

# Planning and Environment Committee

## Report

8th Meeting of the Planning and Environment Committee  
April 19, 2022

**PRESENT:** Councillors A. Hopkins (Chair), S. Lewis, S. Lehman, S. Turner, S. Hillier, J. Morgan, Acting Mayor

**ALSO PRESENT:** **PRESENT:** H. Lysynski and J.W. Taylor  
**REMOTE ATTENDANCE:** Councillors M. van Holst, J. Helmer, M. Cassidy, M. Hamou and E. Pelozo; L. Livingstone, J. Adema, G. Barrett, J. Bunn, M. Clark, M. Corby, A. Curtis, I. De Ceuster, M. Feldberg, S. Grady, J. Lee, S. Mathers, H. McNeely, S. Meksula, L. Mottram, N. Musicco, B. Page, C. Parker, A. Pascual, M. Pease, D. Popadic, A. Riley, M. Vivian and B. Westlake-Power  
The meeting was called to order at 4:00 PM, with Councillor A. Hopkins in the Chair, Councillor 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. Lehman

That Items 2.1 to 2.8, inclusive, BE APPROVED.

Yeas: (6): A. Hopkins, S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

#### 2.1 4th Report of the Trees and Forests Advisory Committee

Moved by: S. Lewis

Seconded by: S. Lehman

That, the following actions be taken with respect to the 4th Report of the Trees and Forests Advisory Committee, from its meeting held on March 23, 2022:

a) the document appended to the 4th Report of the Trees and Forests Advisory Committee, with respect to the Climate Emergency Action Plan - Trees and Forests Advisory Committee (TFAC) Recommendations, BE FORWARDED to the Civic Administration and the Strategic Priorities and Policy Committee (SPPC) for their review and consideration;

it being noted that a representative from TFAC will attend the SPPC meeting at which this item will be discussed in order to present their recommendations; and,

b) clauses 1.1 and 2.1 BE RECEIVED for information.

**Motion Passed**

2.2 Bill 13 Information Report

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to Bill 13, *Supporting People and Businesses Act, 2021*:

- a) the staff report dated April 19, 2022 entitled “Bill 13, *Supporting People and Businesses Act, 2021*” BE RECEIVED for information; and,
- b) the above-noted staff report and the draft London Plan amendments to implement changes made by Bill 13, *Supporting People and Businesses Act, 2021*, to the *Planning Act* BE CIRCULATED for public review in advance of a future Public Participation Meeting. (2022-D02)

**Motion Passed**

2.3 Parking Standards Review Information Report

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Parking Standards Review Information Report:

- a) the preliminary alternative options of the Parking Standards Review, appended to the staff report dated April 19, 2022 as Appendix “A” BE RECEIVED; and,
- b) the preliminary alternative options of the Parking Standards Update BE CIRCULATED for public comment;

it being noted that feedback received will inform a final Parking Standards Review Report and implementing a Zoning By-law Amendment that will be prepared for the consideration and approval of Municipal Council at a future meeting of the Planning and Environment Committee, including a public participation meeting. (2022-T02)

**Motion Passed**

2.4 3315 Oriole Drive (Formerly 1752 and 1754 Hamilton Road) (P-9315)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Thames Village Joint Venture Corporation to exempt lands located at 3315 Oriole Drive (formerly 1752-1754 Hamilton Road), legally described as Lot 65, Plan 33M-814, from Part-Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated April 19, 2022 BE INTRODUCED at a future Council meeting, to exempt Lot 65, Plan 33M-814 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R1 (R1-3) in Zoning By-law No. Z.-1, which permits single detached dwellings; and,

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Lot 65, Plan 33M-814, as noted in clause a) above:

- i) the applicant be advised that the cost of registration of the said by-law is to be borne by the applicant in accordance with City Policy;
- ii) the applicant submit a draft reference plan to the City for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii) the applicant submits to the City 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 the City that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the City of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City that requirements iv), v) and vi) 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 on notice from the applicant that a reference plan has been registered, and that conveyance of the registered part lots has occurred, that Part Lot Control be re-established by the repeal of the bylaw affecting the Lot/Block in question;
- xiii) the Applicant shall ensure all existing buildings, structures and hard surfaced materials are removed and the land restored to its original condition prior to creation of the parcels; and,
- xiv) the Applicant shall implement the recommendations of the Environmental Noise Assessment prepared by Eng Plus Ltd., dated March 25, 2019; and the Thames Village Subdivision – Phase 2, Thames Village Joint Venture Corp. Supplemental Noise Letter prepared by LDS Consultants Inc., dated June 5, 2020; including requirement for forced air heating, warning clauses to be included in all agreements of purchase and sale or lease of these dwellings, and installation of noise attenuation barriers, all in accordance with the Subdivision Agreement and accepted servicing drawings. (2022-D25)

**Motion Passed**

2.5 414-418 Old Wonderland Road (H-9482)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Four Fourteen Inc. relating to the property located at 414 - 418 Old Wonderland Road, the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5 Special Provision (h-5\*R5-7(20)) Zone TO a Residential R5 Special Provision (R5-7(20)) Zone to remove the "h-5" holding provision. (2022-D09)

**Motion Passed**

2.6 870 Kleinburg Drive (H-9477)

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

That, on the recommendation of the Director, Planning and Development, based on the application of Applewood Market Place Inc., relating to the property located at 870 Kleinburg Road, the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law Z.-1 (in conformity with the Official Plan), to change the zoning of the lands FROM a Holding Special Provision Business District Commercial (h\*h-100\*h-173\*BDC2(7))\*H18\*D75 Zone TO a Special Provision Business District Commercial (BDC2(7))\*H18\*D75 Zone to remove the "h", "h-100" and "h-173" holding provisions. (2022-D09)

**Motion Passed**

2.7 459 Hale Street (39CD-18503)

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

That, on the recommendation of the Director, Planning and Development, based on the application by 1247987 Ontario Inc. (Artisan Homes Inc.), relating to the property located at 459 Hale Street, the Approval Authority BE REQUESTED to approve a one (1) year extension to Draft Plan Approval for the residential vacant land plan of condominium File No. 39CD-18503, SUBJECT TO the revised conditions contained in the staff report dated April 19, 2022, as Schedule "B" . (2022-D09)

**Motion Passed**

2.8 1395 Riverbend Road (H-9486)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Limited, relating to the

property located at 1395 Riverbend Road, the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 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 Business District Commercial BDC (h\*h-206\*BDC(31)) Zone TO a Business District Commercial BDC (BDC(31)) Zone to remove the "h" and "h-206" holding provisions. (2022-D09)

**Motion Passed**

### **3. Scheduled Items**

#### **3.1 520 Sarnia Road (OZ-9432)**

Moved by: S. Lehman

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 Horizon Developments LP, relating to the property located at 520 Sarnia Road:

a) the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend The London Plan to create a specific area policy in the Neighbourhoods Place Type at 520 Sarnia Road to permit an 8-storey apartment building and by ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan;

b) the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend the 1989 Official Plan to ADD a policy to Section 10.1.3 – "Policies for Specific Areas" that would modify the 'Community Commercial Node' designation to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor, and also align this policy context with The London Plan;

c) the attached, revised, proposed by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan and The London Plan, as amended in clauses a) and b) above), to change the zoning of the subject property FROM a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone TO a Residential R9 Special Provision Bonus (R9-7(\_)\*B-\_) Zone;

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

- i) provide individual or common walkways that connect to the ground floor units to the City sidewalk, to encourage and allow residents and visitors to easily walk to transit and nearby amenities. Landscape buffering can be provided between the amenity spaces and the walkway to delineate the public from the private realm;
- ii) provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to retain existing trees and protect offsite tree roots, and/or provide adequate soil volumes for required perimeter plantings;
- iii) include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area;

iv) include all connections to the sewer on Chapman Court from these lands and the adjacent Commercial property (Shell Gas Station); and,

v) provide all details and information regarding all easements, all servicing sewers though the subject site, any and all setbacks as required while ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to constructed over top of existing building sewers crossing this property or removal;

d) the Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys, 129 dwelling units and a maximum density of 168 units per hectare, which substantively implements the Site Plan and Elevations appended to the staff report dated April 19, 2022 as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

1) Exceptional Building Design

- a built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- a contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- an adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed building and the existing uses to the northeast;
- a larger than required rear yard setback is proposed between the building and the medium-density and high-density residential uses to the south, southeast and southwest;
- each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;
- a variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- universal accessibility including units that provide the opportunity for any and all demographics, able-bodies or not, to live in the proposed development;

2) Provision of Affordable Housing

- a total of two(2) bachelor residential units will be provided for affordable housing;
- rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- the duration of affordability set at 50 years from the point of initial occupancy;
- the proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- these conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

e) pursuant to Section 34(17) of the *Planning Act R.S.O. 1990, c. P. 13*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-laws as the recommendation implements the same height of eight (8) storeys, and same number of proposed units of 129 for which public notification has been given;

it being noted that the Planning and Environment Committee received a revised recommendation, by-law and staff presentation with respect to this matter;

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

- M. Campbell, Zelinka Priamo Ltd.; and,
- D. Radakovic, 30 Chapman Court;

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, Our City, Key Directions, City Design and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment meets the criteria for specific area policies in the 1989 Official Plan;
- the recommendation aligns the policy context of the 1989 Official Plan with The London Plan policies to exclusively permit the proposed residential development;
- the recommended amendment facilitates the development of an underutilized property and encourages an appropriate form of development;
- the recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock; and,
- the recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit supportive development, and a quality design standard to be implemented through a subsequent site plan application. (2022-D09)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

Moved by: S. Turner

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

3.2 551 - 555 Waterloo Street (Z-9372)

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

That, on the recommendation of the Director, Planning and Development, with respect to the application of David Russel relating to the property located at 551-555 Waterloo Street, the attached, revised, proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on May 3, 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 R3 Special Provision/Office Conversion/Temporary (R3-2(6)/OC4/T-73) Zone TO a Residential R8 Special Provision (R8-4(\_)) Zone;

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

i) boundary landscaping along the north and west property boundaries to meet the standards of the Site Plan Control By-law and have screening/privacy qualities;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with these matters:

- N. Dyjach, Strik Baldinelli Moniz;

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 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;
- the recommended amendment is consistent with the policies of West Woodfield Heritage Conservation District Plan; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D09)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

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

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

### 3.3 Tow Truck / Impound Yard Zoning By-law Review (Z-9428)

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

That, on the recommendation of the Director, Planning and Development, based on the zoning review initiated by The Corporation of the City of London, relating to all lands within the City of London, the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the London Plan), to make zoning text changes to Sections 2 (Definitions), Section 28 (Restricted Service Commercial Zone), Section 40 (Light Industrial Zone), Section 41 (General Industrial Zone) and Section 42 (Heavy Industrial Zone) to address tow truck business and impounding yard land uses;

it being noted that the Planning and Environment Committee received the staff presentation with respect to these matters;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with these matters:

- MNK Towing;

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

- the zoning review was initiated by the City of London to implement the London Plan Place Type Industrial policies and address zoning issues identified through the Business License review process;
- zoning changes were required to tow truck businesses and impound yards in specific zones which implement the policies; and,
- the amendments also provide for a broader range of possible locations for those uses to address on of the industries concerns. (2022-C01A)

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

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

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

3.4 1521 Sunningdale Road West and 2631 Hyde Park Road (39T-21056)

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

That, further to the direction from Municipal Council on October 5, 2021 to amend the Official Plan to change the designation of the subject lands FROM an Open Space designation TO a Low Density Residential and Environmental Review designation and to amend The London Plan to change the Place Type of the subject lands FROM a Green Space place type TO a Neighbourhoods Place Type and Environmental Review Place Type to be considered at a future public participation meeting of the Planning and Environment Committee, the following actions be taken with respect to the application of Auburn Developments Inc., relating to the lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road:

a) the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend the Official Plan to change the designation of the subject lands FROM an Open Space designation TO a Multi-Family, Medium Density Residential designation, Low Density Residential designation and Open Space designation;

b) the proposed by-law appended to the staff report dated April 19, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to:

i) amend The London Plan to change the Place Type of the subject lands FROM a Green Space Place Type TO a Neighbourhoods Place Type and a Green Space Place Type; and,

ii) amend The London Plan to change the Street Classifications of the subject lands to add Street A and Street B as a Neighbourhood Connector to Map 3 – Street Classifications;

c) the attached, revised, proposed by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on May 3, 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 Open Space (h-5-h-21-OS3) Zone TO a Holding Residential R1 (h-h-100-h-149-h-\_-R1-3) Zone; a Holding Residential R1/Residential R4 Special Provision (h-h-2-h-100-h-110-h-149-h-\_-R1-3/R4-6(\*)) Zone; a Holding Residential R1 (h-h-100-h-149- h-\_-R1-10) Zone; a Holding Residential

R1/Residential R4 Special Provision (h•h-110•h-149•h-•R1-3/R4-6(\*)) Zone; a Holding Residential R4/Residential R5/ Residential R6 Special Provision (h•h-5•h-53•h-100•h-110•h-149• h-•R4-6(\*)/R5-5(\*)/R6-5(\*)) Zone; a Holding Residential R4/ Residential R5/ Residential R6/ Residential R7/ Residential R8, Restricted Office Special Provision (h•h-5•h-53•h-100•h-110•h-149•h-•R4-6(\*)/R5-5(\*)/R6-5(\*)/R7•H13•D75(\*)/R8-4•H13•D75(\*)/RO1(\*)/RO2(\*)) Zone; a Holding Open Space, Residential R4/ Residential R5/ Residential R6 Special Provision (h•h-5•h-53•h-100•h-110•h-149•h-•OS1//R4-6(\*)/R5-5(\*)/R6-5(\*)) Zone; an Open Space (OS1) Zone; an Open Space (h-222•OS1) Zone; and an Open Space (h-222•OS5) Zone;

d) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Subdivision submitted by Auburn Developments Inc., relating to the lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road; and,

e) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed Plan of Subdivision as submitted by Auburn Developments Inc., prepared by Stantec (Project No. 161413708), certified by Jeremy C.E. Mathews O.L.S., dated March 17, 2022, which shows a total of thirteen (13) low density residential blocks (Blocks 1-13), two (2) medium density residential blocks (Blocks 14-15), one (1) park block (Block 16), one (1) stormwater management facility/medium density residential block (Block 17), three (3) future road blocks (Blocks 18-20), four (4) road widening blocks (Blocks 21-24), three (3) road reserve blocks (Blocks 25-27), one (1) stormwater management facility/open space block (Block 28), and one (1) open space block (Block 29), serviced by five (5) new local streets, SUBJECT TO the conditions contained in Appendix "D" appended to the staff report dated April 19, 2022;

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

- the staff presentation; and,
- a communication dated April 13, 2022 from J. Pratt, Associate Director and Treasurer, Thames Valley District School Board;

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

- M. Campbell, Zelinka Priamo Ltd.;
- R. Cracknell, 1535 Sunningdale Road West;
- B. Denda, 2545 Hyde Park Road;
- L. Regnier, 1445 Sunningdale Road West;
- M. Moussa, 155 Thornton Avenue;
- A. Jomaa, 1431 Sunningdale Road West; and,
- A. El-Turk, no address provided;

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

- the proposed and recommended amendments are consistent with the Provincial Policy Statement 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed Draft Plan of Subdivision and zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our

Tools, and all other applicable London Plan policies;

- the proposed and recommended amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation, Low Density Residential designation and the Open Space designation;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, and the 1989 Official Plan.
- the recommended Draft Plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, low-rise apartments along the Sunningdale Road West and Hyde Park Road. The Draft Plan has been designed to support these uses and to achieve a visually pleasing development that is pedestrian friendly, transit supportive and accessible to the surrounding community. (2022-D09)

Yeas: (4): S. Lewis, S. Lehman, S. Hillier, and J. Morgan, Acting Mayor

Nays: (1): A. Hopkins

Absent: (1): S. Turner

**Motion Passed (4 to 1)**

Additional Votes:

Moved by: S. Lehman

Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (6): A. Hopkins , S. Lewis, S. Lehman, S. Turner, S. Hillier, and J. Morgan, Acting Mayor

**Motion Passed (6 to 0)**

Moved by: S. Hillier

Seconded by: J. Morgan, Acting Mayor

That an extension of time for the delegation of L. Regnier BE GIVEN.

Yeas: (4): A. Hopkins , S. Lehman, S. Hillier, and J. Morgan, Acting Mayor

Nays: (2): S. Lewis, and S. Turner

**Motion Passed (4 to 2)**

3.5 1284 Sunningdale Road West (Z-9548)

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

That, on the recommendation of the Director, Planning and Development, with respect to the application of Thames Valley District School Board relating to lands located at 1284 Sunningdale Road West, the attached, revised, proposed by-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone TO a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone;

it being pointed out that the Planning and Environment Committee received a communication dated April 13, 2022, from J. Pratt, Associate Director and Treasurer, Thames Valley District School Board, with respect to these matters;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with these matters:

- G. Vogt, Thames Valley District School Board;

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

- the recommended zoning by-law amendment is consistent with the Provincial Policy Statement;
- the recommended zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation; and,
- the zoning will permit the development of an elementary school and day care which are considered appropriate and compatible with existing and future land uses in the surrounding area, and consistent with the planned vision of the Neighbourhoods Place Type. (2022-D09)

Yeas: (4): S. Lewis, S. Lehman, S. Hillier, and J. Morgan, Acting Mayor

Nays: (1): A. Hopkins

Absent: (1): S. Turner

### **Motion Passed (4 to 1)**

Additional Votes:

Moved by: S. Lehman  
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins, S. Lewis, S. Lehman, S. Hillier, and J. Morgan, Acting Mayor

Absent: (1): S. Turner

**Motion Passed (5 to 0)**

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

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and J. Morgan,  
Acting Mayor

Absent: (1): S. Turner

**Motion Passed (5 to 0)**

#### **4. Items for Direction**

##### **4.1 Urban Agriculture Strategy - 2021 Annual Report**

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

That, the Civic Administration BE REQUESTED to report back at a future meeting of the appropriate Standing Committee, including but not limited to, the following related to the Urban Agriculture Strategy, :

- a) a clear process to apply to use city-owned land for urban agriculture;
- b) an inventory of available land and a process to work with civic administration to inquire;
- c) a standard licensing agreement and a standard rate for a licensing agreement (example \$2.00/year);
- d) a transparent and equitable approach to determine who can enter into agreements;
- e) standards for expected outcomes and uses of the city land to ensure productivity and impact; and,
- f) to ensure the cost of this process is low to reduce financial barriers;

it being pointed out that the Planning and Environment Committee received the following communications:

the staff report dated April 19, 2022 entitled "Urban Agriculture Steering Committee"; and,

a communication dated March 28, 2022 from S. Franke, Co-Chair, Urban Agriculture Steering Committee, with respect to these matters. (2022-D09)

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and J. Morgan,  
Acting Mayor

Absent: (1): S. Turner

**Motion Passed (5 to 0)**

Additional Votes:

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

Motion to approve the delegation request for L. Thorne, Urban Agriculture Steering Committee.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and J. Morgan, Acting Mayor

Absent: (1): S. Turner

**Motion Passed (5 to 0)**

4.2 Mayor Holder - UNESCO Designation - London is Canada's 'City of Music'

Moved by: S. Lehman

Seconded by: S. Lewis

That the following actions be taken with respect to London's UNESCO designation as Canada's 'City of Music':

a) the Civic Administration BE DIRECTED to report back, in a timely manner, on specific geographical borders for a Core Area Entertainment District, while also defining what such a District may constitute; and,

b) the Civic Administration BE DIRECTED to report back on tangible actions to be taken for late spring, summer, and fall months to demonstrate how music, entertainment, and culture can aid in fueling our community's ongoing economic and social recovery; it being noted that actions may include, but should not be limited to, pursuing additional supportive investments from federal and provincial government partners.

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and J. Morgan, Acting Mayor

Absent: (2): S. Turner, and S. Hillier

**Motion Passed (4 to 0)**

**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

The meeting adjourned at 7:50 PM.

# **Trees and Forests Advisory Committee**

## **Report**

4th Meeting of the Trees and Forests Advisory Committee

March 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. Morrison (Chair), A. Cantell, A. Hames, J. Kogelheide, and A. Valastro; A. Pascual (Committee Clerk)

ALSO PRESENT: T. Arnos, A. Beaton, and S. Rowland

The meeting was called to order at 12:17 PM; it being noted that the following Members were in remote attendance: A. Cantell, A. Hames, J. Kogelheide, A. Morrison, and A. Valastro.

### **1. Call to Order**

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### **2. Consent**

#### 2.1 3rd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 3rd Report of the Trees and Forests Advisory Committee, from its meeting held on February 23, 2022, was received.

### **3. Items for Discussion**

#### 3.1 Climate Emergency Action Plan - Draft Feedback from Trees and Forests Advisory Committee

That the attached document, with respect to the Climate Emergency Action Plan - Trees and Forests Advisory Committee (TFAC) Recommendations, BE FORWARDED to the Civic Administration and the Strategic Priorities and Policy Committee (SPPC) for their review and consideration;

it being noted that a representative from TFAC will attend the SPPC meeting at which this item will be discussed in order to present their recommendations.

### **4. Adjournment**

The meeting adjourned at 3:36 PM.

## **CLIMATE EMERGENCY ACTION PLAN**

### **Feedback from Trees & Forests Advisory Committee**

**Date:** Mar. 22, 2022

The Trees & Forests Advisory Committee strongly supports the adoption of the Climate Emergency Action Plan. Climate change will be one of, if not the, greatest challenges of our time, and it is imperative that we see swift and unprecedented action by all levels of government to combat it.

#### **General Feedback:**

- 1) The proposed first milestone of 2030 is far too late and setting targets for someone else to achieve can hardly be called leadership.

We recommend, first and foremost, that Council adopts a series of milestones to occur every four years, rather than every five to ten, such that *every* single City Council, from here through to 2050, will be responsible for ensuring London achieves its climate change mitigation and adaptation goals.

- 2) The urban forest is London's largest piece of "green infrastructure". Helping the urban forest to adapt and be resilient in the face of a changing climate, as this is difficult to do, should be a greater part of this workplan and should be fully staffed and fully funded. The Veteran Tree Incentive Program is an example where the City funded a successful urban forest program focused on preserving current urban forest in private property.
- 3) If you were to take only the CEAP as a guide, this is apparently the (very!) rare sort of emergency in which no one will actually die, and which taking action could only make us better off than business as usual.

The language is so focused on "opportunity" that one does not come away with any sense that there is a *real* emergency here at all, or the incredible devastation climate change will wrought.

This cheery optimism in the face of what is, without question, an existential threat to countries, communities, lives and livelihood around the world – quite arguably, the most challenging threat to humanity since the dawn of recorded history – was off-putting. If the CEAP hopes to inspire widespread public participation, it will need to effectively convince the public of the severity of the crisis, and not sugar-coat things so much.

The constant refocusing of crises in terms of economics rather than human life and moral imperatives is also disheartening.

- 4) One of the biggest challenges of the climate emergency – the challenge of scale – isn't really reflected well in the CEAP. A lot of focus is on the *diversity* of programs and initiatives currently on offer but doesn't communicate much about the level of ramping up that is going to be required. The focus should also include systematic change in areas such as development plans, roads, transit and green space.

It is not enough to visit a few hundred homes or change a few thousand people's driving habits, and many of these initiatives would take upwards of 100+ years to reach all Londoners at their current rate. That sense of aggressive focus on scale is needed, both in the flavor of the text, the proposed metrics, and, we would recommend, program-specific targets for each initiative.

For example, the city must communicate to developers that plan approvals must require – Low Impact Development designs, green energy designs especially for medium and high-density buildings, tree preservation plans to preserve existing canopies and a tree planting strategy.

- 5) Governments set goals for specific programs, and when they don't get achieved for any number of reasons, they don't tend to adjust sufficiently to compensate. We simply cannot afford failure when it comes to climate change, so part of the plan must include strategies for how the City will compensate when one or more of its programs do not achieve what was planned. The CEAP needs to be designed to be fool-proof.
- 6) Some parts of the plan emphasize community leaders and volunteers (see Section 11.4: "How the People Should Lead"). We need plans that don't depend on the altruism of saints or volunteers, but rather involve the population as a whole. Communities develop and depend on "community leaders" only when government isn't doing its job. We've seen widespread failure of environmental efforts not because of a lack of "community leaders" (there are many in the environmental sector!), but because government consistently fails to step up to the level required to address environmental issues. "The people" shouldn't have to lead critical environmental action, the government should: exactly the same as government does with urban planning, health care, education, defense, and so on. *We elect governments to be our leaders. Please, lead.*
- 7) Similarly, we'd like to see the City maximize what it does within the legal space available to it, and not wait for the provincial or federal government to undertake programs first when it would be allowed to pursue them itself.

- 8) Discussion about London businesses seems to conflate goal setting with actual action. It is odd that the list of “actions” taken by local businesses is described almost entirely in terms of goal-setting. This may speak to a need for a way to track actual action by businesses.
- 9) CEAP seems to have entirely depended on non-randomized surveying, which is academically fairly indefensible. (Page A-7). Understanding what a few thousand Londoners who care about the environment enough to participate in surveys, etc. think tells you nothing about what the rest of the population thinks, and since the majority of these programs (and indeed, the whole of Work Plan 2) depends on creating behaviour change among the majority of the population, a randomized sampling method should have been used. This doesn’t mean the City’s ultimate course of action should be different (climate action is still needed whether people understand that or not), but the view of our “starting point” with the general public is almost certainly unduly optimistic. Random sampling should be used from now on.

## **WORKPLAN-SPECIFIC FEEDBACK**

### **WORKPLAN 1: Engaging, Inspiring and Learning from People**

- 1) “Purpose of the Workplan” section: “Personal and employee action – accelerating understanding of how to shift high carbon behaviours like single occupant vehicles to lower carbon behaviours like walking, cycling and transit.”

Given the current zeitgeist and opportunities being created by society’s collective experience during the pandemic, we recommend remote work needs to be in this list. In fact, “remote work” as a proven strategy for reducing emissions felt missing from much of the CEAP.

- 2) There are far too many items in this work plan focus in on “working with” and not enough about scaling what’s already being done. (I.e., it again seems to be emphasizing the diversity of potential initiatives, partnerships, etc., rather than how to leverage those opportunities to achieve the scale of transformation that climate change requires).

### **WORKPLAN 2: Taking Action Now (Household Actions)**

- 1) Again on the topic of scale: the metrics in Work Plan 2 focus too much on “Number of.....” as opposed to percentage of total households. We recommend a refocusing on percentages.

- 2) Will there be targets given for each initiative or metric at some point? The CEAP doesn't seem to present any thresholds for what will constitute success / failure. How will the City know if, for instance, 10% of households taking some particular action is "enough"?
- 3) We would recommend adding a public outreach campaign to eat less meat. Meat production and its impacts on the climate cannot be ignored.

