewer Engineering:

- Sanitary sewer extension along James Street to Campbell Street is proposed to service the site

Water Engineering:

- Water is available to service the site via James Street

Stormwater Engineering:

- No concerns with servicing the site
- Stormwater is to be controlled on-site to match pre-development conditions and to ensure no adverse impacts to abutting properties

Transportation Engineering:

- Proposal does not meet industry standards to warrant a traffic impact assessment
- Number of units would not exacerbate pre-existing traffic issues in the neighbourhood

Slide 8 - Recommendation

Response to Planning Application 6756 James Street, London, Ontario.

1) **Outdated portrayal of the neighbouring area in the Planning and Design Report (Aug 12, 2021**)

The Planning and Design report dated August 12, 2021, shows farmland behind 6756 James St.– this is an old picture as the area has had many homes and streets added during the past few years.

Concern; Decision makers should be provided with current, accurate information regarding the extensive housing <u>existing and planned</u> in this area. Occupied housing fills the area behind Lambeth PS, 6756 James Street and extends north on Campbell St. Development plans for the area extend to Pack Road in the north and west to Colonel Talbot Road. These plans include extensive single and multi-family housing development. Including these plans would add better context to the significant infill already underway to support housing in London. The schools and traffic in Lambeth are already impacted by this with much more to come.

2) **Drainage is a severe problem in this part of Lambeth- heavy soil prevents absorption of surface water**

The extensive percentage of paving/building proposed on this lot and the removal of this large open space is a concern in an area already dealing with significant drainage challenges/ flooding. Infiltration beds* were added to the back of properties on Winterberry Drive abutting 6756 James/Lambeth PS as a strategy to handle stormwater. The infiltration beds are large pits filled with gravel, (approximately 4m(13') wide x16m (52') long x 1.5m(5') deep, meant to slowly drain storm water off the surface These do not adequately manage current stormwater let alone any additional water flow. Several homes have been required to pump large volumes of sitting water off the surface of their infiltration bed, these areas remain swampy and unusable as yard space even weeks after any rain.

Consider more open space/ more robust plan to manage stormwater within the property (i.e. a significant reduction percent of property covered by building/ pavement). Note there are descriptions of infiltration beds for the 6756 James property within the Functional Services Plan, as well as stormwater outlets within the easement at the back of the property abutting Winterberry. Will this adequately manage the significant challenges of this land area? Current models applied in the development north of 6756 James have grossly underestimated the challenge.

. **Shown as grey boxes on some of the property plans.*

2) Functional Servicing Report (21 June 2021) Inconsistencies

a) **The preferred model for Sanitary Outlet Option A (pg. 2-3) and Stormwater Outlet Option A (pg. 6-7) note that these would be placed within an 8.8 metre easement at the back of the property(pg.2-3) however easement size has been reduced.** Please ensure this is not a conflict that could require significant disruption to James Street if there is not adequate space left for Plan A.

b) Page 8 of the Functional Servicing Report from June 2021 describes Campbell St. as "mainly being used as construction access". Not true- there are many occupied homes and further plans for multiple unit housing as well as single family in the works. It is a route to school for many children living in the area. This may be less disruptive than the James Street option but is very disruptive to the many homes, and especially to direct neighbours. Please respect that.

Is there an option to take this piping out through lot 6712 at the point of the turnaround? This would limit disruption to the established homes on Campbell and allow a wider space to accommodate necessary utilities.

3) **Light pollution**: Driveway/ housing lights will shine directly into Winterberry properties. Due to the city mandated infiltration beds it is not possible for these properties to add landscaping to block. The Tree Assessment and Protection plan includes removal of many current tress and very minimal landscaping added on the property perimeters. Request a more robust landscaping plan respecting the inability of adjacent neighbours to add this shielding.

We realize that infill is very popular in the city right now and accept that development can be a positive impact to neighbourhoods however only when correct facts are reviewed and addressed throughout the process. We do not support approval of the current planning application due to the issues and inconsistencies noted in the current proposal.

It is important that the long term impact of poor planning regarding drainage, traffic etc. does not negatively impact those living in the area long after the builder has moved on.

Thank you for review of these concerns

Regards, Leslie and Randy Harden

From: JIM/BETTY POSTHUMUS
Sent: Monday, February 28, 2022 10:15 AM
To: City of London, Mayor <mayor@london.ca>; Vivian, Melanie <mvivian@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Planning <Planning@london.ca>
Subject: [EXTERNAL] Proposed re-zoning of 6756 James St. Lambeth

I am submitting this letter in response to your request for feedback on the proposed re-zoning of 6756 James St. Lambeth.

I live at 6770 James St. right next door to 6756 and to turn this low density area and take one lot and just decide to turn it into high density without much thought or consideration to how it is going to change and affect the neighborhood and the people that currently reside here would be a huge mistake for many reasons. I am sure that if this was proposed in one of your neighborhoods it would not happen. We all moved here because we wanted the low density homes of Lambeth. If we had known that a few people could come in and change it all just because, we would not be here. I really believe it is all for profit. The developer makes a handsome profit and leaves with no consideration to the damage he has caused to the neighbors and landscape. The city wins and gains financially due to all the fees, permits and taxes, again with no consideration to the neighborhood.

James St. is already very busy with the school which already does not even have enough parking for the teachers let alone the volunteers who have to park on the street. Then add all of the parents that drive their kids to school makes it next to impossible to navigate our street when school is convening or letting out. A solution to this would be very simple. Donate the back half of the property to the school and then develop the front of the property into just two single family homes.

I could go on about the reasons why not to do this, but in closing please do not just rubber stamp this project for profit sake. Please, please for once consider us, the people in the neighborhood We have names and faces and love our community. Not all progress is beneficial and this definitely is not one of them.

Respectfully

Jim Posthumus