Homeowners should be encouraged to reduce the size of their mowed lawns and encourage plantings that assist in climate change mitigation and adaptation such as growing their own food, planting pollinator gardens, trees, etc. And strengthening and enforcing the Landscaped Open Space by-law (Zoning By-Law Z.-1-97465) to prevent the clearing, erosion and conversion of backyards to unauthorized parking spaces especially in Near Campus Neighbourhoods and/or over-intensified neighbourhoods often located the Core. This would assist in the 'greening' of Core residential areas.

### **WORKPLAN 3: Transforming Buildings and Development**

- 1) We strongly support reducing or eliminating parking minimums as a way of reducing GHG emissions, (Workplan 3 – Transforming Buildings and Development Workplan - Item 2A).

We recommend this be taken a step further by pursuing opportunities to reduce parking in existing developments for example pursuing de-paving projects, strengthening the Landscaped Open Space By-law which would prevent backyards being used as parking. We need to protect 'interior block' green space as this presents the best opportunities for continuous tree planting away from roads and road salt.

- 2) We strongly support 2B: "Review and provide options to reduce, restrict, or phase out fossil fuel as the primary source of heat in all new buildings in London as of 2030". We would also like to see the development of community-oriented, mixed-use and walkable Net-Zero neighbourhoods within London.
- 3) For Item 2D: "Review and incorporate climate change considerations into development application reviews, such as development-specific transportation demand management and energy management, including presentation of proposed development alignment with London's climate action goals and outcomes in staff reports", we recommend adding minimum requirements or incentives for tree planting in new residential yards during the development process. There already are requirements for tree loss and replacement but it is a flawed approach. It should really be about building around existing trees.

- 4) For Item 2I: “Review and strengthen requirements for pedestrian, transit, and bike network access within the Zoning By-law” we recommend going beyond ensuring mere “access” to actually setting quantitative standards for pedestrian and cyclist network connectivity, continuity, and modal separation.

Similarly, we recommend exploring encouraging “greenway” developments (e.g. Wildwood Park in Winnipeg, Radburn) as a way of creating better active transportation networks and preserving wildlife corridors.

See: [https://en.wikipedia.org/wiki/Wildwood\\_Park,\\_Winnipeg](https://en.wikipedia.org/wiki/Wildwood_Park,_Winnipeg) and <https://web.archive.org/web/20150310231933/http://www.greenwayneighborhoods.net/>

- 5) We recommend banning drive-thrus in residential areas through zoning and relegate them to major corridors.
- 6) We recommend the City actively explore how to retrofit neighbourhoods with the poorest-connectivity active transportation networks (e.g. sidewalks and trails) so that improvements aren’t main solely in new developments alone, even if this means gradually securing easements or even properties for creating cut-throughs over time.
- 7) Trees regulate climate systems on a global scale and biodiversity. The pros and cons of different construction materials with respect to climate change adaption and mitigation must be carefully considered.

#### **WORKPLAN 4: Transforming Transportation and Mobility**

- 1) We reiterate the need for promoting remote work to be a part of the CEAP’s transportation plans. People who only have to make a work trip twice a week are likely to be far more willing to forego the convenience of a car than someone who has to go in five times a week.
- 2) By far one of the biggest correlates of car travel is car ownership – i.e., once a person has paid the fixed cost of owning a car and the monthly insurance on it, they can only reduce their per km cost by driving it. So reducing the need for car ownership in the first place is key, and needs to be more explicitly present as a goal within the CEAP.

We also recommend adding support for, or creation of, carshares to the list of actions needed to support active transportation. People are less likely to feel the need to own a car if it is easy to borrow one when they really need it.

- 3) It is not clear if Item 5.C.IV: “Review and provide options for the Vehicle-for-Hire By-Law to mandate the use of electric vehicles or other zero emission vehicles including municipal scan, applicable jurisdiction, implementation benefit, and

complexity analysis “would apply to carshares. If so, we would recommend *against* actions that favour EVs over convincing people not to buy a car in the first place. (I.e., if regular people can own gas vehicles, carshares should be allowed to as well so as to reduce the cost of the share and thereby help eliminate car trips). In lieu of regulation, additional incentives for carshares to adopt EV technology is recommended.

- 4) We strongly support 7A: “Continue to review and provide options for alternative road designs that preserve existing mature street trees when roadway reconstruction projects are initiated “as well as 7B “Prioritize the importance of street trees in providing shade for pedestrians.”

We reiterate an earlier recommendation made to PEC that London formally adopt a Shade Policy to help ensure active transportation networks and play areas have sufficient shade, something which will only become more important as temperatures increase.

We also reiterate the need for London to explore burying more of its electrical lines so as to allow the planting of taller tree species offering more shade, at least on one side of each road. Many of the species being planted under hydrolines today are simply too small to offer much by way of shade.

- 5) We recommend adding as a metric the % reduction in number of in-town trips taken as a result of remote work
- 6) As with workplan 3, we recommend setting quantitative minimum standards for pedestrian and cyclist network connectivity, continuity, and modal separation.
- 7) With respect to the expected result of “Increased Active Transportation and Transit”, we would like to see “reduced trips” as a part of that result. The implication of the “expected result” as it is currently stated is that *modal shifting* is going to be everything, but it doesn’t have to be. And if anything, experience over the last couple of years – where remote work has been a huge success while shifting folks to transit has largely failed for decades – says it shouldn’t be. Remote work *works*, and it is much easier to sell people on working from home than adding an extra 30+ minutes a day to their commute by choosing to travel by bus or foot.
- 8) We recommend a moratorium on road expansions, except where the road is being expanded to allow for more public transit.
- 9) We recommend the enforcement of the Idling Control By-law to reduce emissions.

## **WORKPLAN 5: Transforming Consumption and Waste as Part of the Circular Economy**

- 1) We recommend that the idea of “right to repair” be discussed within the context of the circular economy. There are great opportunities for job creation and waste reduction if we can make this kind of cultural shift.

## **WORKPLAN 6: Implementing Natural and Engineered Climate Solutions and Carbon Capture**

- 1) The overview of the workplan should acknowledge the fact that our existing natural heritage system faces severe impacts from a changing climate itself: changes that nature, and especially trees, by and large, are far less well-equipped to deal with than humans. Trees will be one of the principal victims of climate change.

For instance, there are species like tulip-tree which are currently at the northern limit of their range in London today. By 2070 or so, under high emissions scenarios (RCP 8.5), their “preferred” range will have moved up to Labrador... but the trees will not. Every tree on the planet is very shortly going to be trying to grow in a climate it is not adapted to, with devastating impacts.

Meanwhile, other kinds of species that are mobile, such as insects, will be more easily able to adapt to changes in range. This has been seen in B.C., where the mountain pine beetle was able to start surviving through the warmer winters and so dramatically expanded its range. As a result, around 57% of all of B.C.s pine trees have died... the main cause of its “tinderbox” conditions these past several years.

As such, it is recommended that:

- i) The City be estimating and factoring in climate impacts on London’s tree cover (longer growing season, but more droughts: risk of major pests decimating things)
  - ii) The City actively but carefully pursue a system of assisted migration for newly planted trees, incorporating individuals of trees from the northern States which are genetically better adapted to the climate we will have in the decades ahead.
- 2) We strongly support all of Item 2 (“Advancing Tree Planting”)
  - 3) We recommend the City explore programs and marketing campaigns aimed that helping people to see their yards as a space where they can help to mitigate climate change

- 4) We recommend setting a target for carbon sequestration by the landscape and updating policies, targets within the municipal Tree Planting Strategy, etc. in order to meet it – with the appropriate funding
- 5) We would suggest adding the Tree Planting Strategy to list of resources for Work Plan 6.
- 6) With respect to carbon capture & storage, the committee feels that carbon storage is not a solution to the climate crisis and creates and complicates the further problem of storage, while failing to address the root of the problem, which is dependence on fossil fuels. Eventually fossil fuel supply will be exhausted and therefore it is imperative that the focus remains on a fossil fuel free future. All mandates and plans should be focused on this end goal while using sustainable and long lasting practices such as 'greening' to offset immediate impacts.
- 7) It is recommended that the City further strengthen the private tree protection by-law, and, in particular, the protections accorded to small woodlands.

### **WORKPLAN 7: Demonstrating Leadership in Municipal Processes and Collaborations**

- 1) We strongly support the “Master Accommodation Plan for Alternative Work Strategies” on page 109, however we recommend the City make remote work by London employers (not just the municipality!) a more “front and centre” part of their plan to reduce automotive trips. This idea should be packaged, branded, and actively promoted to London employers as a way they can help our community achieve its climate change mitigation goals.

The City should then work to encourage other levels of government and other municipalities (perhaps through the Federation of Canadian Municipalities) to explore doing the same.

If an aggressive “work from home” program proves to have an impact on the amount of leasable space required within London for office or other work, then we would recommend a program to convert that excess space into much-needed affordable housing, effectively killing two birds with one stone.

- 2) We support the push for carbon accounting process to be implemented (item 9)
- 3) We note that “increased engagement” items in this workplan focus on engagement with other municipalities and First Nations: we recommend there be plans for active lobbying of the province and federal government to support local needs as well.

## WORKPLAN 8: Adapting and Making London More Resilient

- 1) With respect to reviewing ways for City of London employees to reduce GHG emissions from their commute (item 2), we would recommend the City explore hosting its own car share for employees so as to again reduce the feeling among employees that they need to own a car in the first place.
- 2) We strongly support item 3C (“Explore potential for striving to achieve ‘no net loss’ carbon sequestration capacity requirements for greenfield development”)
- 3) We support 3D (“Enhance the resiliency and connectivity of the natural heritage System through ecological restoration with a focus on potential naturalization areas (including those identified on London Plan Map 5 - Natural Heritage))
- 4) We wish to add that there is far more space left for planting in private yards than in London’s open space network, and so tree planting in yards, as well as the creation of other features aimed at natural heritage protection (e.g. pollinator gardens) needs to be a part of the plan as well.
- 5) With respect to the remaining plantable space within the open space network, we strongly recommend a clear directive to city staff to maximize planting within the network. Any space that is not actively being used for another purpose (e.g. sportsfields, playgrounds, stormwater ponds, etc.) should be planted with trees.
- 6) The plan should also stress minimizing removals of mature trees from parks and around SWMs (see recent case of the extensive removals at Mornington SWM).
- 7) We would like to see food security addressed as a resiliency measure by enhancing opportunities for backyard vegetable gardens and mandating open green space in new development to include communal gardens and community food projects (e.g. Seattle Inner City Orchards, youth planting projects).
- 8) With respect to academic research, the sciences have already made many of the impacts of climate change clear. It is time to act and while there is merit in developing academic learned programs on the subject of climate change it should not be a priority for the City of London itself. Other institutions can contribute this way. Public outreach is far more important than university courses on climate change and the city should focus on talking to its residents.

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA  
Deputy City Manager, Planning and Economic Development

**Subject:** Bill 13, *Supporting People and Businesses Act, 2021*,  
Information Report

**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to Bill 13, *Supporting People and Businesses Act, 2021*:

- (a) This report **BE RECEIVED** for information; and
- (b) This report and draft London Plan amendments to implement changes made by Bill 13, *Supporting People and Businesses Act, 2021*, to the *Planning Act* **BE CIRCULATED** for public review in advance of the Public Participation Meeting to be held at a future date.

## Executive Summary

Through changes made by Bill 13, *Supporting People and Businesses Act, 2021*, the *Planning Act* provides a new discretionary authority (new Section 39.2) that allows the council of a local municipality to delegate decision-making authority under Section 34 (Zoning By-laws) that are of a minor nature to a municipal committee, officer, employee or agent. This authority could include delegating decisions for temporary use by-laws, removal of holding symbols and other minor zoning by-law amendments. In order to delegate the new authority, the *Planning Act* requires municipalities to specify the types of by-laws subject to delegation through official plan policies.

This report includes information on the Planning Act change in Bill 13 and draft amendments to the London Plan to delegate approval authority for minor Zoning By-law Amendments and permit alternative consultation measures for minor London Plan Amendments and Zoning By-law Amendments. Staff are seeking feedback on the amendments which will be circulated for public review and be brought forward as a London Plan Amendment to a future public participation meeting.

## Linkage to the Corporate Strategic Plan

The proposed amendments implement the following strategic area of focus of the 2019-2023 Strategic Plan:

- Leading in Public Service – Increase efficiency and effectiveness of service delivery.

## Analysis

### 1.0 Background Information

#### 1.1 Bill 13

On October 7, 2021, Bill 13, *Supporting People and Businesses Act, 2021*, was introduced to make changes to a variety of statutes, including the *Planning Act*. Schedule 19 of the Bill proposed changes to the *Planning Act* which provide a new discretionary authority (new Section 39.2) that the council of a local municipality may delegate decision-making authority under Section 34 (Zoning By-law) of the *Planning Act* for the approval of zoning by-law amendments that are of a minor nature to a municipal committee, officer, employee or agent. The Schedule also proposed

consequential amendments to the *Municipal Act, 2011* and *City of Toronto Act, 2006* to implement these changes.

These changes were posted to the Environmental Registry of Ontario for public input with a commenting deadline of November 21, 2021. The changes came into force as proposed on December 2, 2021.

Prior to Bill 13, the *Planning Act* allowed the council to delegate decisions with respect to site plans, plans of subdivision and consents to a municipal committee or staff. Through the changes made by the Bill, the council may, at its discretion, delegate authority to pass by-laws under section 34 including but are not limited to:

- Holding provision by-laws to remove a holding symbol; and
- Temporary use by-laws to authorize the temporary use of land, buildings or structures.

In order to delegate the new authority, the official plan must contain provisions that specify the types of by-laws which may be subject to delegation. This delegation may also be subject to conditions established by the council and would have the notice, public meeting and appeal requirements that apply to Section 34 applications.

Staff are supportive of the changes made by Bill 13 that would streamline the planning process for some Section 34 applications and avoid unnecessary delays. A London Plan Amendment is required to specify the types of by-laws subject to delegated approval authority in order to implement these changes.

Bill 13 does not change notice or public meeting requirements, however, the *Planning Act* currently permits alternative measures for informing and obtaining the views of the public for official plan amendments and zoning by-law amendments through official plan policies. As such, the amendment also includes alternative consultation measures for minor Zoning By-law Amendments and London Plan Amendments. A public meeting is required for an official plan amendment or zoning by-law amendment under the *Planning Act*. However, the City holds no public meetings except Planning and Environment Committee meetings with respect to the amendment. An alternative consultation procedure is necessary to delegate approval authority for minor Zoning By-law Amendments and allow for a more appropriate process for minor London Plan Amendments.

## **1.2 Holding provision by-law and temporary use by-law**

Section 34 of the *Planning Act* provides that municipalities may pass zoning by-laws to regulate the use of land and the character, location, and use of buildings and structures, as well as other requirements for parking or loading. The *Planning Act* also permits the passing of by-laws under Section 34 to remove a holding symbol (holding provision by-laws) and authorize the temporary use of land, buildings or structures (temporary use by-laws). To pass these by-laws, municipalities must have official plan policies related to these by-laws in place. The 1989 Official Plan and the London Plan contain policies with respect to holding provisions and temporary zoning, as well as their processes and public meeting and notice procedures.

The zoning by-laws may be amended to permit changes to the zoning of the land or site-specific provisions provided that these changes conform to the objectives and policies of the official plan. An amendment to the zoning by-laws may also be made to remove a holding symbol or permit temporary use(s). Zoning by-law amendment applications must be made to the council and are subject to its approval.

Section 50 of the City's Zoning By-law regulates temporary (T) zone to permit temporary uses that are otherwise prohibited in the Zoning By-law for renewable periods of up to three years pursuant to Section 39 of the *Planning Act* (Temporary Use By-laws). Once the time period expires, the temporary zone is removed and reverts back to the original zone or may be extended to continue the temporary use through a Zoning By-law Amendment.

Under Section 36 of the *Planning Act* (Holding Provision By-laws), Council may add a holding symbol as a prefix to a zone to specify the future uses of lands, buildings or structures. The zone must not be developed or used until conditions for removing the holding symbol are met and the holding symbol is removed. Meanwhile, the Zoning By-law may permit an interim use. The interim use may include an existing use or another use which would be compatible with the ultimate use of the land.

A public meeting is not held for an application to remove a holding provision unless the holding provision refers specifically to the holding of a public meeting. Some of holding provisions require a public meeting prior to their removals. Each of these holding provisions applies for a specific reason as stated that:

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

*Permitted Interim Uses: Existing uses.*

*h-106 Purpose: To mitigate potential conflicts between industrial uses and adjacent residential land uses the h-106 symbol shall not be deleted and existing and or future buildings shall not be expanded until public site plan approval is received which will address, among other items, issues of access, on-site parking, outdoor storage, buffering and screening.*

*h-133 Purpose: To ensure the orderly redevelopment of the site, the "h" symbol shall not be deleted and no development can occur beyond 47,120 square metres gross floor area until a comprehensive (re)development concept site plan and urban design brief are completed at the time of site plan review and a public site plan meeting is held.*

*Permitted Interim Uses: Permitted uses in stand-alone buildings, enclosed shopping centre format and/or non-enclosed shopping centre format totalling 47,120 square metres.*

*h-217 Purpose: To ensure that residential development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-217" symbol.*

These holding provisions are intended to ensure that there is a public site plan review/approval process prior to development and will still be subject to a public meeting and Council's input. The proposed amendments will not change this requirement for a public meeting where required in the holding provision.

### **1.3 Past applications to Council**

City Council considers Zoning By-law Amendment applications, including those for removing a holding symbol or temporary zoning. Zoning By-law Amendment applications considered by Council between 2017 and 2021 are summarized in the following table.

<b>Application Type</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Temporary Use	4	2	3	2	3
Removal of Holding Provision	35	36	36	31	37
Zoning By-law Amendment (ZBA)	31	31	41	27	24

Council considered a couple of applications for temporary zoning or extension each year. Since 2017, 6 applications have been made to permit the continued operation of a

surface commercial parking lot, three of which resulted in concerns being raised by the public and the Architectural Conservancy of Ontario regarding heritage concerns. These concerns suggested that the extension of the temporary parking lot would jeopardize existing heritage buildings, have negative impacts on the pedestrian environment, or create unsafe conditions. Of 8 applications outside the Downtown, 5 had no comments or objection to the continuation of existing temporary use.

Over 2021, 35 applications have been considered to remove holding symbol(s), 32 (91%) of which have no comments received in response to the Notice of Application. Most of which did not hold a public meeting while 5 applications include the removal of the “h-5” holding provision which requires a public site plan review, including a public meeting held at the Planning and Environment Committee. A public site plan review process was conducted for each to address planning matters prior to Council approval.

A couple of council-adopted amendments to the Zoning By-law and the London Plan included housekeeping changes. For these amendments, a consent report including draft changes was first submitted to the Planning and Environment Committee for information and circulation, and a report recommending revised changes was presented at a Planning and Environment Committee public participation meeting.

A housekeeping amendment to the London Plan was presented at a Planning and Environment Committee public participation meeting on July 15, 2020 to correct errors and omissions and make updates to reflect council-approved amendments to the 1989 Official Plan since the London Plan’s approval in 2016. The errors and omissions identified throughout the Plan include typographical, grammatical and formatting errors, as well as inconsistencies in spacing and punctuation. Comments were primarily received from applicants or agents in association with these 1989 Official Plan amendments who were seeking to ensure that the intent of their amendments would be captured in the London Plan. All concerns identified through the public circulation of the amendment were resolved through discussions with the applicants.

Another housekeeping amendment to council-approved secondary plans was submitted as a London Plan Amendment to the January 31, 2022 Planning and Environment Committee meeting. As a decision made by the Local Planning Appeal Tribunal on April 15, 2021 brought 97% of London Plan policies into force and effect, the amendment was to update the secondary plans to reflect the transition from the 1989 Official Plan to the London Plan. The amendment includes primarily removal of references to the 1989 Official Plan and minor changes to correct errors and omissions, including typographical and formatting errors, and reflect changes to the names of provincial ministries. A similar amendment to the Zoning By-law was presented to the Committee on August 10, 2020 and September 8, 2020 to remove 1989 Official Plan references and add London Plan references. However, concerns were raised with respect to changes related to appealed portions of the London Plan. The amendment is an interim measure until the city-wide comprehensive review and update to the Zoning By-law is completed through the ReThink London initiative.

Future housekeeping changes to the London Plan and the Zoning By-law will be brought forward to the Planning and Environment Committee to refine wording or reflect changes to references to external agencies, policy documents or legislation. These changes are intended to keep the London Plan and the Zoning By-law up to date, while improving clarity and consistency in policies and mapping. Given the nature of changes, it is not expected that any concerns would be identified.

Delegation with respect to applications to remove a holding symbol, authorize temporary zoning, or correct errors and omissions will streamline the processes and remove some unnecessary items from Council’s agenda.

#### **1.4 Existing London Plan policies**

The London Plan was reviewed to make draft London Plan amendments to be consistent with the changes made by Bill 13. The Plan includes a number of policies

regarding Council's delegated approval authorities for various planning applications under the *Planning Act*.

The Our Tools part of the Plan provides that the Council and its delegated approval authorities consider planning applications including amendments to the London Plan, amendments to the Zoning By-law, site plan approval, consents to sever, and approvals of plans of subdivision, including condominiums, based on required reports and studies. The Plan also establishes a policy framework for the considerations of holding provision by-laws (Policy 1656 to 1661) and temporary use by-laws (Policy 1671 to 1673A) in order to ensure that the general intent and purpose of the Plan is maintained.

Policy 1673A provides additional criteria for the evaluation of applications to permit surface commercial parking lots on a temporary basis in the Downtown. This policy is intended to avoid the underutilization of Downtown lands and ensure high-quality, safe Downtown's pedestrian environments. This policy also assists Council in making its decision on the temporary zoning or extension application based on the criteria, including the need for parking at the subject site's location, the importance of pedestrian streetscapes and the length of time that the parking lot has been in place on a temporary basis.

### **1.5 Minor Variances and Minor Zoning By-law Amendments**

The proposed draft London Plan amendments do not include or replace minor variances.

A minor variance is a minor deviation from requirements of the zoning by-law, most often for an individual property. The variance does not change the by-law, however, allows for relief from a specific requirement of the by-law. Minor variance applications may be made to the Committee of Adjustment and include:

- Changes in the use of land or buildings, from one non-conforming use to another;
- Extensions or enlargements of existing non-conforming uses; and
- Permissions of the use of land or building not specifically mentioned in the zoning by-law.

The Committee of Adjustment is the approval authority appointed by Council under the *Planning Act* for minor variances. The Committee approves the variance when it is satisfied that the variance is minor in nature and desirable for the appropriate development or use of the land, building or structure and maintains the general intent and purposes of the official plan and the zoning by-law.

Changes to the zoning by-law that are beyond the limited scope of the Committee of Adjustment must proceed through the zoning by-law amendment process. Some Ontario municipalities have criteria established to accept and consider minor zoning by-law amendments. The criteria generally indicate that a zoning by-law amendment is considered minor if it is small in scale or scope and has minimal or no impact beyond the subject lands. In few municipalities, a minor zoning by-laws amendment includes temporary rezoning or removal of a holding provision.

## **2.0 Draft London Plan Amendments**

This report includes draft amendments to the London Plan with respect to the new delegation authority and provides a rationale for each change. These amendments were the result of a review of the amended *Planning Act* requirements through changes made by Bill 13 and a preliminary review and discussion of staff from various City Departments. The amendments consist of the addition of new policies and a minor change to existing policy in the Our Tools part of the London Plan.

### **2.1 New policies to include new delegation**

The draft amendments include the addition of a subsection which consists of three policies to the Public Engagement and Notice section in the Our Tools part of the Plan. These policies provide new directions on what Zoning By-law Amendments will be

considered minor and alternative measures for public engagement. The draft policies are included in their entirety in Appendix A. The first policy includes:

#### DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES FOR MINOR AMENDMENTS

1633A\_ City Council may delegate approval authority for minor amendments to the Zoning By-law. Such minor Zoning By-law amendments may include:

1. Removing a holding symbol where the provision has been met.
2. Renewal of an existing temporary use provision, except where the temporary use includes a surface commercial parking lot in the Downtown Place Type.
3. Correcting of minor errors and omissions.
4. Housekeeping updates to reflect changes to job titles, City departments, external agencies and organizations, or other policy documents and legislation.

Policy 1633A introduces new delegation for minor Zoning By-law Amendments to remove a holding symbol, extend temporary uses, correct errors and omissions, and make housekeeping changes.

Consistent with the *Planning Act*, this policy considers the lifting of a holding symbol and extensions to temporary zoning to be minor while providing some exceptions to temporary zoning. Temporary surface commercial parking lots in the Downtown may have significant impact or issues, including the impact on the pedestrian environment and low parking lot utilization rates. An application for temporary zoning or extension to permit commercial parking lots in the Downtown would require a public meeting and Council's decision and should not be subject to the new delegation.

A minor Zoning By-law Amendment would also be made to address minor errors and omissions that may include typographical, grammatical and formatting errors or to reflect housekeeping changes. The amendment is intended to refine wording and improve clarities of the regulations in the Zoning By-laws.

## **2.2 New policies to permit alternative measures for public consultation**

The second and third policies establish alternative measures for public consultation for minor Zoning By-law Amendments and London Plan Amendments.

1633B\_ A public meeting is not required for a minor Zoning By-law Amendment application described above unless concerns have been identified by written submission during the commenting period identified in the Notice of Application, if required.

1633C\_ A public meeting may not be required for minor amendments to this Plan unless concerns have been identified by written submission during the commenting period identified in the Notice of Application. Such minor London Plan amendments may include:

1. Correcting of minor errors and omissions.
2. Housekeeping updates to reflect changes to job titles, City departments, external agencies and organizations, or other policy documents and legislation.

Policy 1633B sets out an alternative measure for public consultation on a Zoning By-law Amendment under Section 34(14.3) of the *Planning Act*. This section provides for alternative notice and consultation procedures for zoning by-law amendments. The policy provides that a public meeting could be waived for a minor Zoning By-law Amendment if no comments are received by the deadline established in the notice. As noted in Section 1.2, certain holding provisions (e.g. "h-5" and "h-106") require that a public meeting be held. These holding provisions will still be subject to a public meeting and Council's input prior to their removal.

Policy 1633C identifies minor London Plan Amendments and establishes an alternative consultation measure for these amendments. Similar to minor Zoning By-law Amendments, a minor London Plan Amendment would include correction of errors and omissions and housekeeping changes to improve clarities and consistencies of London Plan policies. The policy will also allow Council to forego a public meeting for a minor London Plan Amendment that has no concerns identified under Section 17(19.3) of the *Planning Act*. The section includes a similar provision for alternative measures for notice and public consultation with respect to official plan amendments. The London Plan Amendment would still be subject to Council approval, however, could be submitted as a consent report to the Planning and Environment Committee.

These alternative measures would be more innovative than the prescribed requirements under the *Planning Act* in notifying and engaging while reducing the time and costs associated with public meetings.

### **2.3 Changes to Existing Policy**

A minor change to existing Policy 1658 in the Holding Provision By-law section in the Our Tools part improves consistency with the new policies by adding new words as underlined in the following:

1658\_ *The Zoning By-law* will be amended by application to remove the holding symbol when City Council or its delegated approval authority determines that the requirements relating to the appropriate purpose as set out in the by-law have been met.

The change clarifies that the new delegation has included decisions for the lifting of holding provisions.

## **Conclusion**

This report is intended to provide information on changes made to the *Planning Act* by Bill 13 to Council and the public and draft London Plan amendments that will be circulated for public review. The amendments in Section 2.0 will introduce a new delegation with respect to minor Zoning By-law Amendments and permit alternative measures for minor Zoning By-law and London Plan Amendments pursuant to the amended *Planning Act*. A report recommending finalized amendments will be brought forward to a future Planning and Environment Committee meeting.

**Prepared by:** Joanne Lee  
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**Recommended by:** Gregg Barrett, AICP  
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Deputy City Manager, Planning and Economic  
Development

cc: Kevin Edwards, Manager, Long Range Planning, Research and Ecology

April 11, 2022  
JL/jl

## Appendix A – Draft London Plan Amendment

### Add New Section:

#### DELEGATED AUTHORITY AND ALTERNATIVE ENGAGEMENT TECHNIQUES FOR MINOR AMENDMENTS

1633A\_ City Council may delegate approval authority for minor amendments to the Zoning By-law. Such minor Zoning By-law amendments may include:

1. Removing a holding symbol where the provision has been met
2. Renewal of an existing temporary use provision, except where the temporary use includes a surface commercial parking lot in the Downtown Place Type.
3. Correcting of minor errors and omissions
4. Housekeeping updates to reflect changes to job titles, City departments, external agencies and organizations, or other policy documents and legislation.

1633B\_ A public meeting is not required for a minor Zoning By-law Amendment application described above unless concerns have been identified by written submission during the commenting period identified in the Notice of Application, if required.

1633C\_ A public meeting may not be required for minor amendments to this Plan unless concerns have been identified by written submission during the commenting period identified in the Notice of Application. Such minor London Plan amendments may include:

1. Correcting of minor errors and omissions
2. Housekeeping updates to reflect changes to job titles, City departments, external agencies and organizations, or other policy documents and legislation.

### Amend the Following Policies:

1658\_ The Zoning By-law will be amended by application to remove the holding symbol when City Council or its delegated approval authority determines that the requirements relating to the appropriate purpose as set out in the by-law have been met.

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, Deputy City Manager, Planning and Economic Development  
**Subject:** Parking Standards Review Information Report  
**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Parking Standards Review Information Report:

- (a) The preliminary alternative options of the Parking Standards Review, attached in Appendix "A" **BE RECEIVED**; and,
- (b) The preliminary alternative options of the Parking Standards Update **BE CIRCULATED** for public comment.

**IT BEING NOTED** that feedback received will inform a final Parking Standards Review Report and implementing a Zoning By-law Amendment that will be prepared for the consideration and approval of Municipal Council at a future meeting of the Planning and Environment Committee, including a public participation meeting.

## Executive Summary

### Summary of Report

The *Parking Standards Review Information Report* provides information regarding the Parking Standards Review that has been initiated as part of the ReThink Zoning Process. The report includes two alternative approaches to off-street parking regulations that will be considered. Option 1 is to implement an Open Option Parking Approach city-wide, whereas Option 2 is a hybrid approach with the Open Option in some Place Types and significantly lowered parking minimums in other Place Types. Both options for Council's consideration would improve choice for Londoners, support Climate Action, and help to achieve a compact, contiguous pattern of growth in our city. As part of the Parking Standards Review, the urban form requirements will be strengthened and existing standards for accessible parking and bicycle parking maintained.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is for Municipal Council to receive The *Parking Standards Review Information Report*, and for the public to be able to

review the alternative approaches that are described and provide comments prior to and during a future public participation meeting at the Planning and Environment Committee. That report will include a recommend Zoning By-law Amendment that includes new parking standards for the City of London.

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

The review of parking standards contributes to implementing the Strategic Plan through the Building a Sustainable City areas of focus.

## **Climate Emergency**

On April 23, 2019, Council declared a Climate Emergency. The *Parking Standards Update Information Report* supports the City's commitment to reducing and mitigating climate change by transforming buildings and development (Area of Focus 3), in particular for new developments. Action 2.a of the *Draft Climate Emergency Action Plan* sets out to reduce or eliminate parking minimums which will help reduce the GHG emissions in the City of London by making more efficient use of available parking spaces and encouraging alternate modes of transportation to private automobiles.

## **Analysis**

### **1.0 Background Information**

#### **1.1 Previous Reports Related to this Matter**

November 22, 2021 – PEC – Parking Standards Review Background Report

December 4, 2017 – City of London – [Downtown Parking Strategy](#)

#### **1.2 Applicable Legislation and Policy**

The Planning Act is the applicable legislation for planning matters in Ontario. It requires the City of London to have an Official Plan and permits the City to regulate development through zoning in order to implement the Plan. The Act also requires that when an Official Plan is updated after a comprehensive review, a municipality shall update the zoning by-law within three years of coming into effect (Section 26(9)). Parking requirements are included within municipal zoning by-laws.

The Provincial Policy Statement, 2020 (PPS) provides policy direction related to land use planning and development, all planning decisions in Ontario shall be consistent with the PPS. The PPS sets out that infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs, and planning authorities should promote green infrastructure to complement infrastructure. The PPS requires that a land use pattern,

density, and mix of uses should be promoted that minimizes the length and number of vehicle trips and support current and future use of transit and active transportation.

The London Plan was approved by City Council in June of 2016 as the City's new official plan and provides a vision for how London will grow over the next twenty years. The London Plan directs growth to strategic locations with an emphasis on growing 'inwards and upwards' to achieve a compact form of development (policy 79). As part of the City Building Section, the London Plan provides for different parking policies that regulate the location, configuration and size of parking areas to support the planned vision of each Place Type and enhance the experience of pedestrians, transit-users, cyclists, and drivers. The London Plan states that the Zoning By-law will establish automobile parking standards that ensure excessive amounts of parking are not required. Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction (policy 271).

The current Zoning By-Law Z.-1 was approved in 1993 to implement the policies of the 1989 Official Plan. Zoning is a regulatory tool that establishes the rules for development on individual properties. Zoning directs what types of buildings and activities are permitted (use), how much of a building or activity is permitted (intensity), and where and how those buildings should be situated or designed (form). All City by-laws, including zoning by-laws, must conform with the policies of the Official Plan. Zoning by-laws are the primary method regulating the provision of automobile and bicycle parking in new or expanded development.

Section 4.19 of the Zoning By-law Z.- 1 regulates the off-street parking supply for London through minimum parking standards. This approach is similar to most municipalities in Ontario. Section 4.19 includes parking requirements for different land uses, and also includes Parking Standard Areas (PSAs) which may require different ratios in different parts of the City.

The 1989 Official Plan and Zoning By-law no. Z.-1 both place an emphasis on land use, breaking the city up in zones that are based on land use classifications such as residential, commercial and industrial uses. The London Plan is considerably different from its predecessor in terms of planning approach, putting a greater emphasis on balanced consideration of use, intensity, and form. Instead of land use designations, the London Plan establishes a sense of place through different Place Types that apply to parts of the City.

### **1.3 Objectives Parking Standard Review**

The objectives of the Parking Standards Review are consistent with *The London Plan* policies and *Draft Climate Emergency Action Plan (CEAP)*. *The London Plan* sets out that "*The Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high*

*levels of attraction*” (LP\_271). The London Plan also provides that “opportunities for sharing and consolidating parking to meet parking requirements will be *encouraged in the Downtown, Transit Village, and Shopping Area Place Types, and in transit station areas and commercial areas along Urban Corridors. Where sharing of parking occurs through a development agreement, a reduction in on-site parking requirements may be accommodated*” (LP\_274). Further, CEAP section 2a outlines the objective to “*reduce or eliminate parking minimums within the Zoning By-law*” (CEAP, Area of Focus 3, 2a).

The *Parking Standards Background Study* provided six key indicators of success that should be considered for each option to define a successful updated parking approach:

1. Do the parking standards support the City’s objectives and policies of *The London Plan* and overall livability and quality of life?
2. Do the parking standards support the City’s goals relating to the declaration of a Climate Emergency and necessary decrease of GHG in our City?
3. Do the parking standards support the City’s objectives to manage outward growth by supporting infill and intensification, making it easier and more attractive for developers to provide strategic infill development.
4. Are the parking standards easy to understand and implement over time as land uses might change?
5. Will the Parking Standards lead to a reduction in rezoning and minor variance applications?
6. What other impacts of parking standards might exist, and can they be mitigated?

## **1.4 Engagement and Initial Stakeholder Feedback**

Initial discussions were held with stakeholders and the general public in February 2022 regarding the Parking Standards Review. Engagement initially focused on the framework for the project and necessity to update the existing standards. Later conversations were focused on the different alternatives to regulate parking as proposed in this Information Report.

The ongoing COVID-19 Pandemic has necessitated changes to the types of engagement, and as a result this project has used mainly online methods. These sources included:

- Get Involved Website: [Off-Street Parking Standards | Get Involved London](#) with project updates, opportunities to ask questions and an online survey. The results of the Parking Standards Survey are attached as Appendix D.
- Social Media. An advertisement campaign was used on the existing City of London Facebook page to draw the general public to the Get Involved Website and online survey.
- Webinar. An online webinar or ‘virtual town hall’ was hosted on Thu. February 24, 2022 to provide the general public with an opportunity to receive information and provide feedback on the Parking Standards Review. This Community Information Meeting was recorded and shared online for those unable to attend.

- Virtual meetings. A variety of online stakeholder meetings were organised with stakeholders, community organisation and the development industry. The discussion was used to adjust the two proposed approaches to off-street parking regulations.

The results of this public engagement process and consideration by Municipal Council will inform any changes to the final *Parking Standards Review Recommendation Report* expected in late Spring 2022. A public letter from the Urban League London of London has been added as Appendix C.

## 2.0 Parking Options Review

### 2.1 Context Parking Requirements

As discussed in the *Parking Standards Background Study*, the site-based approach with minimum parking standards often leads to an oversupply of parking where large numbers of parking spaces must be provided. Other negative effects of excessive parking include:

- Increasing GHG emissions and pollution from both driving and building of surface and structured parking;
- Making the design of walkable streets and neighbourhoods harder and often encouraging urban sprawl; and,
- Raising cost and reducing affordability and viability of (infill) housing development.

The *Parking Standards Background Study* identified three general approaches to parking regulation, including the following:

- Minimum Parking Standards – requiring a minimum number of parking spaces to support specified land uses,
- Maximum Parking Standards – requirement a maximum number of parking spaces to ensure there is not an oversupply, and
- Open Parking Standards – eliminating parking requirements and allowing businesses and developers to determine how much parking to provide.

Minimum requirements are currently utilized in the Zoning By-law and are useful to ensure parking demand does not spill over from the site where a use is located to nearby properties or street parking.

Maximum parking standards could be considered in London to ensure parking areas do not dominate site design or detract from the ability to achieve urban form objectives, and they would be particularly useful in certain place types that emphasize the use of transit or active transportation. However, given the COVID-19 pandemic has impacted travel patterns local data has not been able to be collected. This approach is not recommended at this time but may be considered in a future review.

Open parking requirements are another possible approach that could be implemented to achieve the City's objectives and policies of *The London Plan* related to City Design and Mobility, and could also support actions related to the Climate Emergency. Under an open option approach, the amount of on-site parking businesses required for new developments will be determined by property owners, developers, and businesses based on market demand. Simply put, the underlying principle behind the open option is that businesses and developers know their parking needs best and should have the flexibility to provide an appropriate parking supply.

Importantly, open parking requirements doesn't mean that 'no parking' will be provided, but rather that a range of parking supply is possible as some will provide more parking than others. It would be possible to provide no parking spaces but this will likely be rare as parking is still recognized as a common need for residents and patrons.

Some benefits of the open option parking include:

- Better alignment of parking supply and demand as landowners and developers have more choice and flexibility to accommodate changes in the market;
- Supporting the provision of more housing options as residents can match their needs and lifestyle to the amount of parking provided;
- Less regulatory barriers for businesses as they can choose locations or type of developments based on what suits the needs of their customers;
- A more efficient and simplified development-application process which will contribute to increasing the housing supply, and fewer rezoning and minor variance applications related to parking reductions that require consideration by staff and the Committee of Adjustment, and; Better alignment with key London Plan directions including emphasis on creating attractive mobility choices.

## **2.2 Two alternatives for off-street Parking Standards**

This Parking Standards Review as part of ReThink Zoning is an opportunity to purposely differentiate the parking approach for different areas in the city and go beyond the existing PSA's. Based on the information above, two alternative parking standard approaches should be considered by Council at this time and circulated to stakeholders for feedback. The input received on these options will inform City staff as we complete our review and determine the recommended approach for London. The two alternatives for consideration include:

1. Implement an open parking approach City-wide
2. Implement a hybrid that includes an open parking Approach in some Urban Place Types, and reduce parking minimums in the rest of the City

Importantly, both alternatives would maintain the existing off-street parking standards for Accessible-parking (based on The Accessibility of Ontarians with Disabilities Act, 2005 – AODA) and bicycle parking requirements (see Table 2). Staff are considering methods to calculate these accessible and bicycle parking requirements to ensure that these continue to be provided at current rates.

Table 1: Overview differences and similarities different Parking approaches

Option 1: City Wide Open Option	Option 2: Hybrid Open Option and Lower Parking Minimums
Removal existing Parking Standard Areas	Removal existing Parking Standard Areas and two proposed Parking Standard Areas: A & B.
Complete removal minimum parking standards	Simplification of minimum parking standards
Maintaining accessible parking and bicycle parking standards	Maintaining accessible parking and bicycle parking standards
Strengthened Urban Design Requirements based on <i>The London Plan</i>	Strengthened Urban Design Requirements based on <i>The London Plan</i>
Consideration of visitor, shared parking and loading areas	Consideration of visitor, shared parking and loading areas

### 3.0 Option 1 – Open Parking Approach

An open parking approach would maximize flexibility and allow for market demand to determine the supply of parking that is provided on a site. In the review of a planning application the number of parking spaces would not be of concern to City staff, rather only the design of parking areas would be reviewed for conformity with City by-laws.

Regulations for accessible parking spaces will still be required under an open parking requirement, and bicycle parking requirements would remain. These requirements will be updated so that they are not required as a ratio to standard parking requirement. For example, accessible spaces are currently required at 4% of the standard rate, which will have to be restated if no standard parking spaces are required in the by-law.

As mentioned in Section 2.1, main benefits of the open parking approach include better alignment of parking supply and demand, supporting the provision of more housing options, less regulatory barriers for businesses and a more efficient development-application process.

To expand on these benefits, building parking is expensive - costing thousands of dollars for surface parking and up to \$50,000 or \$60,000 for underground parking stalls. These costs for parking get passed down in rent, mortgage or goods that Londoners buy and use. As described in the *Parking Standards Review Background Report*, the costs associated with the construction of parking are spread out through all sectors of the population, instead of being borne solely by the users of parking spaces. With the open parking option, businesses and property-owners would only provide the amount of parking required for the needs of their customers or residents, instead of providing an oversupply of parking based on arbitrary parking minimums. The open option aligns with the goal to provide more affordable housing and infill development by removing barriers to these types of development and reducing overall construction costs.

The City of London is not alone in reviewing and questioning minimum parking standards.

In June 2020, the City of Edmonton became the first major city in Canada to remove minimum parking standards city-wide. Edmonton used an “Open Option Parking” approach to gradually reduce parking minimums starting in 2010, which eventually led to the complete removal of parking minimums in 2020, with the exception of accessible parking spaces. Together with this removal, maximum parking space ratios were established for residential, commercial, and mixed-use development in the downtown Core, which was later extended to transit-oriented development and main street areas.

The City of Calgary voted to remove parking minimums for non-residential uses in November 2020, eliminating minimum parking regulations from their zoning by-law. Future work will review residential parking standards, bike parking, design of parking areas, evaluation of parking regulation near transit-oriented development and a potential cash-in-lieu program.

Finally, Toronto City Council enacted an amendment to the Zoning By-law on February 3, 2022 to remove most minimum parking requirements for new developments (except accessible parking standards) and introduce new maximum standards. Although the examples of Calgary and Toronto are not complete open option parking approaches as parking maximums do apply, a similar trend to move away from the parking minimums can be discerned. Similar to London, motivating factors include housing affordability and climate action to support targets for net zero greenhouse gas emissions.

#### 4.0 Option 2 – Hybrid Approach

Option two is to implement a hybrid of Open parking standards and lower parking minimums in different parts of the City. In this approach an open approach would apply in areas planned to have a very urban character that emphasize pedestrian areas and have good access to transit, while other parts of the City would have minimum requirements that are reduced from the current standard. Table 1 shows the recommended approach for each place type in the Hybrid Approach.

*Table 2: Parking Requirement by Place Type in Hybrid Approach.*

No Minimum Parking Requirement	Reduced Minimum Parking Requirement
Downtown	Neighbourhoods
Transit Village	Shopping Area
Rapid Transit Corridor	Institutional
Main Street	Light Industrial
	Heavy Industrial
	Commercial Industrial
	Urban Corridor

	Green Space
	Rural Neighbourhood
	Farmland

Like the open parking approach in Option 1, this hybrid of open and lower parking minimums would lead to a more flexible and market-based approach to parking regulation.

In the hybrid approach minimum parking requirements will only apply in the place types identified on Table 2. It is recommended that a single requirement be established for these areas that is below the current requirement for either Parking Standard Area 2 or 3. The Parking Standard areas will not be applied as they do not align with the London Plan Place Type boundaries. Parking rates are reduced to avoid requiring more spaces than needed while ensuring the minimum spaces to meet demand are provided. Table 3 includes a summary of the recommended residential parking rates.

#### 4.1 Proposed Parking Standards for Residential Uses

*Table 1: Existing and Proposed Residential Parking Standards*

Use	Existing PSA 1	Existing PSA 2	Existing PSA 3	Proposed Minimum Parking Requirement
<b>Single Detached and Semi-Detached</b>	2 per unit	2 per unit	2 per unit	1 per unit
<b>Townhouse, Cluster</b>	1 per unit	1.25 per unit	1.5 per unit	1 per unit
<b>Townhouse, Street</b>	1 per unit	2 per unit	2 per unit	1 per unit
<b>Townhouse, Stacked</b>	1 per unit	1.25 per unit	1.5 per unit	0.5 per unit
<b>Apartment</b>	1 per unit	1 per unit	1.25 per unit	0.5 per unit
<b>Duplex</b>	1 per unit	1 per unit	1 per unit	0.5 per unit
<b>Triplex</b>	1 per unit	1 per unit	1 per unit	0.5 per unit
<b>Converted Dwelling or Conversions of Existing Buildings to Residential Units</b>	No additional parking required	1 per unit	1 per unit	0.5 per unit
<b>Senior Citizen Apartment Building</b>	0.25 per unit	0.25 per unit	0.25 per unit	0.25 per unit
<b>Handicapped Persons Apartment Building</b>	0.25 per unit	0.25 per unit	0.5 per unit	0.25 per unit
<b>Lodging House</b>	0.33 per unit	0.33 per unit	0.33 per unit	0.25 per unit

## 4.2 Proposed Parking Standards for Non-Residential Uses

For non-residential uses, parking rates should be reduced similar to the residential uses so as to avoid conflicts. Minimum Non-Residential Parking Standards in the Place Types with reduced minimums (e.g., Neighbourhoods, Shopping Area, Institutional, Industrial, Commercial Industrial, Urban Corridor etc.) are as follows:

Table 4: Existing and Proposed Commercial Parking Standards (ITE rates & tiers)

Non-Residential Uses	Existing PSA 3	ITE Rate Examples (1 parking space per m <sup>2</sup> )	Proposed Minimum Parking Requirement
<b>Tier 1:</b> Fast-Food (Drive-in, Take-Out), Liquor, Beer and Wine Store, Restaurant, Taxi Establishment, Tavern	Ranging from 1 parking space per 6m <sup>2</sup> -15m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Restaurant Fast-Food: 1 per 6 m<sup>2</sup></li> <li>• Restaurant: range 1 per 4-8 m<sup>2</sup></li> <li>• Tavern: 1 per 8 m<sup>2</sup></li> </ul>	1 parking space per 20 m <sup>2</sup> gross floor area
<b>Tier 2:</b> Abattoir, Amusement Game Establishment, Animal Hospital/Clinic, Arena, Assembly Hall, Auction Establishment, Automobile Body Shop, Automobile Rental, Automobile Repair Garage Establishment, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Brewing on Premises Establishment, Bulk Beverage Outlet, Bulk Sales Establishment, Clinic and Out Patient Clinic, Clinic (methadone), Commercial Recreation Establishment, Convenience Service Establishment, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral	Ranging from 1 parking space per 15m <sup>2</sup> -50m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Amusement Game Est.: 1 per 13 m<sup>2</sup></li> <li>• Animal Hospital: 1 per 33 m<sup>2</sup></li> <li>• Automobile Repair Garage: 1 per 55 m<sup>2</sup></li> <li>• Bulk Beverage Outlet: 1 per 17 m<sup>2</sup></li> <li>• Bulk Sales Est.: 1 per 19 m<sup>2</sup></li> <li>• Clinic: 1 per 18 m<sup>2</sup></li> <li>• Convenience Store: 1 per 7 m<sup>2</sup></li> <li>• Day Care: 1 per 28 m<sup>2</sup></li> </ul>	1 parking space per 50 m <sup>2</sup> gross floor area

<p>Home, Gallery, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Kennel, Laundromat, Museum, Music School, Office (Mental/Dental), Patient Testing Laboratory, Personal Service Establishment, Pharmacy, Pharmacy (methadone), Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Retail Store (all sizes), School (commercial), Shopping Centre (greater than 2000 m<sup>2</sup> and with 4 or more individual Businesses), Shopping Centre (less than 2000 m<sup>2</sup>), Video Rental Establishment</p>		<ul style="list-style-type: none"> <li>• Department Store: 1 per 19 m<sup>2</sup></li> <li>• Financial Institution: 1 per 13 m<sup>2</sup></li> <li>• Food Store: 1 per 18 m<sup>2</sup></li> <li>• Hardware Store: 1 per 14 m<sup>2</sup></li> <li>• Museum: 1 per 28 m<sup>2</sup></li> <li>• Office (Dental): 1 per 22 m<sup>2</sup></li> <li>Pharmacy: 1 per 42 m<sup>2</sup></li> </ul>	
<p><b>Tier 3:</b> Agricultural Service Establishment, Artisan Workshop, Bakery, Business Service Establishment, Dry Cleaning and Laundry Depot, Farm Equipment Sales and Service Establishment, Film Processing Depot, Household Appliance Sales and Service, Industrial Mall, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Office (all types except mental/dental), Public Recreation Facility, Public Use, Retail Warehousing, Salvage Yard, School (community college &amp; university), Service and Repair Establishment, Service Industrial Use, Service Trade</p>	<p>Ranging from 1 parking space per 50m<sup>2</sup>-100m<sup>2</sup></p>	<ul style="list-style-type: none"> <li>• Business Service Est.: 1 per 71 m<sup>2</sup></li> <li>• Dry Cleaning and Laundry Depot: 1 per 77 m<sup>2</sup></li> <li>• Film Processing Depot: 1 per 77 m<sup>2</sup></li> <li>• Household Appliance Sales and Service: 1 per 40 m<sup>2</sup></li> <li>• Library: 1 per 37 m<sup>2</sup></li> <li>• Service Trade: 1 per 53 m<sup>2</sup></li> </ul>	<p>1 parking space per 100 m<sup>2</sup> gross floor area</p>
<p><b>Tier 4:</b> Advanced Manufacturing Industrial Uses, Advanced Manufacturing</p>	<p>Ranging from 1 parking</p>	<ul style="list-style-type: none"> <li>• Advanced Manufacturing Industrial</li> </ul>	<p>1 parking space per 200 m<sup>2</sup> gross floor area</p>

Educational Uses, Agricultural Supply Establishment, Building Supply Outlet, Caterer's Establishment, Craft Brewery (excluding retail/restaurant area), Dry Cleaning and Laundry Plant, Manufacturing Establishment, Printing Establishment, Terminal Centre, Vehicle Sales and Service Establishment, Warehouse Establishment, Wholesale Establishment	space per 100 m <sup>2</sup> -200m <sup>2</sup>	<ul style="list-style-type: none"> <li>Uses: 1 per 66 m<sup>2</sup></li> <li>• Building Supply Outlet: 1 per 163 m<sup>2</sup></li> <li>• Dry Cleaning and Laundry Plant: 1 per 77 m<sup>2</sup></li> <li>• Manufacturing Est.: 1 per 66 m<sup>2</sup></li> <li>• Vehicles Sales and Service Est.: 1 per 41 m<sup>2</sup> (new)</li> <li>• Warehouse Est.: 1 per 155 m<sup>2</sup></li> </ul>	
<b>Tier 5:</b> Commercial Outdoor Recreation Facility, Self-storage Establishment,	1 parking space per 1,000 m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Commercial Outdoor Recreational Facility: 1 per 426 m<sup>2</sup></li> <li>• Self-storage Est.: 1 per 929 m<sup>2</sup></li> </ul>	1 parking space per 1,000 m <sup>2</sup> gross floor area
<b>Tier 6:</b> Greenhouse Farm	1 parking space per 20,000 m <sup>2</sup>	No ITE rate available	1 parking space per 20,000 m <sup>2</sup> gross floor area

\* This tiered parking standards table doesn't include all proposed standards. For all uses please refer to Zoning By-law Z.-1, table 4.19.3.

Generally, the existing parking ratios are simplified and decreased by 50%. For example, the Business Service Establishment currently requires 1 parking space per 50 m<sup>2</sup>, which is reduced to 1 parking space per 100 m<sup>2</sup>. Standardized rates in the Zoning By-law of 1 space per 20 m<sup>2</sup> gross floor area (GFA), 1 space per 50 m<sup>2</sup> GFA, 1 space per 100 m<sup>2</sup> GFA, 1 space per 200 m<sup>2</sup> GFA and 1 space per 1,000 m<sup>2</sup> GFA have been established. More detail can be found in table 4.19.3 in Appendix A as well as average ITE rates from the Parking Generation Manual (5<sup>th</sup> edition) for a variety of uses. These ITE rates form part of the justification for the proposed non-residential rates but don't exist for all uses.

As outlined in the *Parking Standards Review Background Report*, parking demand can't be captured in a set of static numbers as no location and associated parking demand is exactly the same. For this reason, the rates described above lean towards the lower

end of what is expected for a specific use. There is increasing recognition that the ITE rates are based on outdated and underrepresented data, which tends to over-estimate the actual parking needs in our communities. Main issues with the ITE rates include a focus on the United States, limited amount of conducted studies, and use of outdated data from the 1980's-1990's.

For example, approximately half of the parking generation rates are based on 4 or less studies, and 22% of the ITE rates are based on a single study. Additionally, the ITE rates are sometimes based on studies conducted a long time ago, up to the 1980's. Therefore, the ITE rates provided give an estimate of (suburban) parking demand for different uses, but are not scientific or precise numbers for determining parking demand.

### 4.3 Urban Design Standards

In addition to Section 4.19 of the Zoning By-law Z.-1, Section 6 of the Site Plan Control By-law provides information Parking Facilities and Internal Driveways, more information is provided in Appendix C. Section 6.2 of the Site Plan Control By-law sets out that Parking areas should be no closer than 3 metres (10 feet) to a street line and 1.5 metres (5 feet) to a property line. An overview of specific setbacks is shown in Table 5 below:

*Table 5: Minimum setbacks and parking yards Zoning By-law.*

Zones	Yard in Which Required Parking Area is Permitted	Minimum Setback to Road Allowance
Office, Commercial, Institutional, Open Space, Recreational, Agricultural, Agricultural Commercial, Rural Settlement Commercial and any Zone Class not specified.	All yards	no part of any parking area, other than a driveway is located closer than <b>3.0 meters</b> to any required road allowance.
Downtown, Business District Commercial & Office Commercial, Transit Village, Rapid Transit Corridor.	Parking not permitted in the front yard.	

<b>Residential -R1, R2, R3, R4 and R11 Zones</b>	a) The interior side yard and rear yard b) Driveways in the front yard or exterior side yard.	no part of any parking area is located closer than <b>1.0 metres</b> to any required road allowance and provided that no part of any rear yard parking area shall be located closer than <b>3.0 metres</b> from the rear lot line and <b>3.0 metres</b> from any one side lot line except where access to a rear yard parking area is obtained by a lane in which case no part of any rear yard parking area shall be located closer than <b>3.0 metres</b> from each side lot line
<b>Industrial</b>	All yards	no part of any parking area, other than a driveway, is located closer than <b>1.0 metre</b> to any required road allowance.

Through the Site Plan Control by-law parking for commercial uses is discouraged in the front yard. The Site Plan Control by-law also discourages parking in a yard adjacent to a residential zone. Where such parking is permitted, adequate screening will be required. Residential parking areas should be located:

1. In view of dwellings and activity areas, preferably 45 meters (150 feet) maximum walking distance;
2. Adjacent to pedestrian systems;
3. Convenient to the building entrances; and,
4. No closer than 3 meters (10 feet) to a window of a habitable room.

Where the applicable zoning by-law regulations do not specify the size of parking spaces and aisles, the relevant minimum parking dimensions set out in Figure 6.1 and Table 6.1 of the Site Plan Control By-law, see Appendix B for details.

The Rethink Zoning process will include consideration of how to integrate additional measures to implement the City Design and built form policies of the London Plan, including what regulations should be included for off street parking areas. The only urban design change that is recommended at this time is to add the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, and Main Street Place Types to the locations in the Zoning by-law where front yard parking is not permitted.

**4.4 Barrier Free Parking**

It is the intent of this amendment to maintain a similar number of required parking spaces for persons with disabilities. Accessible parking spaces are required in accordance with the *Accessibility for Ontarians with Disabilities Act (AODA Act)* and in must be captured within the zoning by-law. However, because the current zoning by-law standards base accessible parking requirements on a ratio to the standard parking requirement, a new approach is required.

The current Zoning regulations for accessible parking spaces are based on the *required* parking spaces, however the AODA Act bases its requirement on the number of *provided* parking spaces. Therefore, to ensure adequate accessible parking the zoning by-law should be updated to reflect the number of spaces provided as part of the proposed development and not the minimum zoning requirement.

The provincial standard requires two types of accessible or barrier-free parking spaces to be provided. The standards include minimum width requirements for the Type A, Type B and accessible aisle, as shown in Table 6 below.

*Table 6: Types of Accessible parking spaces, with minimum width and access aisle.*

Type	Minimum Width	Access Aisle Requirements (may be shared by 2 parking spaces)
<b>Type A: Wider parking space with signage that identifies as 'van accessible'</b>	3.4 metres	1.5 metres extending the full length of the parking space, marked with high tonal contrast diagonal lines
<b>Type B, standard parking space</b>	2.4 metres	

Section 4.19.10 c) outlines the accessible parking space requirements based on the total amount of provided parking as shown underneath. This section is summarized in Table 7.

*Table 7: Accessible Parking Ratios – Legislated Requirements*

Number of Parking Spaces	Number of Accessible Parking Spaces Required
12 or fewer	One parking space for the use of persons with disabilities, which meets the requirement of a Type A parking space.
13-100	4% of the total number of parking spaces for the use of persons with disabilities, in accordance with the following ratio, rounded up the nearest whole number: <ol style="list-style-type: none"> <li>I. Where an even number of parking spaces for the use of persons with disabilities is provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirement of a Type A parking space and a Type B parking space must be provided.</li> <li>II. Where an odd number of parking spaces for the use of persons with disabilities is provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking</li> </ol>

	space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
101-200	One parking space and an additional 3% of the total number of parking spaces for the use of persons with disabilities, rounded up to the nearest whole number.
201-1,000	Two parking spaces and an additional 2% of the total number of parking spaces for the use of persons with disabilities, rounded up to the nearest whole number.
More than 1,000	11 parking spaces and an additional 1% of the total number of parking spaces for the use of persons with disabilities, rounding up to the nearest whole number.

### 4.5 Bicycle Parking

To encourage the use of bicycles as an alternative means of transportation, bicycle parking facilities are required at the residential base and at destination locations such as workplaces, commercial uses, and institutional facilities. Bicycle parking shall be provided in facilities that are convenient, safe, secure and functional for the intended use.

The Zoning By-law includes bicycle requirements including a minimum of 0.75 long-term spaces per unit in apartment buildings, and generally 7% of the required vehicle parking spaces for commercial uses. Some exceptions apply to the above requirements. Given the proposed changes in parking regulations, it is proposed that a similar approach be taken to the updated requirements for accessible parking spaces, where bicycle parking should be required based on the number of parking spaces provided instead of required in the Zoning By-law.

It is also recommended that the ratio of bicycle parking spaces be amended to 10% of the provided number of automobile parking spaces for all non-residential development to better reflect the need to provide amenities for active transportation. This proposed increase from 7% to 10% of the provided number of automobile parking spaces is in line with the bicycle parking ratios in other Canadian jurisdictions. The City of Toronto uses different bicycle parking standards for different uses, typically requiring a minimum of 3 bicycle spaces plus 0.2-0.3 additional spaces for each 100 square meters of interior floor area of short-term bicycle space and 0.1-0.2 for each 100 square meters of interior floor area of long-term bicycle space.

Existing Site Plan Control requirements for bicycle parking are proposed to remain, and are described in Table 8.

Table 8: Design Characteristics for Bicycle Parking Facilities (Table 14.1 Site Plan Control By-law).

<p><b>Location</b></p>	<p><b>Long-term Bicycle Parking:</b>          Apartment buildings and lodging houses (with 5 or more residential units) shall be required to provide for long-term bicycle parking opportunities in an accessible, secure and weather protected area. Subject to design characteristics below, these spaces may be provided in the following locations:</p> <ol style="list-style-type: none"> <li>1. in a bicycle room or bicycle compound located within a building or motor vehicle parking structure</li> <li>2. within an individual bicycle locker</li> <li>3. within an accessory building</li> </ol> <p>Long term bicycle parking shall not be provided within a dwelling unit or a balcony thereof.</p> <p><b>Short-term Bicycle Parking:</b>          Short-term Bicycle parking spaces may be provided within an exterior space (covered or uncovered) designated for the parking of bicycles. Large scale developments may spatially disperse the required number of short-term bicycle parking spaces throughout the site.</p>
<p><b>Size of a Bicycle Parking Space</b></p>	<p>Minimum horizontal dimensions of 0.6 metres by 1.5 metres and a height or at least 1.9 metres.</p>
<p><b>Aisle Width</b></p>	<p>Where more than one row of bicycle parking spaces is provided, a minimum aisle width of 1.5 metres shall be provided.</p>
<p><b>Location for Accessibility</b></p>	<ul style="list-style-type: none"> <li>- Less than 15 metres from the entrance used by cyclists or if located within a building in a location easily accessible to bicycles</li> <li>- Should not be farther from the entrance than the closest motor vehicle parking space (excluding accessible parking spaces)</li> <li>- In a separately designated area that does not impede the movement of pedestrians</li> <li>- In an easy to find location directly visible from the street and if not directly visible from the street directional information signs shall be installed to direct cyclists to the bicycle parking facility</li> </ul>
<p><b>Location for Natural Surveillance</b></p>	<ul style="list-style-type: none"> <li>- Located within constant visual range of persons within the adjacent building or within well traveled pedestrian areas</li> <li>- Within unobstructed view from the adjacent municipal roadway</li> </ul>
<p><b>Security Lighting</b></p>	<p>Night lighting shall be provided in a manner to ensure that the entire bicycle parking area is well lit</p>
<p><b>Covered Bicycle Parking</b></p>	<p>If covered motor vehicle parking is provided, the required bicycle parking shall also be covered.</p>

\*Change room and shower facilities are encouraged to enhance the use bicycles for work based travel.

## 4.7 Shared and Visitor Parking

Shared parking is a parking management strategy that recognizes that many parking spaces are only used for a portion of the time. When two or more uses exist on one property, a certain amount of the parking spaces may be shared between different uses if the peak period of parking demand and usage doesn't overlap. An example of this is a mixed-use development with residential units and retail or office space. Visitors to the residential units may be able to share parking spaces with the retail uses since these visitors use parking spaces at a different time than the retail-clientele or employees of offices. For shared parking, a potential amendment could allow shared parking for any Place Type without minimum parking requirements

The London Plan sets out that shared car and bicycle parking facilities and carshare/bikeshare programs will be encouraged within the Downtown and Transit Village Place Types (LP-803 & 814). In the Riverbend Road and The Linkway main streets areas, off-street parking requirements in the Zoning By-law may be reduced if supported by a parking study to recognize the pedestrian oriented, mixed use nature of the development and the shared parking strategy along with on-street supply (LP\_894).

Visitor parking spaces are required through the Site Plan Control process for multi-unit residential development including cluster detached dwellings with a total of three or more units. One visitor parking space shall be provided for every ten dwelling units. There is no change proposed to visitor parking requirements where minimum parking standards apply.

## Conclusion

This Parking Standards Review Information Report builds on the previous *Parking Standards Background Report* and has been developed with community and stakeholder input. The information Report describes two alternative parking standard approaches for Council's consideration:

1. Implement the Open Option Parking Approach City-wide;
2. Implement the Open Option Parking Approach in some Urban Place Types, and significantly lower parking minimums in the rest of the city.

Both of these approaches would reduce the off-street parking will be provided to promote a strong business environment while also allowing the right amount of off-street parking to be provided based on market-demand. Both proposed alternative parking standard approaches would reduce barriers for economic development and affordable/infill development, align the parking standards better with market demand

and have the potential for incremental change towards a more compact, high-intensity and mixed-use built form.

Staff recommends that this report be received and the options circulated for public and stakeholder input before advancing the implementation of either an open parking standards approach City-wide or a hybrid between the Open approach and lower parking minimums in different Place Types. Comments received through this circulation will be included for consideration when the final Parking Standards Review report with Recommended amendments is brought forward for consideration and adoption at a future public participation meeting of the Planning and Environment Committee.

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

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## **Appendices**

Appendix A - Draft amendments for consideration for open option

Appendix B: Draft amendments for consideration for hybrid option

Appendix C: Site Plan Control By-law Section 6. Parking Facilities and Internal Driveways

Appendix D: Public Letter Urban League of London

Appendix E: Parking Standards Survey Results

## Appendix A – Draft amendments for consideration for Open Option

To amend Zoning By-law 4.19 to implement Open Option Parking (Alternative 1) and making a number of supporting amendments.

Proposed language is underlined, whereas amended language that is proposed to be removed is ~~struck through~~.

### By-law 4.19

#### 1) CALCULATION OF PARKING REQUIREMENTS

- a) Where a part of a parking space is required in accordance with this By-Law, such part shall be considered one parking space for the purpose of calculating the total parking requirements for the said use.
- b) Parking spaces required in accordance with this By-Law shall not include any parking spaces used or intended to be used primarily for the storage or parking of vehicles for hire or gain, display or sale.

#### 2) DIMENSIONS OF PARKING SPACES

- a) A parking space required hereby shall have minimum dimensions of 2.7 metres by 5.5 metres, except as required for parking spaces for the use of persons with disabilities.
- b) A Type 'A' parking space for the use of persons with disabilities shall be a minimum width of 3.4 metres by at least 5.5 metres in depth.
- c) A Type 'B' standard parking space for the use of persons with disabilities shall be a minimum width of 2.4 metres by at least 5.5 metres in depth. (Z.-1-142353)
  - 2.1) ACCESS AISLES Accessible aisles, that is, the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities. (Z.-1-142353)

#### 3) LOCATION OF PARKING AREAS

With the exception of the Commercial Zones, all required parking spaces shall be provided on the same lot occupied by the building, structure or use for which such parking spaces are required, and shall not form a part of any street or lane. Within the Commercial Zones, the required parking spaces may be supplied within 150.0 metres (490 feet) of the main pedestrian access of the building, structure or use for which the parking spaces are required, provided a Site Plan Agreement is registered on title of the lands used for parking committing said parking spaces to the related commercial site.

#### 4) YARDS WHERE PARKING AREAS PERMITTED

a) No person shall use any land or cause or permit the use of any land situated in any zone for the purpose of parking or storage of a vehicle in any front yard or exterior side yard.

b) No person shall use any land or cause or permit the use of any land situated in any zone for the purposes of uncovered surface parking areas in any front yard or exterior side yard.

c) Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas that conform to the provisions of Subsection 4.19(7) (Surface and Drainage of parking Areas and Driveways) of this By-law, shall be permitted in the yards or in the area between the required road allowance and the required setback as follows:

Zones	Yard in Which Required Parking Area is Permitted	Minimum Setback to Road Allowance
<b>Office, Commercial, Institutional, Open Space, Recreational, Agricultural, Agricultural Commercial, Rural Settlement Commercial and any Zone Class not specified.</b>	All yards	no part of any parking area, other than a driveway is located closer than <b>3.0 meters</b> to any required road allowance.
<b>Downtown, Business District Commercial &amp; Office Commercial, Transit Village, Rapid Transit Corridor.</b>	Parking not permitted in the front yard.	
<b>Residential -R1, R2, R3, R4 and R11 Zones</b>	c) The interior side yard and rear yard d) Driveways in the front yard or exterior side yard.	no part of any parking area is located closer than <b>1.0 metres</b> to any required road allowance and provided that no part of any rear yard parking area shall be located closer than <b>3.0 metres</b> from the rear lot line and <b>3.0 metres</b> from any one side lot line except where access to a rear yard parking area is obtained by a lane in which case no part

		of any rear yard parking area shall be located closer than <b>3.0 metres</b> from each side lot line
<b>Industrial</b>	All yards	no part of any parking area, other than a driveway, is located closer than <b>1.0 metre</b> to any required road allowance.

## 5) PARKING STRUCTURES

Where a parking area located in a structure is accessory to a permitted use on a lot, then such structure shall not be considered an accessory building and shall conform to all the provisions for the zone as a main building.

## 6) ACCESS AND DRIVEWAYS TO PARKING AREAS AND SPACES

a) For single, semi-detached, duplex, or converted two unit dwellings, a parking area/private garage can only be accessed by driveways leading to all or a portion of a parking area/private garage which is provided from an improved street by means of one or more unobstructed driveways not less than 2.7 metre (8.8 feet) in width. For the purposes of this section, a driveway includes a walkway connected and parallel to a driveway and shall form part of the driveway leading to all or a portion of a parking area/private garage as part of the driveway widths.

Notwithstanding Section 4.19 (4), driveways and/or walkways connected to and parallel to a driveway may project no greater than 2.0 metres in the front yard of a single detached, semi-detached, duplex or converted two unit dwelling. That part of the required front yard not used for a driveway or walkway, or where permitted by this by-law, a parking area/space, shall be used exclusively for landscaped open space. The driveway width shall be measured parallel to the said street at the street line. It shall be further provided that no lot shall have more than two driveways for the first 30.0 metres. (98.7 feet) of street line.

For agricultural uses, driveways to parking areas shall be provided from an improved street by means of one or more unobstructed driveways not less than 3.0m (9.8 ft.) in width and not more than 10.0 m (32.8 ft.) in width. The maximum number of driveways shall be not more than two driveways for the first 100m (328 ft.) of lot frontage plus one driveway for each additional 100m (300 ft.) of lot frontage thereafter. (Z.-1-142314)

b) For uses subject to site plan control, the driveway widths shall be determined in the site plan approval process and agreement. For uses other than those described in Subsection 4.19(6)(a) and not subject to site plan approval, driveways and parking aisles shall have a minimum unobstructed width of 6.7 metres (21.9 feet) where two-way traffic is permitted and 3.0 metres (9.8 feet) where only one-way direction of traffic flow is permitted and is clearly indicated by signs, pavement markings or both but does not apply to stacked parking.(Z.-1-132179) (Z.-1-95366)

c) Each required parking space shall be readily accessible at all times for the parking or removal of a vehicle and vehicular access to any such parking space shall not be impeded by any obstruction except as provided in Paragraph (d) of this Clause, except that this provision shall not apply to prevent the use as a parking space of any part of a

driveway accessory to a single dwelling, semi-detached dwelling, duplex dwelling townhouse dwelling or stacked parking provided that no parking space shall obstruct access to a parking area on any other lot or of any other unit and for the use of stacked parking, to provide required parking, that the following shall be required:

- i) stacked parking be located wholly within a structure
- ii) a development agreement be entered into which includes:
  - i. implementation of all mitigation measures recommended in a Traffic Impact Analysis which includes a functional parking study to the satisfaction of the City;
  - ii. implementation of all mitigation measures recommended in a noise and vibration study to the satisfaction of the City; and
  - iii. a qualified operator, certified by TSSA, in the operation of a stacked parking device be provided at all times. (Z.-1-132179

d) Nothing in this By-Law shall prevent the obstruction of a driveway by a gate, a temporary barrier stacked parking or similar obstruction used solely to restrict access to the said driveway and designed to be easily raised, swung aside or otherwise opened or removed when necessary to permit passage of a vehicle but does not include the use of any fee to remove these temporary barriers to any driveway or entrance required to access a required parking space excluding institutional uses and legally established commercial parking structures or lots. (Z.-1-132180)

e) Nothing in this Subsection shall apply to prevent the use of a right-of-way as a means of obtaining access to a parking area, provided the said right-of-way has been specifically established for such purpose, or to prevent the establishment of abutting driveways or parking aisles along a common lot line.

f) No person shall use any land or cause or permit the use of any land situated in any zone for the purposes of parking or storage of a vehicle or; for the purposes of uncovered surface parking areas or; for the purpose of access driveways, on any corner lot, within the triangular area bounded by the street lines and a line joining points on the street lines as defined in Section 4.24 (Sight Triangle) of this By-law. (Z.-1-95366)

g) Residential Garage Widths for Small Residential Lots For single detached dwellings permitted in Residential Zones with a lot frontage of less than 12 metres (39.4 feet), the maximum residential garage width shall not exceed 53% of the lot frontage.(Z.-1-00759)

h) Residential Driveway Widths for Residential Lots

(I) For a single detached, semi-detached, duplex or converted two unit dwelling, driveways and/or walkways connected to and parallel to a driveway cannot exceed:

- i. for lots with a width of up to 12.0 metres: 50% of the required lot frontage to a maximum 6.0 metres, whichever is less;
- ii. for lots with a width greater than 12.0 metres: 50% of the required lot frontage to a maximum of 8 metres, whichever is less

(II) Where more than one driveway leads to a parking area/private garage for a single detached, semi-detached, duplex or converted two-unit dwelling is

provided, the combined total of all driveways shall not exceed the provision of 4.19 6) (h) (I).

(III) Notwithstanding Section 4.19 (4) and 4.19 (6) (I) (II) driveways and/or walkways connected to and parallel to a driveway may increase to the width of the private garage and/or the legal parking area of the residential property. In addition, a driveway and/or walkway connected to and parallel to a driveway may project into a front yard of a single detached, semi-detached, duplex or converted two unit dwelling, provided that the projection into the front yard is no greater than 2.0 metres. (Z.-1- 142314)

i) Notwithstanding Section 4.19 b), street oriented townhouse dwellings in a cluster form, the maximum driveway width leading to a parking area shall be no greater than 3 metres for a single car garage and no greater than 6m when leading to a two car garage. For freehold street townhouse dwellings, the maximum driveway width leading to a parking area shall be no greater than 50% of the lot frontage or a maximum of 6.0 metres, whichever is less and in no case shall it be less than 3m." (Z.-1-142314)

j) Access aisles for parking spaces for persons with disabilities Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and shall meet the following requirements: 1) They shall have a minimum width of 1,500 mm. 2) They shall extend the full length of the parking space. They shall be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface. (Z.-1-142353)

## 7) SURFACE AND DRAINAGE OF PARKING AREAS AND DRIVEWAYS

a) All parking areas and driveways shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, and including, but not so as to limit the generality of the foregoing, the following surface materials:

- i) treated crushed stone or gravel; and,
- ii) any asphalt, concrete or other hard-surfaced material.

b) All parking areas and driveways shall be drained so as to control the pooling of surface water and prevent the flow of surface water onto adjacent lots.

## 8) ADDITION TO EXISTING USE

Where a building or structure has insufficient parking spaces on the date of passing of this By-Law to conform to the requirements herein, this By-Law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use provided, however, that any additional parking spaces required by this By-Law for such addition or change of use are provided in accordance with all provisions hereof respecting parking spaces and parking areas.

## 9) PARKING STANDARD AREAS

Zoning By-law 4.10.9 is amended by replacing regulation 4.10.9 with the following:

~~The City of London has been divided into Parking Standard Areas. The limit and location of Parking Standard Areas 1 and 2 are as shown on Schedule "B" to this By-Law. All remaining lands are within Parking Standard Area 3.~~

- Open Option: The City of London has removed all Parking Standard Areas. Schedule "B" of this By-law has been updated to reflect the City-wide parking standards.

## 10) PARKING STANDARDS

Except as otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, parking spaces in accordance with the provisions of this Subsection. Unless otherwise specified, the standards are expressed in one space per square metre of Gross Floor Area (GFA).

~~a) Parking Standard Area 1 parking requirements are as follows:~~

Zoning By-law 4.10.10 is amended by replacing regulation 4.10.10 with the following:

- Open Option: The parking requirements in 4.19.10 are no longer required as minimum requirements will not apply.

### **i) Non-Residential Development**

~~Within Parking Standard Area 1, parking shall be provided for all new non-residential development or redevelopment at one parking space per 45 square metres (484 square feet). Within Parking Standard Area 1, existing square metres of uses shall be subtracted from the total new or redeveloped square metres when calculating the required number of parking spaces. For the purpose of this Section, existing shall mean as of January 1, 1987.~~

- Open Option: The City-wide parking requirements in 4.19.10 are no longer required as minimum requirements will not apply.

~~Notwithstanding this section, CLINIC, METHADONE and PHARMACY, METHADONE shall be calculated at the ratio provided for in Section 4.19. 10) b). (Z. 1-122090)~~

### **Example Application of Section 4.19 10) Parking Standard Area 1**

~~Existing site—4000 square metres (43,056 square feet); redeveloped to 6000 square metres (64,583 square feet)—2000 square metres (21,528 square feet) at one space per 45 square metres (484 square feet) equals 44 spaces required.~~

~~For all lands zoned Downtown Area (DA) within Parking Standard Area 1, parking shall be provided for all new non-residential development or redevelopment at one parking space per 90 square metres (968 square feet). Within Parking Standard Area 1, existing square metres of uses shall be subtracted from the total new or redeveloped square metres when calculating the required number of parking spaces. For the purpose of this Section, existing shall mean as of June 3, 1991. (Z. 1-94271)~~

~~There is no requirement for additional parking for outdoor patios associated with adjacent restaurants. (Z. 1-97534)~~

**ii) Residential Development**

- Open Option: The City-wide parking requirements in 4.19.10 are no longer required as minimum requirements will not apply.

~~Parking Standard Area 1 provisions for residential development or redevelopment shall be as follows:~~

- a) ~~Single Detached and Semi-Detached~~ \_\_\_\_\_ 2 per unit
  - b) ~~Duplex, Triplex, Townhouse and Apartment~~ \_\_\_\_\_ 1 per unit
  - c) ~~Converted Dwelling or Conversions of Existing~~ \_\_\_\_\_ No additional parking required
- ~~Space to Residential Units~~
- d) ~~Senior Citizen Apartment Building~~ \_\_\_\_\_ 0.25 per unit
  - e) ~~Handicapped Persons Apartment Building~~ \_\_\_\_\_ 0.25 per unit
  - f) ~~Lodging House~~ \_\_\_\_\_ 0.33 per unit

~~For all lands zoned Downtown Area (DA) within Parking Standard Area 1 there shall be no parking required for all existing and new residential development. (Z. 1-95343)~~

~~b) Parking Standard Areas 2 and 3 parking requirements are as follows:~~

Parking Space Rates – Multiple Uses on a Lot

If there are multiple uses on a lot, the respective minimum parking space rates for each use on the lot apply, and the total number of required parking spaces is the cumulative minimum total for all uses.

c) Accessible parking spaces

Where parking spaces are required, in any development, accessible parking spaces shall be provided. Off street parking areas shall have a minimum number of accessible parking spaces as follows:

- i) One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer; or
- ii) Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:

1. Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided; or

2. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space; or

- iii) One parking space for the use of persons with disabilities and an additional three percent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with the ratios set out in subparagraphs ii) 1 and 2), rounding up to the nearest whole number; or
- iv) Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; or
- v) Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; and
- vi) The number of parking spaces for persons with disabilities shall be included as part of the total parking required for the site. (Z.-1- 142353)

New regulations are added to ensure accessible parking is still required even when no vehicular parking is provided.

The following table shall only be used as a tool to calculate the required quantity of accessible parking spaces, in accordance with the following:

- a. The number of effective parking spaces calculated from Table 4.19.1 is not intended to represent the total number of required accessible parking spaces.
- b. Effective parking spaces may only be used as the basis for calculating the required quantity of accessible parking spaces, in accordance with Table 4.19.1. ‘
- c. Deemed minimum parking required shall be used as a basis for calculating the required quantity of accessible parking spaces, in accordance with the *Accessibility for Ontarians with Disabilities Act (AODA)*.
- d. The deemed minimum parking requirements does not create a requirement for standard off-street parking spaces; and
- e. The quantity of vehicle parking spaces provided for a development shall not apply as a substitute for the minimum parking standards.

Table 4.19.1 All existing non-residential standards and proposed new minimum standards

Land Use Category	Parking Standard Rate
Tier A: Converted dwelling or dwelling unit in a detached, semi-detached, townhouse, duplex or triplex dwelling.	None
Tier B: Senior Citizen Building, Handicapped Persons Apartment, Lodging Housing, Group Home, Hospice	0.25 per unit or dwelling unit

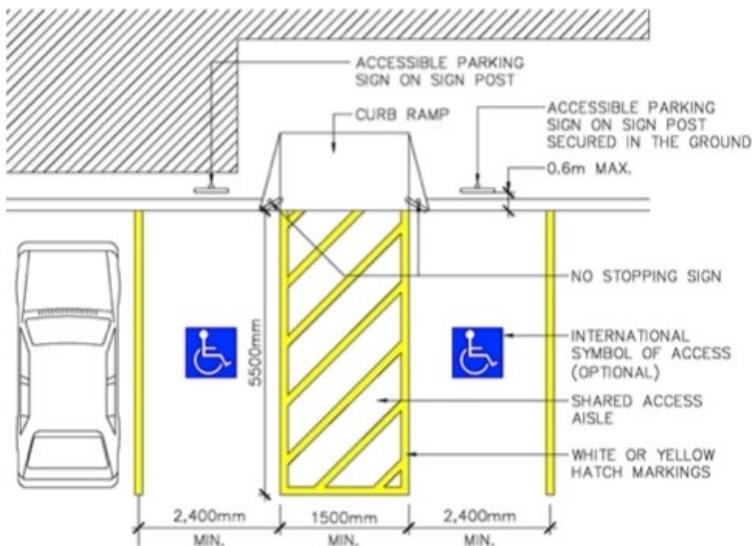
Care Centre, Nursing Home, Retirement Home (alternative housing)	
Tier C: Apartment	0.5 parking spaces per unit
Tier D: Single-Detached, Semi-Detached, Townhouse (Cluster, Stacked, Street), Duplex or Triplex	1 parking space per unit
Tier 1: Amusement Game Establishment, Fast-Food (Drive-in, Take-Out), Liquor, Beer and Wine Store, Restaurant, Taxi Establishment, Tavern	1.0 parking space for each 20 m <sup>2</sup> gross floor area
Tier 2: Tier 2: Abattoir, Animal Hospital/Clinic, Arena, Assembly Hall, Auction Establishment, Automobile Body Shop, Automobile Rental, Automobile Repair Garage Establishment, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Brewing on Premises Establishment, Bulk Beverage Outlet, Bulk Sales Establishment, Clinic and Out Patient Clinic, Clinic (methadone), Commercial Recreation Establishment, Convenience Service Establishment, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral Home, Gallery, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Kennel, Laundromat, Museum, Music School, Office (Mental/Dental), Patient Testing Laboratory, Personal Service Establishment, Pharmacy, Pharmacy (methadone), Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Retail Store (all sizes), School (commercial), Shopping Centre (greater than 2000 m <sup>2</sup> and with 4 or more individual Businesses), Shopping Centre	1.0 parking space for each 50 m <sup>2</sup> gross floor area

(less than 2000 m <sup>2</sup> ), Video Rental Establishment	
Tier 3: Agricultural Service Establishment, Artisan Workshop, Bakery, Business Service Establishment, Dry Cleaning and Laundry Depot, Farm Equipment Sales and Service Establishment, Film Processing Depot, Household Appliance Sales and Service, Industrial Mall, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Office (all types except mental/dental), Public Recreation Facility, Public Use, Retail Warehousing, Salvage Yard, School (community college & university), Service and Repair Establishment, Service Industrial Use, Service Trade	1.0 parking space for each 100 m <sup>2</sup> gross floor area
Tier 4: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Agricultural Supply Establishment, Building Supply Outlet, Caterer's Establishment, Craft Brewery, Dry Cleaning and Laundry Plant, Manufacturing Establishment, Printing Establishment, Self-storage Establishment, Terminal Centre, Vehicle Sales and Service Establishment, Warehouse Establishment, Wholesale Establishment	1.0 parking space for each 200 m <sup>2</sup> gross floor area
Tier 5: Commercial Outdoor Recreation Facility, Private Outdoor Recreation Club	1.0 parking space for each 1,000 m <sup>2</sup> gross floor area
Tier 6: Greenhouse Farm	1.0 parking space for each 20,000 m <sup>2</sup> gross floor area

Table 4.19.1 Accessible Parking Ratios

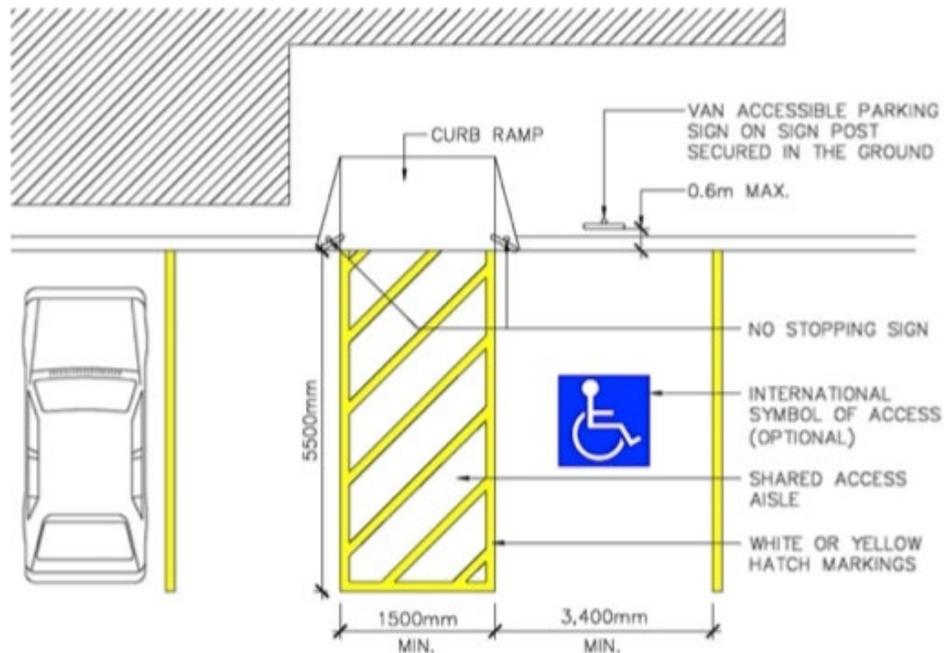
Off-Street Parking Spaces Required	Barrier-free Accessible Parking Required
1-12	1
13-100	4% of total required parking
101-200	1+3% of total required parking
201-1000	2+2% of total required parking
1000+	11+1% of total required parking

Figure 7.1 Site Plan Control By law: Parking Space for persons with Disabilities Type A



(SEE ALSO THE TRAFFIC AND PARKING BY-LAW)

Figure 7.2 Site Plan Control By law: Parking Space for Persons with Disabilities Type B



## 11) OTHER PARKING REGULATIONS

a) Nothing in this By-Law shall prevent the erection of a shelter for use solely by parking attendants or security personnel in any part of a parking area, except within a sight triangle, provided such shelter is not more than 4.5 metres (14.8 feet) in height and has a floor area of not more than 5.0 square metres (53.8 square feet).

b) No recreational vehicle, trailer or boat shall be parked or stored on any part of a lot in a Residential Zone, except for one recreational vehicle which:

- i) is owned by the occupant of the said lot; and,
- ii) where it has dimensions not greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, nor 6.0 metres (20.0 feet) of length, may be parked or stored on a permitted driveway, or parking area, or within a yard other than a front yard or exterior side yard; or
- iii) where it has dimensions greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, or 6.0 metres (20.0 feet) of length, may be parked or stored within a rear yard.

Any recreational vehicle owned by the occupant and parked or stored within an enclosed building shall not be subject to these provisions. (Z.-1-97542)

c) No commercial vehicle or motorized construction equipment shall be parked or stored on any part of a lot in a Residential Zone, except for one commercial vehicle which:

- i) is owned or operated by the occupant of the said lot; and
- ii) has dimensions not greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, nor 6.0 metres (20.0 feet) of length; and, 85

iii) is parked or stored within a building or carport or on a permitted driveway or parking area or within a yard other than a front yard, or exterior side yard; or (Z.-1-97542)

iv) is parked for the purpose of making deliveries or otherwise providing services, on a temporary basis, to the said lot. (Z.-1-97542).

d) Not more than one vehicle or recreational vehicle lacking current valid license plates shall be parked or stored on a lot, excluding permitted vehicles parked or stored within a private garage or other buildings in accordance with the applicable parking/storage location, in a Residential Zone, except that this provision shall not apply to a permitted vehicle sales or permitted rental establishment or permitted salvage yard. (Z.1.97542)

e) No person shall park or store, or permit to be parked or stored, a vehicle on any part of a lot in a residential zone, for the purpose of providing a transfer location, where a person or persons travel to the said lot from another location, to remove or return a vehicle, from or to the said lot. (Z.-1-97542)

f) Service areas are included when calculating parking rates for Automobile Repair Garage. A service area is defined as all areas utilized to service and repair vehicles, and may include lifts, joists, service pits and tool and part storage. (Z.-1-091844)

## 12) BUS PARKING AREA SUBSTITUTION

A bus parking area or areas may be substituted for vehicle parking spaces at the maximum rate of 1 bus parking area for every twenty-five (25) vehicle parking spaces for any lands zoned Regional Shopping Area (RSA) or Community Shopping Area (CSA), where required by City Council for use by public transit and shown on a registered site plan. (Z.-1-97465)

## 13) DIMENSIONS OF BUS PARKING AREA

A bus parking area permitted hereby shall be a minimum 3.75 metres (12.3 feet) wide by a minimum 15 metres (49.2 feet) long excluding entrance and/or exit tapers. (Z.-1-97465)

## 14) BICYCLE PARKING REQUIREMENTS

All required bicycle parking spaces shall be provided at the time of the erection of a building or addition thereto, expansion of a use, or when there is a change of use of a lot or a building. Bicycle parking spaces shall be maintained exclusively for the use for which they are required for as long as the use is in operation.

Where part of a bicycle parking space is required in accordance with this By-law, such part shall be considered one parking space for the purpose of calculating the total bicycle parking requirement for the use. (Z.-1-051420)

## 15) DESIGN CHARACTERISTICS FOR BICYCLE PARKING

For the purpose of this By-law, associated design elements shall be provided in accordance with those provisions set forth under Section ( ) of the City's Site Plan Control By-law. (Z.-1-051420)

## 16) NUMBER OF BICYCLE PARKING SPACES

1) Residential Development: Apartment buildings and lodging houses (with five or more residential units) shall be required to provide 0.75 long-term bicycle parking space per residential unit.

2) Residential Care Facilities:

Short-term bicycle parking spaces shall be provided at a rate of 107% of the required number of automobile parking spaces, as specified in the Zoning By-law, for the following residential care facilities:

- a) senior citizen apartment buildings
- b) nursing homes;
- c) rest homes;
- d) retirement lodges;
- e) retirement homes;
- f) handicapped persons apartment buildings;
- g) continuum-of-care facility;
- h) chronic care facility;
- i) foster homes;
- j) group home type 1 and type 2;
- k) supervised residence;
- l) correctional and detention centre;
- m) emergency care establishment.

3) Residential Development Exemptions:

Notwithstanding clause "()" to the contrary, bicycle parking shall not be required for:

- a) Conversions of existing space to residential units;
- b) Single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; fourplex dwellings; townhouse dwellings; stacked townhouse dwellings; street townhouses; cluster townhouses; farm dwellings. (Z.-1-051420)

4) Non-Residential Development: Short-term bicycle parking spaces shall be provided at a rate of 10 7% of the required number of automobile parking spaces, as specified in the Zoning By-law, for all non-residential development except as specified below:

5) Non-Residential Development Exemptions:

- a) where the required number of automobile parking spaces specified in the Zoning By-law is 9 or fewer spaces, no bicycle parking is required;
- b) No bicycle parking requirement applies for the following uses specified in the Zoning By-law: Abattoir; aggregate reprocessing; aggregate storage area; agricultural service establishment; agricultural supply establishment; agricultural use; agricultural use, intensive; agricultural use, non-intensive; agriculturally

related commercial use; agriculturally related industrial use; batching plant, asphalt; batching plant, concrete; channel composting facility; construction and demolition recycling facility; crushing plant; driving range; drive-through facility; farm; farm cluster; farm equipment sales and service; farm foods and products market; farm market; feedlot; forestry use; grain elevator; greenhouse, commercial; in-vessel composting facility; kennel; landing strip; livestock; livestock facilities; managed woodlot; manure storage facilities; pit; propane transfer facility; quarry; resource excavation; residential and other source recycling facility; resource extraction operation; salvage yard; specialized recycling facility; stockpiling; travel plaza/truck stop; truck stop; theatre, drive-in; wayside pit or wayside quarry; windrow composting facility

c) No bicycle parking requirement will apply to the conversion of existing buildings for residential or non-residential uses in all Downtown Area 1 and 2 Zones. Major redevelopment involving property consolidation and new construction is required to provide for bicycle parking facilities at the mandated standard.

d) No bicycle parking requirement will apply to the conversion of existing buildings for residential or non-residential uses in all Business District Commercial 1 and 2 Zones. Major redevelopment involving property consolidation and new construction is required to provide for bicycle parking facilities at the mandated standard.

e) For CLINIC, METHADONE or PHARMACY, METHADONE uses, notwithstanding any provisions of this by-law, the number of bicycle parking spaces provided shall be no less than 5 spaces

6) Municipally-owned Parking lots and structures: Municipally-owned parking lots in the Downtown Area zones and defined Business District Commercial Area zones shall provide for short-term bicycle parking facilities equal to 10 7% of the total vehicular parking spaces provide.

7) Bicycle Parking Incentives: Notwithstanding Section 4.19 of this By-law to the contrary, the required number of motor vehicle parking spaces for non-residential uses may be reduced to provide for additional short or long-term bicycle parking spaces beyond those mandated by this by-law provided, however, the reduction in motor vehicle parking spaces shall not exceed 10% of the required motor vehicle parking spaces. Individual vehicular parking stalls shall be required to provide for a minimum of five bicycle parking spaces. This incentive shall not apply to CLINIC, METHADONE or PHARMACY, METHADONE uses. (Z.-1-051420) (Z.-1-122090)

No further changes to Zoning By-law Z.-1 (4.19) are proposed.

## **Appendix B – Draft amendments for consideration for hybrid option**

To amend Zoning By-law 4.19 to implement a hybrid of Open Option Parking and lowered parking minimums (Alternative 2) and making a number of supporting amendments.

Proposed language is underlined, whereas amended language that is proposed to be removed is ~~struck through~~.

### **By-law 4.19**

#### 1) CALCULATION OF PARKING REQUIREMENTS

- a) Where a part of a parking space is required in accordance with this By-Law, such part shall be considered one parking space for the purpose of calculating the total parking requirements for the said use.
- b) Parking spaces required in accordance with this By-Law shall not include any parking spaces used or intended to be used primarily for the storage or parking of vehicles for hire or gain, display or sale.

#### 2) DIMENSIONS OF PARKING SPACES

- a) A parking space required hereby shall have minimum dimensions of 2.7 metres by 5.5 metres, except as required for parking spaces for the use of persons with disabilities.
- b) A Type 'A' parking space for the use of persons with disabilities shall be a minimum width of 3.4 metres by at least 5.5 metres in depth.
- c) A Type 'B' standard parking space for the use of persons with disabilities shall be a minimum width of 2.4 metres by at least 5.5 metres in depth. (Z.-1-142353)
  - 2.1) ACCESS AISLES Accessible aisles, that is, the space between parking spaces that allows persons with disabilities to get in and out of their vehicles, must be provided for all parking spaces for the use of persons with disabilities in off-street parking facilities. (Z.-1-142353)

#### 3) LOCATION OF PARKING AREAS

With the exception of the Commercial Zones, all required parking spaces shall be provided on the same lot occupied by the building, structure or use for which such parking spaces are required, and shall not form a part of any street or lane. Within the Commercial Zones, the required parking spaces may be supplied within 150.0 metres (490 feet) of the main pedestrian access of the building, structure or use for which the parking spaces are required, provided a Site Plan Agreement is registered on title of the lands used for parking committing said parking spaces to the related commercial site.

#### 4) YARDS WHERE PARKING AREAS PERMITTED

a) No person shall use any land or cause or permit the use of any land situated in any zone for the purpose of parking or storage of a vehicle in any front yard or exterior side yard.

b) No person shall use any land or cause or permit the use of any land situated in any zone for the purposes of uncovered surface parking areas in any front yard or exterior side yard.

c) Notwithstanding the yard and setback provisions of this By-law to the contrary, uncovered surface parking areas that conform to the provisions of Subsection 4.19(7) (Surface and Drainage of parking Areas and Driveways) of this By-law, shall be permitted in the yards or in the area between the required road allowance and the required setback as follows:

Zones	Yard in Which Required Parking Area is Permitted	Minimum Setback to Road Allowance
Office, Commercial, Institutional, Open Space, Recreational, Agricultural, Agricultural Commercial, Rural Settlement Commercial and any Zone Class not specified.	All yards	no part of any parking area, other than a driveway is located closer than <b>3.0 meters</b> to any required road allowance.
Downtown, Business District Commercial & Office Commercial, Transit Village, Rapid Transit Corridor.	Parking not permitted in the front yard.	
Residential -R1, R2, R3, R4 and R11 Zones	e) The interior side yard and rear yard f) Driveways in the front yard or exterior side yard.	no part of any parking area is located closer than <b>1.0 metres</b> to any required road allowance and provided that no part of any rear yard parking area shall be located closer than <b>3.0 metres</b> from the rear lot line and <b>3.0 metres</b> from any one side lot line except where access to a rear yard parking area is obtained by a lane in which case no part

		of any rear yard parking area shall be located closer than <b>3.0 metres</b> from each side lot line
<b>Industrial</b>	All yards	no part of any parking area, other than a driveway, is located closer than <b>1.0 metre</b> to any required road allowance.

## 5) PARKING STRUCTURES

Where a parking area located in a structure is accessory to a permitted use on a lot, then such structure shall not be considered an accessory building and shall conform to all the provisions for the zone as a main building.

## 6) ACCESS AND DRIVEWAYS TO PARKING AREAS AND SPACES

a) For single, semi-detached, duplex, or converted two unit dwellings, a parking area/private garage can only be accessed by driveways leading to all or a portion of a parking area/private garage which is provided from an improved street by means of one or more unobstructed driveways not less than 2.7 metre (8.8 feet) in width. For the purposes of this section, a driveway includes a walkway connected and parallel to a driveway and shall form part of the driveway leading to all or a portion of a parking area/private garage as part of the driveway widths.

Notwithstanding Section 4.19 (4), driveways and/or walkways connected to and parallel to a driveway may project no greater than 2.0 metres in the front yard of a single detached, semi-detached, duplex or converted two unit dwelling. That part of the required front yard not used for a driveway or walkway, or where permitted by this by-law, a parking area/space, shall be used exclusively for landscaped open space. The driveway width shall be measured parallel to the said street at the street line. It shall be further provided that no lot shall have more than two driveways for the first 30.0 metres. (98.7 feet) of street line.

For agricultural uses, driveways to parking areas shall be provided from an improved street by means of one or more unobstructed driveways not less than 3.0m (9.8 ft.) in width and not more than 10.0 m (32.8 ft.) in width. The maximum number of driveways shall be not more than two driveways for the first 100m (328 ft.) of lot frontage plus one driveway for each additional 100m (300 ft.) of lot frontage thereafter. (Z.-1-142314)

b) For uses subject to site plan control, the driveway widths shall be determined in the site plan approval process and agreement. For uses other than those described in Subsection 4.19(6)(a) and not subject to site plan approval, driveways and parking aisles shall have a minimum unobstructed width of 6.7 metres (21.9 feet) where two-way traffic is permitted and 3.0 metres (9.8 feet) where only one-way direction of traffic flow is permitted and is clearly indicated by signs, pavement markings or both but does not apply to stacked parking.(Z.-1-132179) (Z.-1-95366)

c) Each required parking space shall be readily accessible at all times for the parking or removal of a vehicle and vehicular access to any such parking space shall not be impeded by any obstruction except as provided in Paragraph (d) of this Clause, except

that this provision shall not apply to prevent the use as a parking space of any part of a driveway accessory to a single dwelling, semi-detached dwelling, duplex dwelling townhouse dwelling or stacked parking provided that no parking space shall obstruct access to a parking area on any other lot or of any other unit and for the use of stacked parking, to provide required parking, that the following shall be required:

- iii) stacked parking be located wholly within a structure
- iv) a development agreement be entered into which includes:
  - iv. implementation of all mitigation measures recommended in a Traffic Impact Analysis which includes a functional parking study to the satisfaction of the City;
  - v. ii. implementation of all mitigation measures recommended in a noise and vibration study to the satisfaction of the City; and
  - vi. iii. a qualified operator, certified by TSSA, in the operation of a stacked parking device be provided at all times. (Z.-1-132179

d) Nothing in this By-Law shall prevent the obstruction of a driveway by a gate, a temporary barrier stacked parking or similar obstruction used solely to restrict access to the said driveway and designed to be easily raised, swung aside or otherwise opened or removed when necessary to permit passage of a vehicle but does not include the use of any fee to remove these temporary barriers to any driveway or entrance required to access a required parking space excluding institutional uses and legally established commercial parking structures or lots. (Z.-1-132180)

e) Nothing in this Subsection shall apply to prevent the use of a right-of-way as a means of obtaining access to a parking area, provided the said right-of-way has been specifically established for such purpose, or to prevent the establishment of abutting driveways or parking aisles along a common lot line.

f) No person shall use any land or cause or permit the use of any land situated in any zone for the purposes of parking or storage of a vehicle or; for the purposes of uncovered surface parking areas or; for the purpose of access driveways, on any corner lot, within the triangular area bounded by the street lines and a line joining points on the street lines as defined in Section 4.24 (Sight Triangle) of this By-law. (Z.-1-95366)

g) Residential Garage Widths for Small Residential Lots For single detached dwellings permitted in Residential Zones with a lot frontage of less than 12 metres (39.4 feet), the maximum residential garage width shall not exceed 53% of the lot frontage.(Z.-1-00759)

h) Residential Driveway Widths for Residential Lots

(l) For a single detached, semi-detached, duplex or converted two unit dwelling, driveways and/or walkways connected to and parallel to a driveway cannot exceed:

- i. for lots with a width of up to 12.0 metres: 50% of the required lot frontage to a maximum 6.0 metres, whichever is less;
- ii. for lots with a width greater than 12.0 metres: 50% of the required lot frontage to a maximum of 8 metres, whichever is less

(II) Where more than one driveway leads to a parking area/private garage for a single detached, semi-detached, duplex or converted two-unit dwelling is provided, the combined total of all driveways shall not exceed the provision of 4.19 6) (h) (I).

(III) Notwithstanding Section 4.19 (4) and 4.19 (6) (I) (II) driveways and/or walkways connected to and parallel to a driveway may increase to the width of the private garage and/or the legal parking area of the residential property. In addition, a driveway and/or walkway connected to and parallel to a driveway may project into a front yard of a single detached, semi-detached, duplex or converted two unit dwelling, provided that the projection into the front yard is no greater than 2.0 metres. (Z.-1- 142314)

i) Notwithstanding Section 4.19 b), street oriented townhouse dwellings in a cluster form, the maximum driveway width leading to a parking area shall be no greater than 3 metres for a single car garage and no greater than 6m when leading to a two car garage. For freehold street townhouse dwellings, the maximum driveway width leading to a parking area shall be no greater than 50% of the lot frontage or a maximum of 6.0 metres, whichever is less and in no case shall it be less than 3m." (Z.-1-142314)

j) Access aisles for parking spaces for persons with disabilities Access aisles may be shared by two parking spaces for the use of persons with disabilities in an off-street parking facility and shall meet the following requirements: 1) They shall have a minimum width of 1,500 mm. 2) They shall extend the full length of the parking space. They shall be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface. (Z.-1-142353)

## 7) SURFACE AND DRAINAGE OF PARKING AREAS AND DRIVEWAYS

a) All parking areas and driveways shall be provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles, and including, but not so as to limit the generality of the foregoing, the following surface materials:

- i) treated crushed stone or gravel; and,
- ii) any asphalt, concrete or other hard-surfaced material.

b) All parking areas and driveways shall be drained so as to control the pooling of surface water and prevent the flow of surface water onto adjacent lots.

## 8) ADDITION TO EXISTING USE

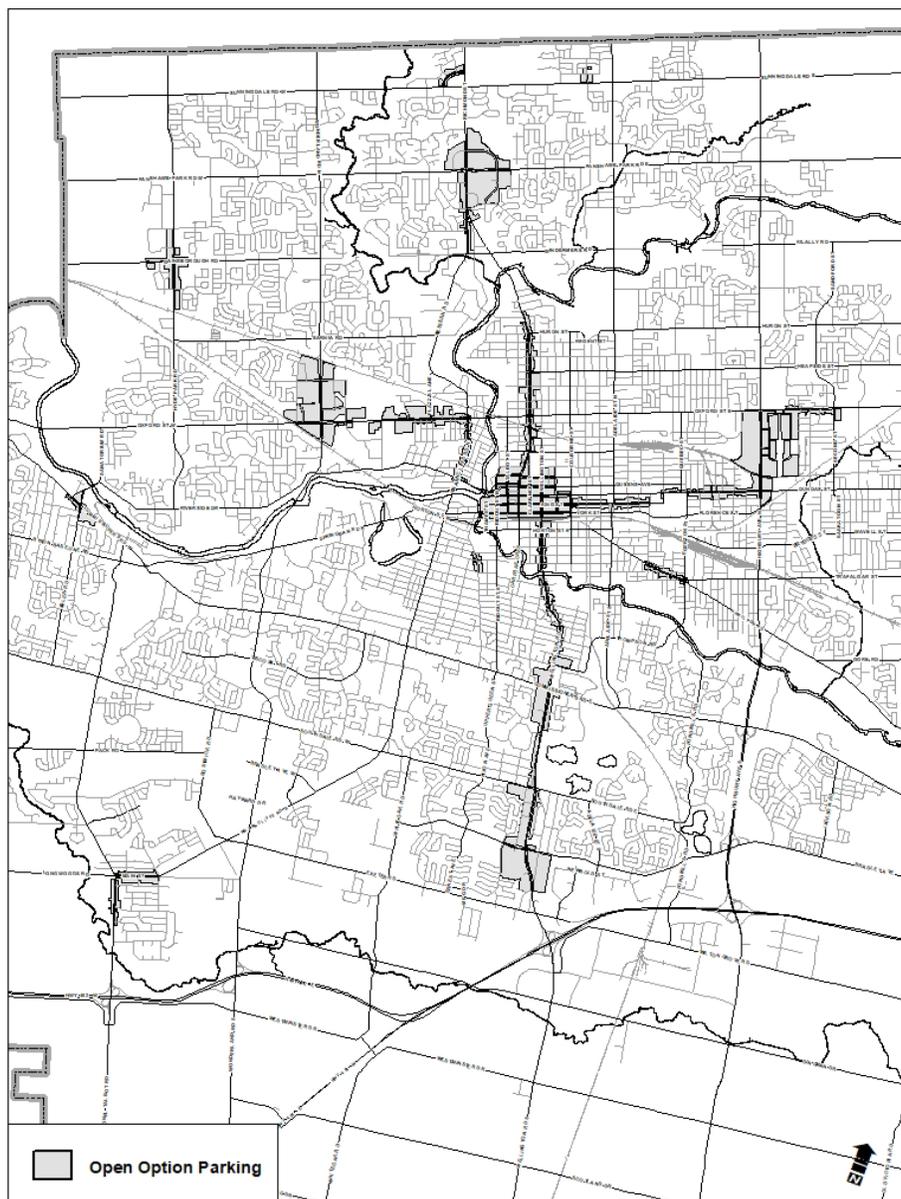
Where a building or structure has insufficient parking spaces on the date of passing of this By-Law to conform to the requirements herein, this By-Law shall not be interpreted to require that the deficiency be made up prior to the construction of any addition or a change of use provided, however, that any additional parking spaces required by this By-Law for such addition or change of use are provided in accordance with all provisions hereof respecting parking spaces and parking areas.

## 9) PARKING STANDARD AREAS

Zoning By-law 4.10.9 is amended by replacing regulation 4.10.9 with the following:

The City of London has been divided into Parking Standard Areas. The limit and location of Parking Standard Areas 1 and 2 are as shown on Schedule "B" to this By-Law. All remaining lands are within Parking Standard Area 3.

- Open Option & Minimum Standards Hybrid: The City of London has been divided into Two Parking Standard Areas. The limit and location of Parking Standard Areas A (Open Option) and Parking Standard Area B (Minimum Standards) are as shown on the updated Schedule "B" to this By-law. PSA A consists of the Downtown, Transit Village, Rapid Transit Corridor, and Mainstreet Place Types, and shall have no parking requirements. PSA B consists of all other Urban Place Types including Neighbourhoods, Urban Corridors, Shopping Areas, Institutional and Industrial Place Types.



10) PARKING STANDARDS

Except as otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, parking spaces in accordance with the provisions of this Subsection. Unless otherwise specified, the standards are expressed in one space per square metre of Gross Floor Area (GFA).

a) ~~Parking Standard Area 1 parking requirements are as follows:~~

Zoning By-law 4.10.10 is amended by replacing regulation 4.10.10 with the following:

- Open Option & Minimum Standards Hybrid: The Parking Standard 1 parking requirements are no longer required as minimum requirements will not apply in Parking Standard Area A (DT, TV, RTC, MS).

**i) Non-Residential Development**

~~Within Parking Standard Area 1, parking shall be provided for all new non-residential development or redevelopment at one parking space per 45 square metres (484 square feet). Within Parking Standard Area 1, existing square metres of uses shall be subtracted from the total new or redeveloped square metres when calculating the required number of parking spaces. For the purpose of this Section, existing shall mean as of January 1, 1987.~~

- Open Option & Minimum Standards Hybrid: The Parking Standard 1 parking requirements are no longer required as minimum requirements will not apply in Parking Standard Area A (DT, TV, RTC, MS). Parking Standard Area B parking standards are as follows:

Notwithstanding this section, CLINIC, METHADONE and PHARMACY, METHADONE shall be calculated at the ratio provided for in Section 4.19. 10) b). (Z.-1-122090)

**Example Application of Section 4.19 10) Parking Standard Area 1**

~~Existing site – 4000 square metres (43,056 square feet); redeveloped to 6000 square metres (64,583 square feet) – 2000 square metres (21,528 square feet) at one space per 45 square metres (484 square feet) equals 44 spaces required.~~

~~For all lands zoned Downtown Area (DA) within Parking Standard Area 1, parking shall be provided for all new non-residential development or redevelopment at one parking space per 90 square metres (968 square feet). Within Parking Standard Area 1, existing square metres of uses shall be subtracted from the total new or redeveloped square metres when calculating the required number of parking spaces. For the purpose of this Section, existing shall mean as of June 3, 1991. (Z.-1-94271)~~

~~There is no requirement for additional parking for outdoor patios associated with adjacent restaurants. (Z.-1-97534)~~

**ii) Residential Development**

- Open Option & Minimum Standards Hybrid: The Parking Standard 1 parking requirements are no longer required as minimum requirements will not apply in

Parking Standard Area A (DT, TV, RTC, MS). Minimum Residential Parking Standards in Parking Standard Area B are as follows:

~~Parking Standard Area 1 provisions for residential development or redevelopment shall be as follows:~~

- ~~a) Single Detached and Semi-Detached \_\_\_\_\_ 2 per unit~~
- ~~b) Duplex, Triplex, Townhouse and Apartment \_\_\_\_\_ 1 per unit~~
- ~~c) Converted Dwelling or Conversions of Existing \_\_\_\_\_ No additional parking required~~  
~~Space to Residential Units~~
- ~~d) Senior Citizen Apartment Building \_\_\_\_\_ 0.25 per unit~~
- ~~e) Handicapped Persons Apartment Building \_\_\_\_\_ 0.25 per unit~~
- ~~f) Lodging House \_\_\_\_\_ 0.33 per unit~~

~~For all lands zoned Downtown Area (DA) within Parking Standard Area 1 there shall be no parking required for all existing and new residential development. (Z-1-95343)~~

*Parking Standard provisions for residential development or redevelopment in shall be as follows:*

Table 4.19.1 Residential Minimum Parking Standards (Existing & City-wide)

<b>Use</b>	<b>Existing PSA 1</b>	<b>Existing PSA 2</b>	<b>Existing PSA 3</b>	<b>Proposed new minimum Parking Standards PSA B</b>
<b>Single Detached and Semi-Detached</b>	2 per unit	2 per unit	2 per unit	<b>1 per unit</b>
<b>Townhouse, Cluster</b>	1 per unit	1.25 per unit	1.5 per unit	<b>1 per unit</b>
<b>Townhouse, Stacked</b>	1 per unit	1.25 per unit	1.5 per unit	<b>1 per unit</b>
<b>Townhouse, Street</b>	1 per unit	2 per unit	2 per unit	<b>1 per unit</b>
<b>Apartment</b>	1 per unit	1 per unit	1.25 per unit	<b>0.5 per unit</b>
<b>Duplex</b>	1 per unit	1 per unit	1 per unit	<b>1 per unit</b>
<b>Triplex</b>	1 per unit	1 per unit	1 per unit	<b>1 per unit</b>
<b>Converted Dwelling or Conversions of Existing Space to Residential Units</b>	No additional parking required	1 per unit	1 per unit	<b>No additional parking required</b>
<b>Senior Citizen Apartment Building</b>	0.25 per unit	0.25 per unit	0.25 per unit	<b>0.25 per unit</b>
<b>Handicapped Persons Apartment Building</b>	0.25 per unit	0.25 per unit	0.5 per unit	<b>0.25 per unit</b>
<b>Lodging House</b>	0.33 per unit	0.33 per unit	0.33 per unit	<b>0.25 per unit</b>

b) ~~Parking Standard Areas 2 and 3~~ Parking Standard Area B Commercial parking requirements are summarized as follows:

Table 4.19.2 Commercial Tiers Minimum Parking Standards (Hybrid Option PSA B)

Tiers	Deemed minimum parking (for the purpose of calculating free vehicle parking spaces)
Tier 1: Amusement Game Establishment, Automobile Rental, Automobile Repair Garage Establishment, Clinic and Out Patient Clinic, Clinic (methadone), Commercial Recreation Establishment, Dry Cleaning and Laundry Depot, Duplicating Shop, Farm Food and Products Market, Fast-Food (Drive-in, Take-Out), Film Processing Depot, Funeral Home, Kennel, Laundromat, Liquor, Beer and Wine Store, Patient Testing Laboratory, Personal Service Establishment, Pharmacy (methadone), Private Club, Repair and Rental Establishment, Restaurant, Service and Repair Establishment, Service Trade, Shopping Centre (less than 2000 m <sup>2</sup> ), Taxi Establishment, Tavern, Video Rental Establishment	1 parking space per 20 m <sup>2</sup> gross floor area
Tier 2: Abattoir, Animal Hospital/Clinic, Arena, Assembly Hall, Auction Establishment, Automobile Body Shop, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Brewing on Premises Establishment, Bulk Beverage Outlet, Bulk Sales Establishment, Convenience Service Establishment, Data Processing Establishment, Day Care Centre, Department Store, Emergency Care Establishment, Financial Institution, Food Store, Gallery, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Household Appliance Sales and Service, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Museum, Music School, Office (all types), Pharmacy, Post Office, Public Recreation Facility, Public Use, Recreational Vehicle Sales and Service Establishment, Retail Store (all sizes), Retail Warehousing, Salvage Yard, School (commercial), Shopping Centre (greater than 2000 m <sup>2</sup> and with 4 or more individual Businesses)	1 parking space per 50 m <sup>2</sup> gross floor area
Tier 3: Agricultural Service Establishment, Artisan Workshop, Bakery, Business Service Establishment, Caterer's Establishment, Craft Brewery, Farm Equipment Sales and Service Establishment, Industrial Mall, School (community college & university), Service Industrial Use,	1 parking space per 100 m <sup>2</sup> gross floor area

Terminal Centre, Vehicle Sales and Service Establishment	
Tier 4: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Agricultural Supply Establishment, Dry Cleaning and Laundry Plant, Manufacturing Establishment, Printing Establishment, Self-storage Establishment, Warehouse Establishment, Wholesale Establishment	1 parking space per 200 m <sup>2</sup> gross floor area
Tier 5: Commercial Outdoor Recreation Facility, Private Outdoor Recreation Club	1 per 1,000 m <sup>2</sup> gross floor area
Tier 6: Greenhouse Farm	1 per 20,000 m <sup>2</sup> gross floor area

Table 4.19.3 All existing non-residential standards and proposed new minimum standards (Hybrid Option PSA B)

Use	Existing Standard PSA 2	Existing Standard PSA 3	Proposed new PSA B minimum Parking Standard	Proposed Tier	ITE Rate
<b>Abattoir</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Advanced Manufacturing Industrial Uses</b>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 66 m <sup>2</sup>
<b>Advanced Manufacturing Educational Uses</b>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 58 m <sup>2</sup> (industrial park)
<b>Agricultural Service Establishment</b>	1 per 65 m <sup>2</sup>	1 per 65 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-
<b>Agricultural Supply Establishment</b>	1 per 30 m <sup>2</sup> for retail show room plus 1 per 200 m <sup>2</sup> for warehousing/wholesaling		1 per 200 m <sup>2</sup>	4	-
<b>Amusement Game Establishment</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1	1 per 13 m <sup>2</sup> (video arcade)
<b>Animal Hospital/Animal Clinic</b>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 33 m <sup>2</sup>
<b>Apartment Hotel</b>	1 per unit	1.25 per unit	0.5 per unit	-	-
<b>Arena (no seats)</b>	1 per 35 m <sup>2</sup>	1 per 35 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Arena (with seats)</b>	1 per 8 seats	1 per 7 seats	1 per 8 seats	-	1 per 3.3 seats (theatre)
<b>Artisan Workshop</b>	1 per 100 m <sup>2</sup> for processing/manufacturing plus 1 per 25 m <sup>2</sup> for retail area/restaurant	1 per 100 m <sup>2</sup> for processing/manufacturing plus 1 per 15 m <sup>2</sup> for retail area/restaurant	1 per 100 m <sup>2</sup>	3	-
<b>Assembly Hall</b>	1 per 8 seats or 1 per 35 m <sup>2</sup>	1 per 7 seats or 1 per 25 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-

	whichever is greater	whichever is greater			
<b>Auction Establishment</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Auditorium</b>	1 per 8 seats	1 per 6 seats	1 per 8 seats	-	1 per 3.3 seats (theatre)
<b>Automobile Body Shop</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Automobile Rental Establishment</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Automobile Repair Garage</b>	1 per 10 m <sup>2</sup>	1 per 10 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 55 m <sup>2</sup>
<b>Automobile Sales. Ancillary to Automobile Repair Garage</b>	1 per automobile, kept or displayed for sale		1 per automobile, kept or displayed for sale	-	-
<b>Automobile Sales &amp; Service Establishment</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 55 m <sup>2</sup>
<b>Automobile Service Station</b>	6 per bay	6 per bay	6 per bay	-	1 per 7 m <sup>2</sup>
<b>Automobile Supply Store</b>	1 per 25 m <sup>2</sup>	1 per 25 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 55 m <sup>2</sup>
<b>Bakery</b>	1 per 100 m <sup>2</sup>	1 per 100 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-
<b>Bake Shop</b>	1 per 25 m <sup>2</sup>	1 per 25 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Bed and Breakfast Establishment</b>	1 per bedroom plus 2 spaces		1 per bedroom	-	-
<b>Brewing on Premises Establishment</b>	1 per 40 m <sup>2</sup> processing area	1 per 40 m <sup>2</sup> processing area	1 per 45 m <sup>2</sup>	2	-

<b>Building Supply Outlet</b>	1 per 30 m <sup>2</sup> for retail/showroom plus 1 per 200 m <sup>2</sup> warehousing/wholesaling		1 per 200 m <sup>2</sup>	4	1 per 163 m <sup>2</sup>
<b>Bulk Beverage Outlet</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 17 m <sup>2</sup>
<b>Bulk Sales Establishment</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 19 m <sup>2</sup>
<b>Business Service Establishment</b>	1 per 50 m <sup>2</sup>	1 per 50 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 71 m <sup>2</sup> (Office Supply Superstore)
<b>Campground</b>	N/A	2 spaces per camp site	1 space per camp site	-	-
<b>Car Wash</b>	3 spaces	3 spaces	3 spaces	-	-
<b>Caterer's Establishment</b>	1 per 200 m <sup>2</sup>	1 per 100 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	-
<b>Clinic and Out Patient Clinic</b>	1 per 15 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 18 m <sup>2</sup>
<b>Clinic, Methadone</b>	1 per 15 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Commercial Outdoor Recreational Facility</b>	1 per 1,000 m <sup>2</sup>	1 per 1,000 m <sup>2</sup>	1 per 1,000 m <sup>2</sup>	5	1 per 426 m <sup>2</sup>
<b>Commercial Recreation Establishment</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Community Centre and Hall</b>	1 per 8 seats or 1 per 35 m <sup>2</sup> whichever is greater	1 per 7 seats or 1 per 25 m <sup>2</sup> whichever is greater	1 per 8 seats		1 per 2.6 seats
<b>Convenience Service Establishment</b>	1 per 25 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Convenience Store</b>	1 per 25 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 7 m <sup>2</sup>
<b>Craft Brewery</b>	1 per 100 m <sup>2</sup> for processing, plus	1 per 100 m <sup>2</sup> for processing, plus	1 per 100 m <sup>2</sup>	4	-

	1 per 25 m <sup>2</sup> for retail area/restaurant	1 per 15 m <sup>2</sup> for retail area/restaurant			
<b>Custom Workshop</b>	5 spaces		5 spaces	-	-
<b>Data Processing Establishment</b>	1 per 40 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 28 m <sup>2</sup>
<b>Day Care Centre</b>	1 per 40 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 28 m <sup>2</sup>
<b>Department Store</b>	1 per 25 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 19 m <sup>2</sup>
<b>Driving Range (golf)</b>	1.5 per tee		1 space per tee	-	11 spaces per hole
<b>Dry Cleaning and Laundry Depot</b>	1 per 15 m <sup>2</sup>	1 per 10 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 77 m <sup>2</sup>
<b>Dry Cleaning and Laundry Plant</b>	1 per 200 m <sup>2</sup>	1 per 100 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 77 m <sup>2</sup>
<b>Duplicating Shop</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Emergency Care Establishment</b>	1 per 40 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 19 m <sup>2</sup>
<b>Farm Equipment Sales and Service Establishment</b>	N/A	1 per 100 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-
<b>Farm Food and Products Market</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Farm Market</b>	N/A	5 spaces	5 spaces	-	-
<b>Film Processing Depot</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 77 m <sup>2</sup>
<b>Financial Institution</b>	1 per 30 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 13 m <sup>2</sup>
<b>Fire Station</b>	1 per 1.5 employees		1 per 1.5 employees	-	-

<b>Food Store</b>	1 per 25 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 18 m <sup>2</sup>
<b>Funeral Home</b>	1 per 20 m <sup>2</sup> or 20 spaces, whichever is greater		1 per 45 m <sup>2</sup>	2	-
<b>Gallery</b>	1 per 50 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Garden Store</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 19 m <sup>2</sup>
<b>Gas Bar</b>	3 spaces		3 spaces	-	1 per 7 m <sup>2</sup>
<b>Greenhouse Farm</b>	1 per 20,000 m <sup>2</sup>		1 per 20,000 m <sup>2</sup>	6	-
<b>Golf Course</b>	8 per tee		5 spaces per tee	-	11 spaces per hole
<b>Group Home</b>	2 spaces		2 spaces	-	-
<b>Hardware Store</b>	1 per 25 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 14 m <sup>2</sup>
<b>Home and Auto Supply Store</b>	1 per 25 m <sup>2</sup>	1 per 25 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 18 m <sup>2</sup>
<b>Home Furnishings Store</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 33 m <sup>2</sup>
<b>Home Improvement Store</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 19 m <sup>2</sup>
<b>Hospital</b>	1.25 spaces per bed	3 spaces per bed	1 space per bed	-	4.2 spaces per bed
<b>Hotel</b>	1.25 per unit	1.25 per unit	1 per unit	-	1.1 spaces per unit
<b>Household Appliance Sales and Service</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 40 m <sup>2</sup>
<b>Industrial and Agricultural Equipment Sales and Service</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-
<b>Industrial Mall</b>	1 per 65 m <sup>2</sup>	1 per 65 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 58 m <sup>2</sup>
<b>Kennel</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Laboratory</b>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-

<b>Laundromat</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Library</b>	1 per 50 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 37 m <sup>2</sup>
<b>Liquor, Beer and Wine Store</b>	1 per 25 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1	1 per 17 m <sup>2</sup>
<b>Manufacturing Establishment</b>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 66 m <sup>2</sup>
<b>Miniature Golf Course</b>	1.5 per tee		1 space per tee	-	-
<b>Mobile Home</b>	1 per unit	1 per unit	1 per unit	-	-
<b>Motel</b>	1.25 per unit	1.25 per unit	1 per unit	-	1 per 1.4 units
<b>Multiple Dwelling</b>	1.25 per unit	1.25 per unit	1 per unit	-	
<b>Museum</b>	1 per 50 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 28 m <sup>2</sup>
<b>Music School</b>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Nursery</b>	N/A	2 spaces	2 spaces	-	-
<b>Nursing Home</b>	1 per 3 beds	1 per 3 beds	1 per 3 beds	-	1 per 2.2 beds
<b>Office - Business, Service and Professional</b>	1 per 40 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 28 m <sup>2</sup>
<b>Office - Business, Service and Professional - Converted</b>	1 per 45 m <sup>2</sup>	1 per 40 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-
<b>Office, Mental/Dental</b>	1 per 15 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 22 m <sup>2</sup>
<b>Office, Mental/Dental - Converted</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Office, Support</b>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 24 m <sup>2</sup>
<b>Open Storage</b>	1 per ha (2.5 ac)	1 per ha (2.5 ac)	1 per ha (2.5 ac)	-	-
<b>Patient Testing Laboratory</b>	1 per 15 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-

<b>Place of Worship</b>	1 per each 4 persons place of worship capacity		1 for each 8 persons place of worship capacity		1 per 2.7 persons
<b>Personal Service Establishment</b>	1 per 15 m <sup>2</sup>	1 per 10 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Pharmacy</b>	1 per 25 m <sup>2</sup>	1 per 25 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 42 m <sup>2</sup>
<b>Pharmacy, Methadone</b>	1 per 15 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Police Station</b>	1 per 1.5 employees	1 per 1.5 employees	1 per 1.5 employees	-	1 per 23 m <sup>2</sup> (judicial complex)
<b>Post Office</b>	1 per 30 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 3 m <sup>2</sup>
<b>Printing Establishment</b>	1 per 200 m <sup>2</sup>	1 per 100 m <sup>2</sup>	1 per 200 m <sup>2</sup>	3	1 per 31 m <sup>2</sup>
<b>Private Club</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Private Outdoor Recreation Club</b>	1 per 700 m <sup>2</sup> of lot area for the first 10 ha (25ac), plus 1 per 5000 m <sup>2</sup> of lot area over 10 ha (25 ac)		1 per 1,000 m <sup>2</sup> gross floor area	5	1 per 27 m <sup>2</sup>
<b>Public Recreation Facility</b>	1 per 35 m <sup>2</sup>	1 per 35 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 252 m <sup>2</sup>
<b>Public Use</b>	1 per 45 m <sup>2</sup>	1 per 45 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	-
<b>Racquet Facility</b>	2 per court	2 per court	2 per court		4.3 spaces per court
<b>Recreational Vehicle Sales and Service Establishment</b>	1 per 20 m <sup>2</sup> plus 1 per 10 vehicles on display		1 per 45 m <sup>2</sup>	2	1 per 17 m <sup>2</sup>
<b>Repair and Rental Establishment</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Resource Extraction Operation</b>	2 spaces	2 spaces	1 space	-	-

<b>Restaurant</b>	1 per 15 m <sup>2</sup>	1 per 10 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1	Range 1 per 4 m <sup>2</sup> or 8 m <sup>2</sup>
<b>Restaurant, Fast-Food, Drive-in, Take-Out</b>	1 per 8 m <sup>2</sup>	1 per 8 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1	1 per 6 m <sup>2</sup>
<b>Rest Home</b>	1 per 3 beds	1 per 3 beds	1 per 3 beds	-	1 per 2.2 beds
<b>Retail Store (greater than 2,000 m<sup>2</sup>)</b>	1 per 25 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 19 m <sup>2</sup>
<b>Retail Store (less than 2,000 m<sup>2</sup>)</b>	1 per 25 m <sup>2</sup>	1 per 25 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	1 per 10 m <sup>2</sup>
<b>Retail Warehousing</b>	1 per 30 m <sup>2</sup> retail/showroom plus 1 per 200 m <sup>2</sup> for warehousing/wholesaling		1 per 100 m <sup>2</sup>	3	-
<b>Retirement Lodge</b>	1 per 3 beds	1 per 3 beds	1 per 3 beds	-	1 per 1.09 units
<b>Salvage Yard (with no structures)</b>	1 per hectare	1 per hectare	1 per hectare	-	-
<b>Salvage Yard (with structures)</b>	1 per 30 m <sup>2</sup> for retail and showroom plus 1 per 200 m <sup>2</sup> for warehousing and wholesaling		1 per 100 m <sup>2</sup>	3	-
<b>School, Commercial</b>	1 per 45 m <sup>2</sup>	1 per 30 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>School, Community College</b>	1 per 100 m <sup>2</sup> plus 1 per 15 students		1 per 100 m <sup>2</sup>	3	1 per 5 students
<b>School, Elementary</b>	3 plus 1 per classroom		3 plus 1 per classroom	-	1 space per 8 students
<b>School, Private</b>	3 per classroom		3 per classroom	-	1 per 2.9 students
<b>School, Secondary</b>	3 per classroom		3 per classroom	-	1 per 3.8 students
<b>School, University</b>	1 per 100 m <sup>2</sup> plus 1 per 15 students		1 per 100 m <sup>2</sup>	3	1 per 3.6 students
<b>Self-storage Establishment</b>	1 per 1,000 m <sup>2</sup>	1 per 1,000 m <sup>2</sup>	1 per 1,000 m <sup>2</sup>	5	1 per 929 m <sup>2</sup>

<b>Service and Repair Establishment</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 53 m <sup>2</sup>
<b>Service Industrial Use</b>	1 per 65 m <sup>2</sup>	1 per 65 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	ITE 'utility' rate 1 per 49 m <sup>2</sup>
<b>Service Trade</b>	1 per 20 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1 per 100 m <sup>2</sup>	3	1 per 53 m <sup>2</sup>
<b>Shopping Centre (greater than 2000 m<sup>2</sup> and with 4 or more individual Businesses)</b>	1 per 30 m <sup>2</sup> gross leasable floor area	1 per 20 m <sup>2</sup> gross leasable floor area	1 per 45 m <sup>2</sup>	2	1 per 18 m <sup>2</sup>
<b>Shopping Centre (less than 2000 m<sup>2</sup>)</b>	1 per 15 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	-
<b>Supervised Residence</b>	1 per 4 residents		1 per 4 residents	-	1 per 2.5 residents
<b>Tavern</b>	1 per 6 m <sup>2</sup>	1 per 6 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1	1 per 8 m <sup>2</sup>
<b>Taxi Establishment</b>	1 per 6 m <sup>2</sup>	1 per 6 m <sup>2</sup>	1 per 20 m <sup>2</sup>	1	-
<b>Tennis Club</b>	2 per court	2 per court	2 per court	-	6.2 per court
<b>Tennis Club (outdoors)</b>	2 per court	2 per court	2 per court	-	4.3 per court
<b>Terminal Centre</b>	1 per 100 m <sup>2</sup>	1 per 100 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	-
<b>Vehicle Sales and Service Establishment</b>	1 per 100 m <sup>2</sup>	1 per 100 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 41 m <sup>2</sup> (new) or 1 per 30 m <sup>2</sup> (used)
<b>Video Rental Establishment</b>	1 per 25 m <sup>2</sup>	1 per 15 m <sup>2</sup>	1 per 45 m <sup>2</sup>	2	ITE rate removed, similar to 1 per 40 m <sup>2</sup>

<b>Warehouse Establishment</b>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 155 m <sup>2</sup>
<b>Wholesale Establishment</b>	1 per 150 m <sup>2</sup>	1 per 125 m <sup>2</sup>	1 per 200 m <sup>2</sup>	4	1 per 42 m <sup>2</sup>

c) Accessible parking spaces

Where parking spaces are required, in any development, accessible parking spaces shall be provided. Off street parking areas shall have a minimum number of accessible parking spaces as follows:

- i) One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer; or
- ii) Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:

1. Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided; or

2. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space; or

iii) One parking space for the use of persons with disabilities and an additional three percent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with the ratios set out in subparagraphs ii) 1 and 2), rounding up to the nearest whole number; or

iv) Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; or

v) Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; and

vi) The number of parking spaces for persons with disabilities shall be included as part of the total parking required for the site. (Z.-1- 142353)

New regulations are added to ensure accessible parking is still required even when no vehicular parking is provided.

The following table shall only be used as a tool to calculate the required quantity of accessible parking spaces, in accordance with the following:

New regulations are added to ensure accessible parking is still required even when no vehicular parking is provided.

The following table shall only be used as a tool to calculate the required quantity of accessible parking spaces, in accordance with the following:

- a. The number of effective parking spaces calculated from Table 4.19.1 is not intended to represent the total number of required accessible parking spaces.
- b. Effective parking spaces may only be used as the basis for calculating the required quantity of accessible parking spaces, in accordance with Table 4.19.1. ‘
- c. Deemed minimum parking required shall be used as a basis for calculating the required quantity of accessible parking spaces, in accordance with the *Accessibility for Ontarians with Disabilities Act (AODA)*.
- d. The deemed minimum parking requirements does not create a requirement for standard off-street parking spaces; and
- e. The quantity of vehicle parking spaces provided for a development shall not apply as a substitute for the minimum parking standards.

Table 4.19.4 All existing non-residential standards and proposed new minimum standards (Hybrid Option PSA B)

Land Use Category	Parking Standard Rate
Tier A: Converted dwelling or dwelling unit in a detached, semi-detached, townhouse, duplex or triplex dwelling.	None
Tier B: Senior Citizen Building, Handicapped Persons Apartment, Lodging Housing, Group Home, Hospice Care Centre, Nursing Home, Retirement Home (alternative housing)	0.25 per unit or dwelling unit
Tier C: Apartment	0.5 parking spaces per unit
Tier D: Single-Detached, Semi-Detached, Townhouse (Cluster, Stacked, Street), Duplex or Triplex	1 parking space per unit
Tier 1: Amusement Game Establishment, Fast-Food (Drive-in, Take-Out), Liquor, Beer and Wine Store, Restaurant, Taxi Establishment, Tavern	1.0 parking space for each 20 m <sup>2</sup> gross floor area

<p>Tier 2: Tier 2: Abattoir, Animal Hospital/Clinic, Arena, Assembly Hall, Auction Establishment, Automobile Body Shop, Automobile Rental, Automobile Repair Garage Establishment, Automobile Sales &amp; Service Establishment, Automobile Supply Store, Bake Shop, Brewing on Premises Establishment, Bulk Beverage Outlet, Bulk Sales Establishment, Clinic and Out Patient Clinic, Clinic (methadone), Commercial Recreation Establishment, Convenience Service Establishment, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral Home, Gallery, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Kennel, Laundromat, Museum, Music School, Office (Mental/Dental), Patient Testing Laboratory, Personal Service Establishment, Pharmacy, Pharmacy (methadone), Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Retail Store (all sizes), School (commercial), Shopping Centre (greater than 2000 m<sup>2</sup> and with 4 or more individual Businesses), Shopping Centre (less than 2000 m<sup>2</sup>), Video Rental Establishment</p>	<p>1.0 parking space for each 50 m<sup>2</sup> gross floor area</p>
<p>Tier 3: Agricultural Service Establishment, Artisan Workshop, Bakery, Business Service Establishment, Dry Cleaning and Laundry Depot, Farm Equipment Sales and Service Establishment, Film Processing Depot, Household Appliance Sales and Service, Industrial Mall, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Office (all types except mental/dental), Public Recreation Facility, Public Use,</p>	<p>1.0 parking space for each 100 m<sup>2</sup> gross floor area</p>

Retail Warehousing, Salvage Yard, School (community college & university), Service and Repair Establishment, Service Industrial Use, Service Trade	
Tier 4: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Agricultural Supply Establishment, Building Supply Outlet, Caterer's Establishment, Craft Brewery, Dry Cleaning and Laundry Plant, Manufacturing Establishment, Printing Establishment, Self-storage Establishment, Terminal Centre, Vehicle Sales and Service Establishment, Warehouse Establishment, Wholesale Establishment	1.0 parking space for each 200 m <sup>2</sup> gross floor area
Tier 5: Commercial Outdoor Recreation Facility, Private Outdoor Recreation Club	1.0 parking space for each 1,000 m <sup>2</sup> gross floor area
Tier 6: Greenhouse Farm	1.0 parking space for each 20,000 m <sup>2</sup> gross floor area

Table 4.19.1 Accessible Parking Ratios

Off-Street Parking Spaces Required	Barrier-free Accessible Parking Required
<b>1-12</b>	1
<b>13-100</b>	4% of total required parking
<b>101-200</b>	1+3% of total required parking
<b>201-1000</b>	2+2% of total required parking
<b>1000+</b>	11 +1% of total required parking

11) OTHER PARKING REGULATIONS

- a) Nothing in this By-Law shall prevent the erection of a shelter for use solely by parking attendants or security personnel in any part of a parking area, except within a sight triangle, provided such shelter is not more than 4.5 metres (14.8 feet) in height and has a floor area of not more than 5.0 square metres (53.8 square feet).
- b) No recreational vehicle, trailer or boat shall be parked or stored on any part of a lot in a Residential Zone, except for one recreational vehicle which:

- i) is owned by the occupant of the said lot; and,
- ii) where it has dimensions not greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, nor 6.0 metres (20.0 feet) of length, may be parked or stored on a permitted driveway, or parking area, or within a yard other than a front yard or exterior side yard; or
- iii) where it has dimensions greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, or 6.0 metres (20.0 feet) of length, may be parked or stored within a rear yard.

Any recreational vehicle owned by the occupant and parked or stored within an enclosed building shall not be subject to these provisions. (Z.-1-97542)

c) No commercial vehicle or motorized construction equipment shall be parked or stored on any part of a lot in a Residential Zone, except for one commercial vehicle which:

- i) is owned or operated by the occupant of the said lot; and
- ii) has dimensions not greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, nor 6.0 metres (20.0 feet) of length; and, 85
- iii) is parked or stored within a building or carport or on a permitted driveway or parking area or within a yard other than a front yard, or exterior side yard; or (Z.-1-97542)

iv) is parked for the purpose of making deliveries or otherwise providing services, on a temporary basis, to the said lot. (Z.-1-97542).

d) Not more than one vehicle or recreational vehicle lacking current valid license plates shall be parked or stored on a lot, excluding permitted vehicles parked or stored within a private garage or other buildings in accordance with the applicable parking/storage location, in a Residential Zone, except that this provision shall not apply to a permitted vehicle sales or permitted rental establishment or permitted salvage yard. (Z.1.97542)

e) No person shall park or store, or permit to be parked or stored, a vehicle on any part of a lot in a residential zone, for the purpose of providing a transfer location, where a person or persons travel to the said lot from another location, to remove or return a vehicle, from or to the said lot. (Z.-1-97542)

f) Service areas are included when calculating parking rates for Automobile Repair Garage. A service area is defined as all areas utilized to service and repair vehicles, and may include lifts, joists, service pits and tool and part storage. (Z.-1-091844)

12) BUS PARKING AREA SUBSTITUTION A bus parking area or areas may be substituted for vehicle parking spaces at the maximum rate of 1 bus parking area for every twenty-five (25) vehicle parking spaces for any lands zoned Regional Shopping Area (RSA) or Community Shopping Area (CSA), where required by City Council for use by public transit and shown on a registered site plan. (Z.-1-97465)

13) DIMENSIONS OF BUS PARKING AREA A bus parking area permitted hereby shall be a minimum 3.75 metres (12.3 feet) wide by a minimum 15 metres (49.2 feet) long excluding entrance and/or exit tapers. (Z.-1-97465)

#### 14) BICYCLE PARKING REQUIREMENTS

All required bicycle parking spaces shall be provided at the time of the erection of a building or addition thereto, expansion of a use, or when there is a change of use of a lot or a building. Bicycle parking spaces shall be maintained exclusively for the use for which they are required for as long as the use is in operation.

Where part of a bicycle parking space is required in accordance with this By-law, such part shall be considered one parking space for the purpose of calculating the total bicycle parking requirement for the use. (Z.-1-051420)

## 15) DESIGN CHARACTERISTICS FOR BICYCLE PARKING

For the purpose of this By-law, associated design elements shall be provided in accordance with those provisions set forth under Section ( ) of the City's Site Plan Control By-law. (Z.-1-051420)

## 16) NUMBER OF BICYCLE PARKING SPACES

1) Residential Development: Apartment buildings and lodging houses (with five or more residential units) shall be required to provide 0.75 long-term bicycle parking space per residential unit.

2) Residential Care Facilities:

Short-term bicycle parking spaces shall be provided at a rate of 10 7% of the required number of automobile parking spaces, as specified in the Zoning By-law, for the following residential care facilities:

- a) senior citizen apartment buildings
- b) nursing homes;
- c) rest homes;
- d) retirement lodges;
- e) retirement homes;
- f) handicapped persons apartment buildings;
- g) continuum-of-care facility;
- h) chronic care facility;
- i) foster homes;
- j) group home type 1 and type 2;
- k) supervised residence;
- l) correctional and detention centre;
- m) emergency care establishment.

3) Residential Development Exemptions:

Notwithstanding clause "()" to the contrary, bicycle parking shall not be required for:

- a) Conversions of existing space to residential units;
- b) Single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; fourplex dwellings; townhouse dwellings; stacked townhouse dwellings; street townhouses; cluster townhouses; farm dwellings. (Z.-1-051420)

4) Non-Residential Development: Short-term bicycle parking spaces shall be provided at a rate of 10 7% of the required number of automobile parking spaces, as specified in the Zoning By-law, for all non-residential development except as specified below:

5) Non-Residential Development Exemptions:

- a) where the required number of automobile parking spaces specified in the Zoning By-law is 9 or fewer spaces, no bicycle parking is required;
- b) No bicycle parking requirement applies for the following uses specified in the Zoning By-law: Abattoir; aggregate reprocessing; aggregate storage area; agricultural service establishment; agricultural supply establishment; agricultural use; agricultural use, intensive; agricultural use, non-intensive; agriculturally related commercial use; agriculturally related industrial use; batching plant, asphalt; batching plant, concrete; channel composting facility; construction and demolition recycling facility; crushing plant; driving range; drive-through facility; farm; farm cluster; farm equipment sales and service; farm foods and products market; farm market; feedlot; forestry use; grain elevator; greenhouse, commercial; in-vessel composting facility; kennel; landing strip; livestock; livestock facilities; managed woodlot; manure storage facilities; pit; propane transfer facility; quarry; resource excavation; residential and other source recycling facility; resource extraction operation; salvage yard; specialized recycling facility; stockpiling; travel plaza/truck stop; truck stop; theatre, drive-in; wayside pit or wayside quarry; windrow composting facility
- c) No bicycle parking requirement will apply to the conversion of existing buildings for residential or non-residential uses in all Downtown Area 1 and 2 Zones. Major redevelopment involving property consolidation and new construction is required to provide for bicycle parking facilities at the mandated standard.
- d) No bicycle parking requirement will apply to the conversion of existing buildings for residential or non-residential uses in all Business District Commercial 1 and 2 Zones. Major redevelopment involving property consolidation and new construction is required to provide for bicycle parking facilities at the mandated standard.
- e) For CLINIC, METHADONE or PHARMACY, METHADONE uses, notwithstanding any provisions of this by-law, the number of bicycle parking spaces provided shall be no less than 5 spaces
- 6) Municipally-owned Parking lots and structures: Municipally-owned parking lots in the Downtown Area zones and defined Business District Commercial Area zones shall provide for short-term bicycle parking facilities equal to 10 7% of the total vehicular parking spaces provide.
- 7) Bicycle Parking Incentives: Notwithstanding Section 4.19 of this By-law to the contrary, the required number of motor vehicle parking spaces for non-residential uses may be reduced to provide for additional short or long-term bicycle parking spaces beyond those mandated by this by-law provided, however, the reduction in motor vehicle parking spaces shall not exceed 10% of the required motor vehicle parking spaces. Individual vehicular parking stalls shall be required to provide for a minimum of five bicycle parking spaces. This incentive shall not apply to CLINIC, METHADONE or PHARMACY, METHADONE uses. (Z.-1-051420) (Z.-1-122090)

No further changes to Zoning By-law Z.-1 (4.19) are proposed.

## Appendix C

### Site Plan Control By-law - 6. Parking Facilities and Internal Driveways

#### 6.1. Objective

(a) To provide for adequate parking and loading facilities, orderly circulation within the parking area and an attractive community appearance (see Official Plan Policies 6.11, 7.2.15, 8.5, 9.1.7.7, 12.6.1, 14.2.2.10 and Council Policy 25(56)).

(b) To encourage site planning and architectural design that is compatible with effective transit services.

#### 6.2. Off-Street Parking Facilities

(a) Number of Spaces

(i) Refer to the applicable zoning by-law for the total number of required parking spaces.

(ii) Visitor Parking: Multi-unit residential development including cluster detached dwellings developments with a total of three or more units shall provide a common area(s) for visitor designated and signed parking spaces. One (1) visitor parking space shall be provided for every ten (10) dwelling units. The number of visitor parking spaces may be included within the total number of parking spaces required by the applicable zoning by-law. Where feasible, visitor parking shall be centrally located to serve all units. These may be distributed in small clusters to better serve the complex. Driveways or parking spaces that are, or may be perceived for the exclusive use in association with a dwelling unit will not be considered as a visitor parking space.

(iii) Barrier free parking is to be provided for buildings in accordance with the Ontario Building Code and in accordance with the zoning by-law, where identified.

(b) Location - Parking areas should be no closer than 3 metres (10 feet) to street line and 1.5 metres (5 feet) to a property line.

(c) Commercial parking areas may be located in the interior and/or rear yards, and are discouraged from being in the front or exterior yards depending upon:

1. predominant parking location on sites in the vicinity, location of adjacent commercial parking areas;
2. existence of adjacent non-commercial land use; and
3. convenience to proposed uses.
4. prohibitions in the zoning by-law.
5. in cases where parking is permitted in the front yard or exterior yard, adequate screening is required.

(d) Where feasible, parking should not be permitted in a yard adjacent to a residential zone. Where such parking is permitted, adequate screening will be required (see Section 9 on landscaping) . (e) Schools – car parking and bus loading areas are to be located on private property.

(f) Residential parking areas should be located:

1. in view of dwellings and activity areas, preferably 45 m (150 feet) maximum walking distance;
2. adjacent to pedestrian systems;
3. convenient to the building entrances; and
4. no closer than 3 m (10 ft.) to a window of a habitable room.

(g) Where the applicable zoning by-law regulations do not specify the size of parking spaces and aisles, the relevant standard minimum parking dimensions set out in Figure 6.1 and Table 6.1, shall be used and the spaces shall be clearly marked.

(h) Parking rows should be delineated by poured concrete curbs or planters at each end to prevent uncontrolled internal traffic movements and generally to confine traffic to designated parking aisles or driveways.

(i) Parking areas shall be designed so as to not require vehicles to reverse from the property onto a public street.

(j) Access to and from parking aisles should be minimized along main feeder driveways.

(k) No more than 15 parking spaces should be permitted in a row without an interrupting minimum 3 m (10 ft.) width planting area.

(l) For developments abutting transit routes, parking areas are encouraged in locations to the side or rear of the building. The extent to which parking areas are feasible in locations to the side and rear of commercial buildings will be subject to both the visibility of customer parking as a marketing factor and public safety concerns respecting surveillance from abutting streets and buildings.

(m) Barrier free parking spaces shall be located in close proximity to the building's barrier free entrance.

### **6.3. Internal Driveways**

(a) Main internal driveways which are heavily travelled should be delineated by raised curbs or equivalent barriers and be designed not to have parking spaces on either side where possible.

(b) Intersections of driveways and parking aisles should be at a 90 degree angle.

(c) The horizontal alignment of all driveways should be geometrically sound, but lengthy straight sections should be minimized to discourage speeding.

(d) The design of driveway and parking aisle intersections should ensure adequate visibility of intersecting traffic movements.

(e) In large commercial developments, main internal driveways should not be located abutting building entrances in order to minimize pedestrian and vehicle conflicts.

(f) Driveways adjacent to a building should be a maximum width of 6.7 m (22 ft.) for two-way traffic and 3.35 m (11 ft.) for one-way traffic to deter parking in the driveway.

#### 6.4. Paving

All surfaces used for parking or vehicular circulation shall be paved with asphalt or other equivalent hard surface approved by the Director, Planning and Development. Consideration may be given to alternative surface materials such as turfstone, cobblestone, etc., that allow precipitation to percolate into the soil, for any parking spaces provided over the minimum number required. All materials used should be capable of being indelibly marked to designate the parking spaces provided.

Note: See the Lighting, Grading, Landscaping, and Fencing Sections for these aspects of parking lot design.

Table 6.1: Off-Street Parking Area

Location	<ul style="list-style-type: none"> <li>- Preferable not adjacent to a residential zone</li> <li>- Minimum 3m to street line</li> <li>- Minimum 1.5 m to property line</li> </ul>			
Layout	<ul style="list-style-type: none"> <li>- See Figure 6.1</li> <li>- Maximum in uninterrupted row – 15</li> </ul>			
Internal Driveways		Parking two Sides	Parking One Side	
	- Intersections	90°	6.5 m	7.5 m
	- Width Minimum	60°	4.5 m	5.4 m
	- Width Maximum	45°	3.4 m	4.2 m
		30°	3.1 m	3.8 m
	Parallel	3.8 m	3.8 m	
Pedestrian Circulation	Normally no separate facility required			
Paving	Asphalt or other hard surface**			
Parking Module	If overhang space of 0.6 m is provided, the module of parking and manoeuvring space may be reduced accordingly			

\*\* Including previous paving where feasible

Figure 6.1: Parking Standards – Residential & Commercial Uses

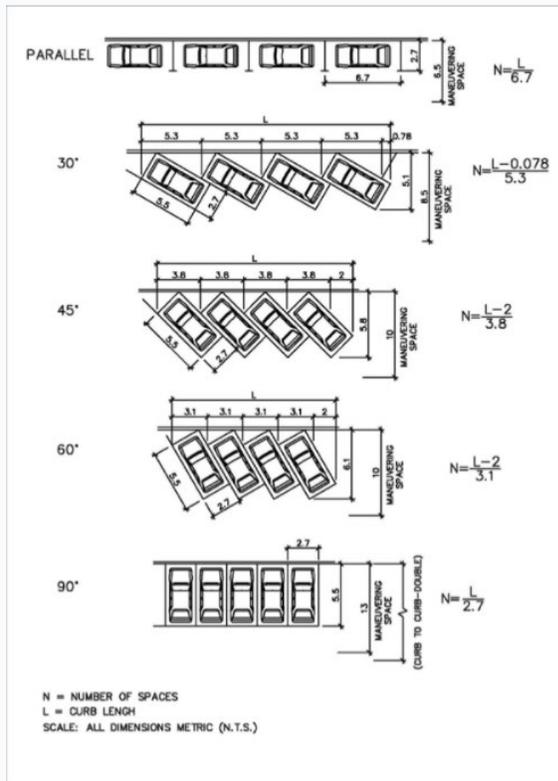
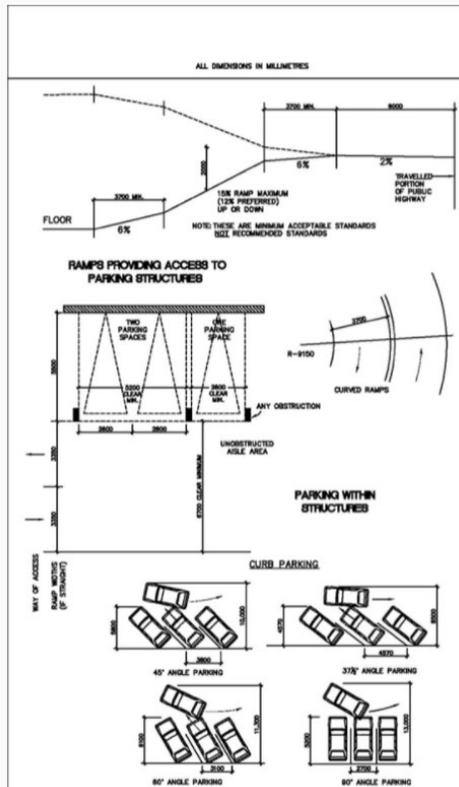


Figure 6.2: Parking Structures



## 6.5. Parking Structures

Consideration should be given to the use of parking structure in higher intensity developments. These can consist of underground parking, sunken open air parking lots with usable roof decks or sundecks over individual parking spaces. Parking structures should be architecturally treated and landscaped. Parking spaces and driveway isles are to be consistent with surface parking driveway standards. The entrance drive to a parking structure should be designed in accordance with Figure 6.2.

## 6.6. Off-Street Loading Facilities

### (a) Definitions

(i) **Loading Facility** means a loading space or bay along with any maneuvering area required as part of the loading facility and which is located on the site, either within a building or adjacent to a building.

(ii) **Loading Space** means a paved area exclusively for loading and unloading trucks either within a building or adjacent to a building and does not include any maneuvering space.

### (b) Number of Spaces

Refer to the applicable zoning by-law.

### (c) Minimum Size

Where under the applicable zoning by-law there are regulations concerning loading facilities but no dimensions are given, then the following shall apply:

#### Width Height Length

Industrial 3.6 m (12 ft.) 4.5 m (15 ft.) 20 m (65 ft.) Other 3.6 m (12 ft.) 4.25 m (14 ft.) 9 m (30 ft.)

### (d) Access

All loading spaces or loading areas should have associated space on the property to provide truck manoeuvring. Such areas should be shown on the plan and none of these vehicles will be permitted to reverse onto or from the street abutting the property, unless otherwise permitted in the zoning by-law. Roads providing access to building fronts and fire routes are to be designed to support emergency vehicles, e.g. fire trucks.

### (e) Location

Access to loading facilities may be by separate access or by an internal driveway serving a parking area. Loading spaces are to be located in accordance with the zoning by-law.

(f) Paving

All loading spaces, manoeuvring areas and driveways should be hard surfaced with suitable materials to the satisfaction of the Deputy City Manager, Environment and Infrastructure, i.e., concrete, asphalt, lockstone, etc.

(g) Joint Loading Facilities

In shopping centres or other similar integrated development, the use of joint loading facilities to serve all or several individual businesses will be encouraged.

Note: See Figure 6.3 for typical parking layout on a site plan.

## Appendix D

### Public Letter Urban League London



Long Range Planning & Research  
Planning & Development  
City of London  
300 Dufferin Ave  
London, ON

March 4th 2022

Dear Planning & Development Staff,

Members of the Board of the League have been following the discussion regarding the updates to the Parking Standards. Members have emailed with staff, invited ULL members to stakeholder sessions, attended an external stakeholder meeting ourselves (Parking Standards Review Group-discussion) and are submitting this open letter to share the Board's thoughts on Parking Minimums.

**We are supportive of the Open Option Requirements**, and urge staff to reduce parking space approvals during the planning approval process wherever possible. We also know, based on research, that people are moving towards using rideshare programs, walking and riding bicycles so the continued need for significant amounts of parking is waning. As well, due to the pandemic more Londoners are working from home and the need for parking in core areas has been reduced.

Cities around North America are realizing the time to act on the revitalization of their core areas is now, while people are changing their relationships with their ideas of work, home and community. By rethinking the prevalence of car spaces over community spaces we can better promote our core as a place to gather and grow as a thriving big city.

**We are not in support of keeping parking minimums** as they negatively impact our community in the following ways:

- Encourages private vehicle use (which increase GHG emissions)
- Negatively impacts transit ridership
- Makes designing walkable neighbourhoods more difficult
- Ignore additional costs of parking compared with lower costs associated with public transit
- Hampers infill and reduces density
- Harms the environment (heat islands, loss of biodiversity, increase urban flooding, etc)
- Loss of community spaces (parks, pocket parks, outdoor patios etc.)



**The League is also eager to provide input on the Parking Lot Urban Design Standards.** ..  
is paramount that we create spaces that give a greater sense of safety, security and, more importantly, add much needed green space to the core. As Jane Jacobs has stated "parking lots are inactive spaces that deaden everything around them."

To counter some of the negative impact that parking lots create, we need to reimagine how they can function to have some benefit. Stepping stones and pocket park areas are critical for local bird and insect populations. By insisting that parking lots move past their bare, heat creating surfaces we can decrease the urban heat footprint in our city drastically and help species thrive and survive. We know from the research that even small stepping stone spaces increase biodiversity and help birds and insects connect to larger green areas.

All parking areas (both current and future) should be required to dedicate space to become part of the green corridor that links larger green spaces and the river. In addition, these spaces should include native plants only to promote and aid pollinators. These stepping stone areas can also assist in various areas of the Climate Emergency Action Plan in lowering heat, improving water retention on land, reducing pollutants entering waterways, providing insect habitat and creating a better aesthetic for the downtown overall.

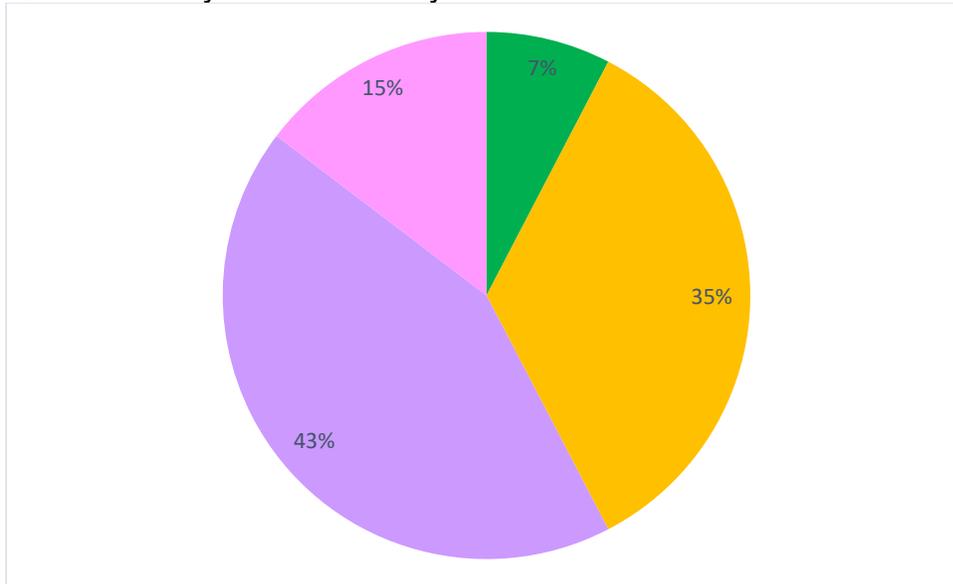
Sincerely,

Skylar Franke  
Board President  
Urban League of London  
*Representing the views of the Board of Directors*

## Appendix E – Results Parking Standards Survey

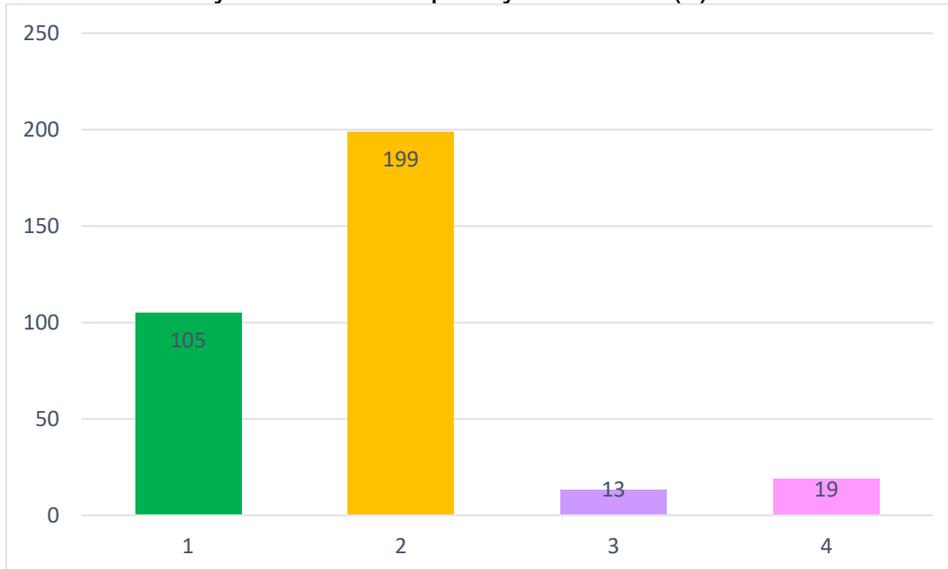
Results Parking Standards Survey January- February 2022.  
Total received responses: 336

Q1: How many vehicles does your household own



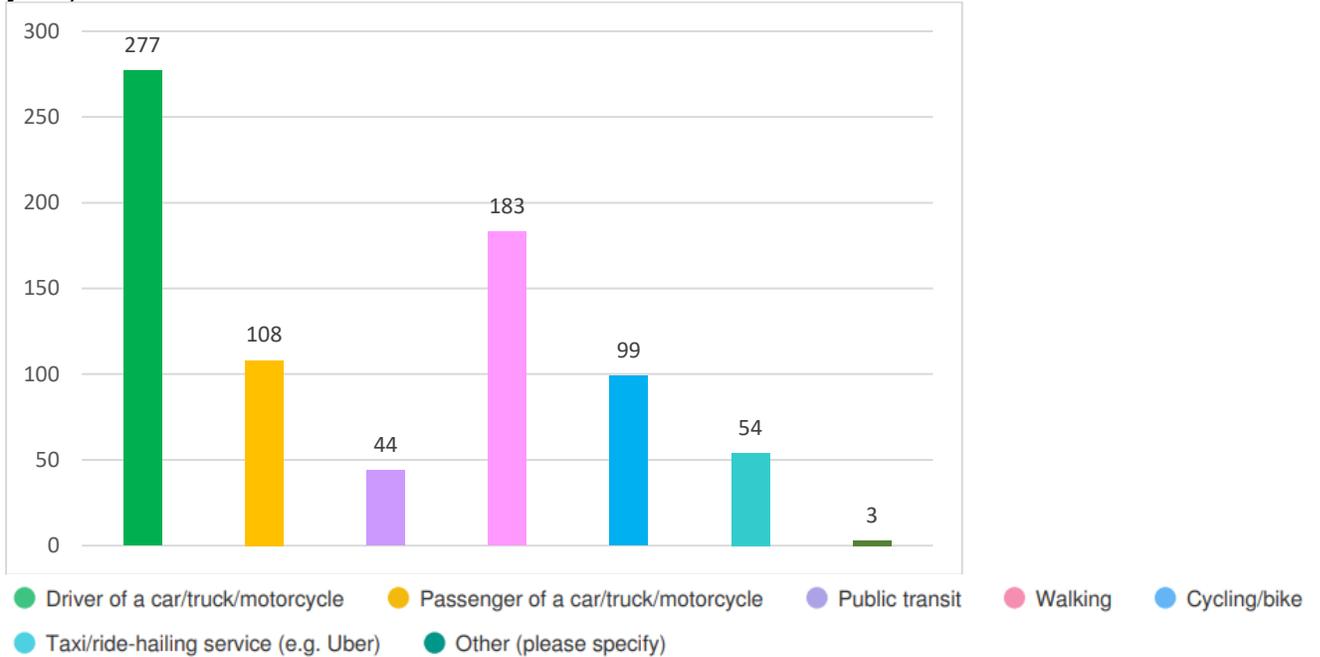
● None    ● One    ● Two    ● Three of more

Q2: Where do you most often park your vehicle(s)?

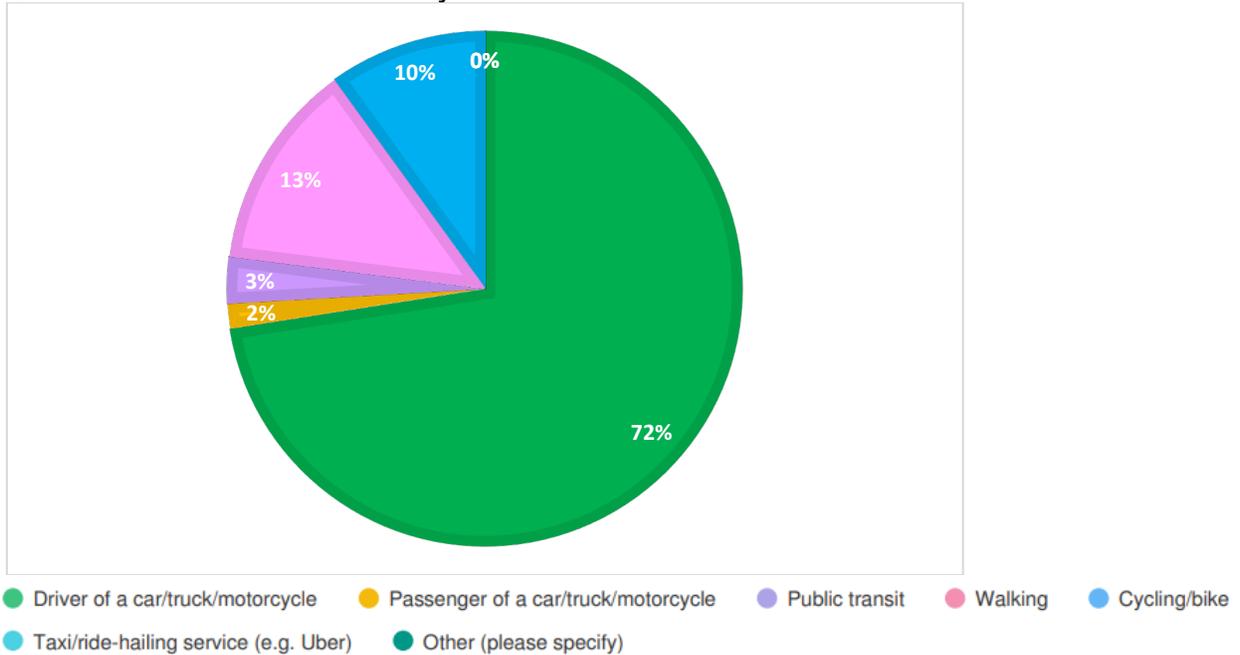


● In the garage    ● On the driveway    ● On the street    ● In the assigned parking space

Q3: Which of the following methods of travel do you regularly use (used in the past year)?

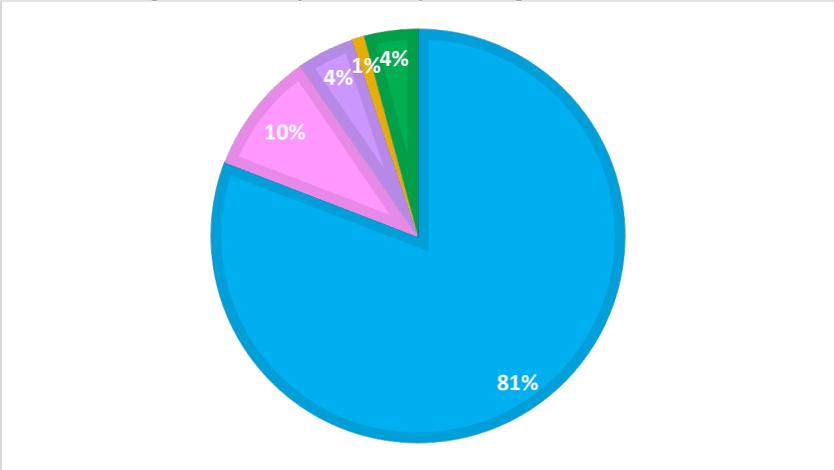


Q4: Which method of travel do you use the most?

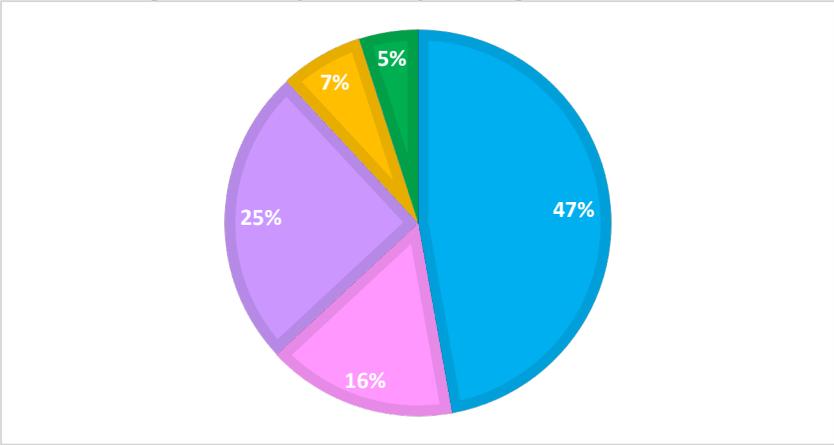


Q5: Please indicate whether you strongly disagree, somewhat disagree, somewhat agree, strongly agree with the following statements:

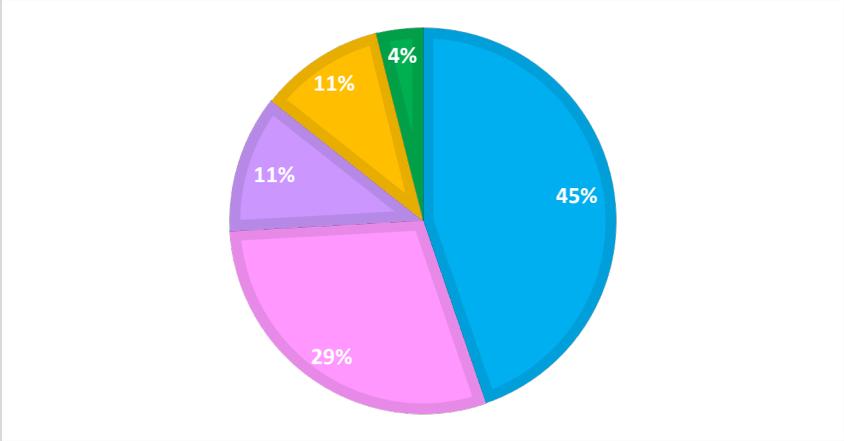
A: It is easy to find a place to park my vehicle at home:



B: It is easy to find a place to park my vehicle at work:

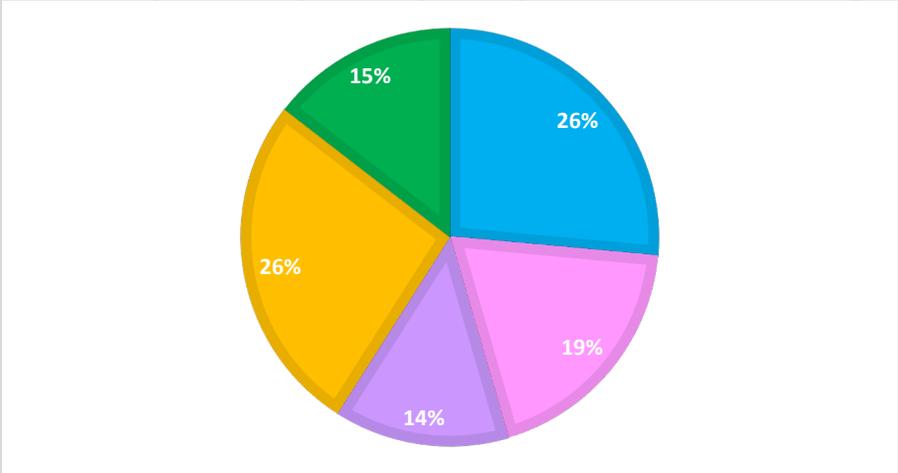


C: It is easy to find a place to park my vehicle when shopping or running errands:



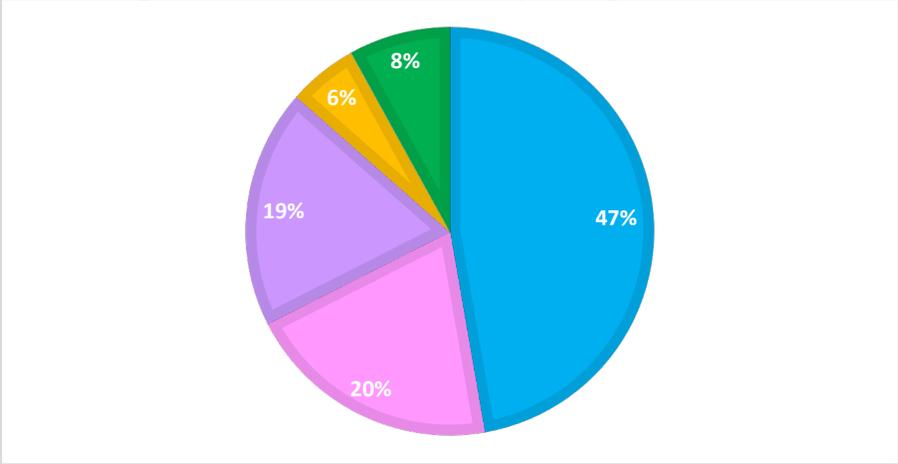
- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

D: It is easy to find a place to park my vehicle when attending events:

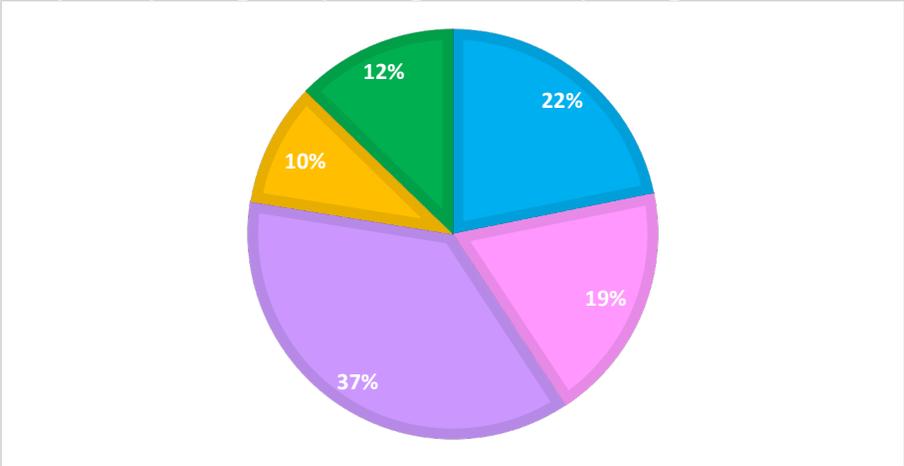


- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

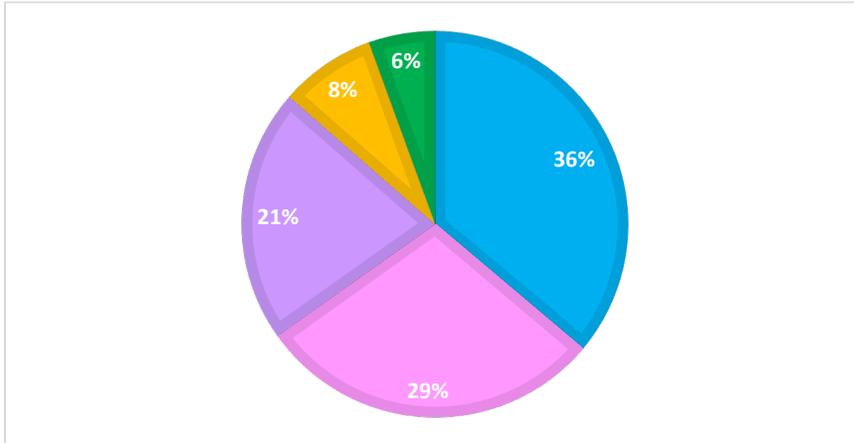
E: Buildings should be able to share parking:



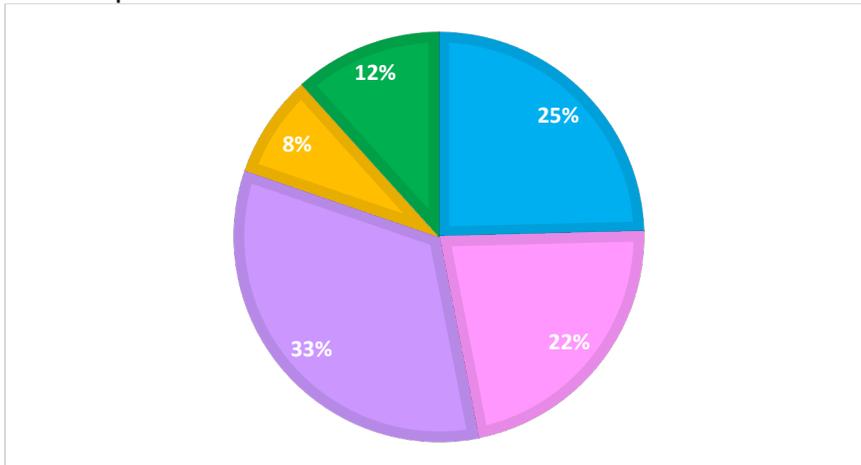
F: I prefer parking in a parking lot versus parking on the street.



G: Providing sidewalks in large parking lots makes it easier/safer to get to and from my vehicle:

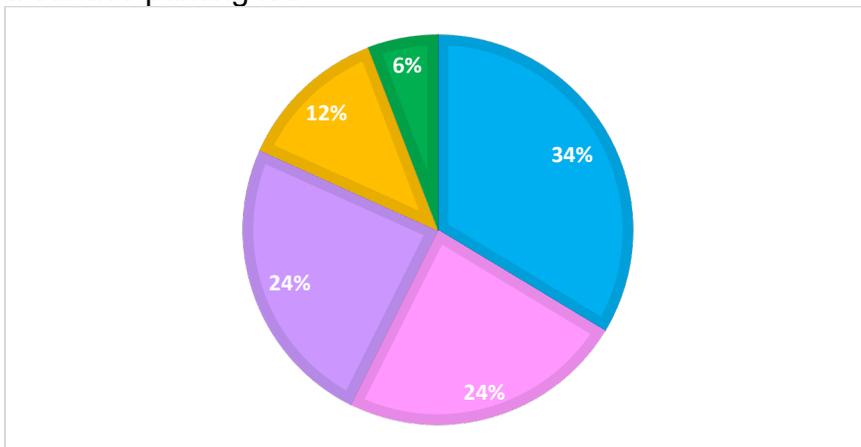


H: Surface parking located in highly visible areas should be screened by low walls and landscape treatments:

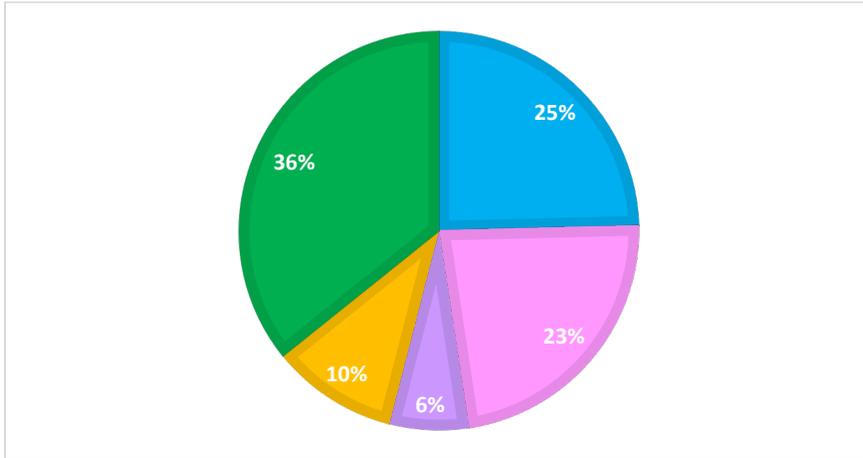


- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

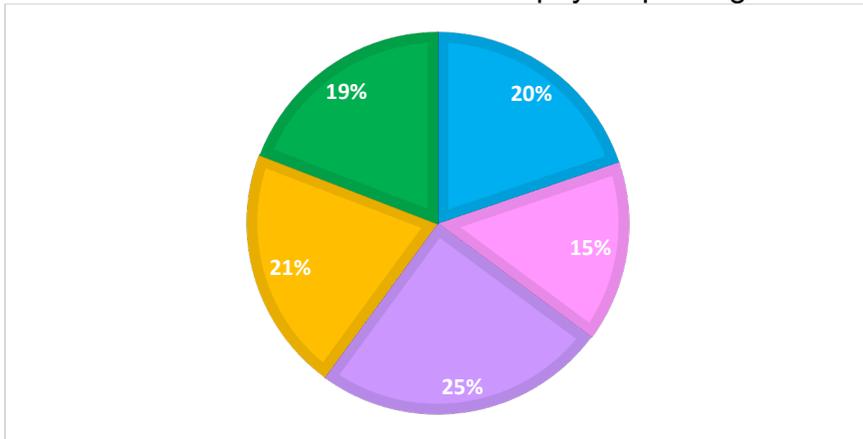
I: Underground parking or structured parking (parkade) has a more pleasing design than a surface parking lot:



J: I will not go to stores or restaurants if they don't have parking:

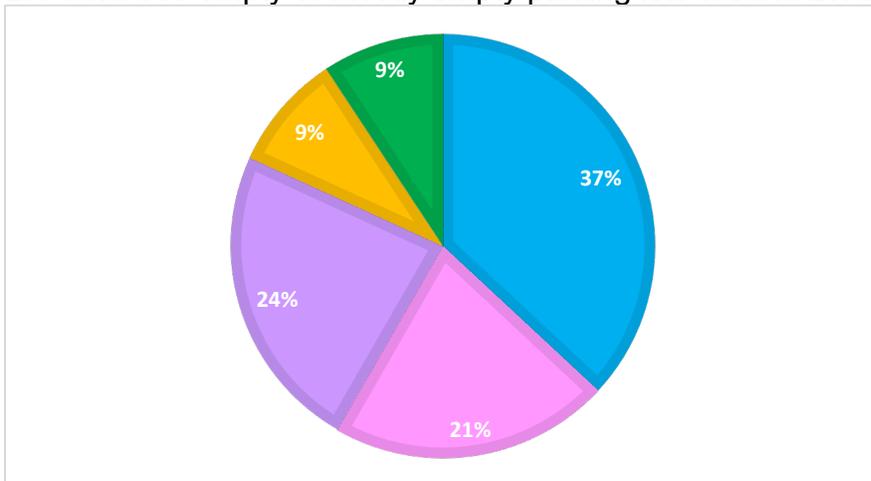


K: I would not drive to work if I had to pay for parking:

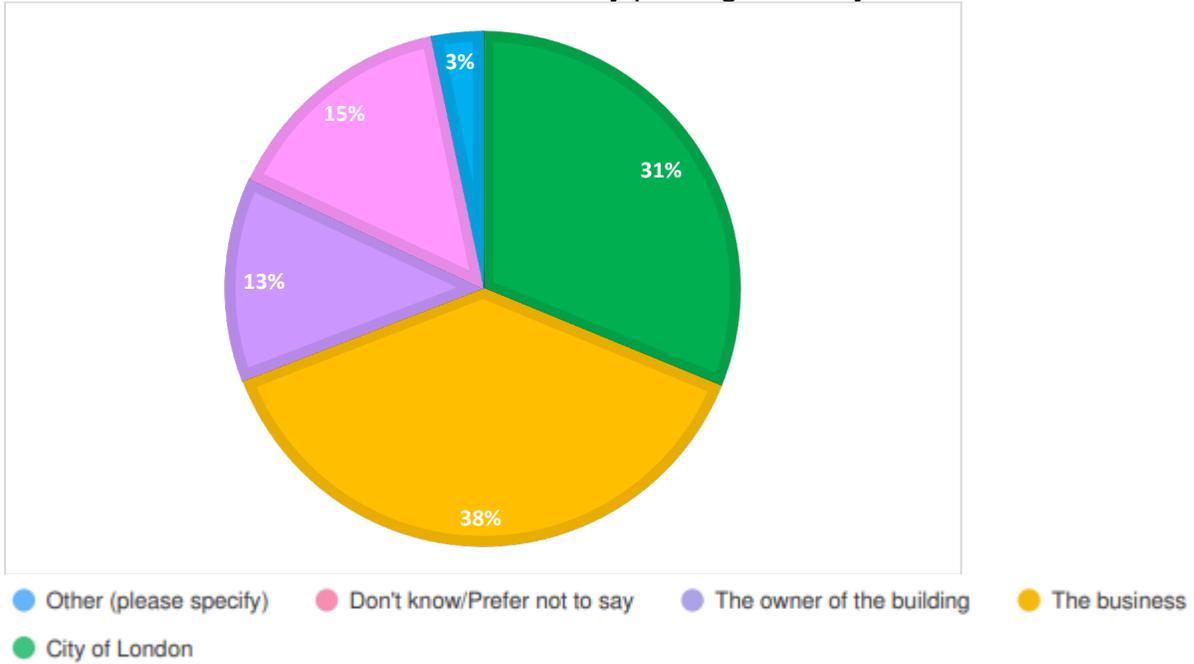


- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

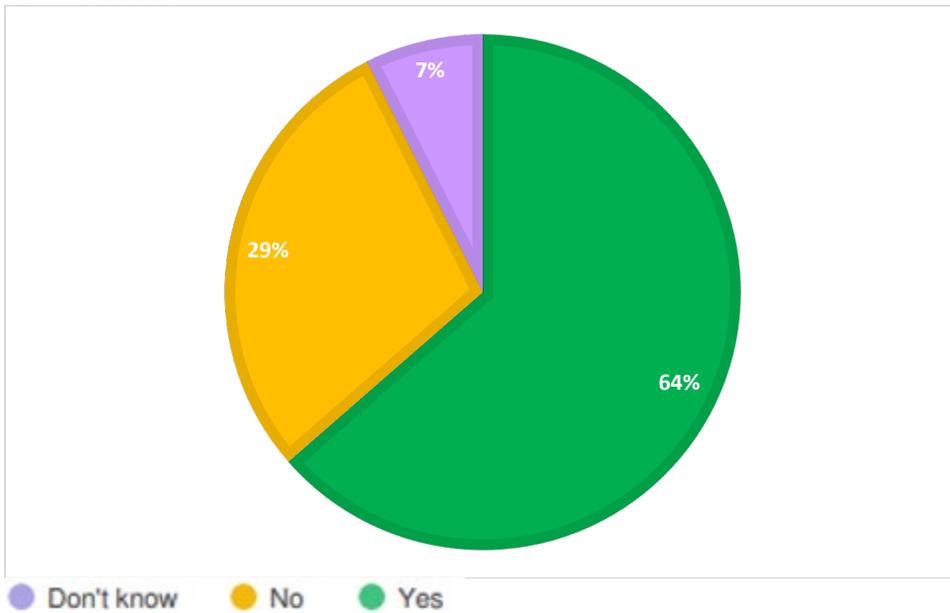
L: I often see empty or mostly empty parking lots around London:



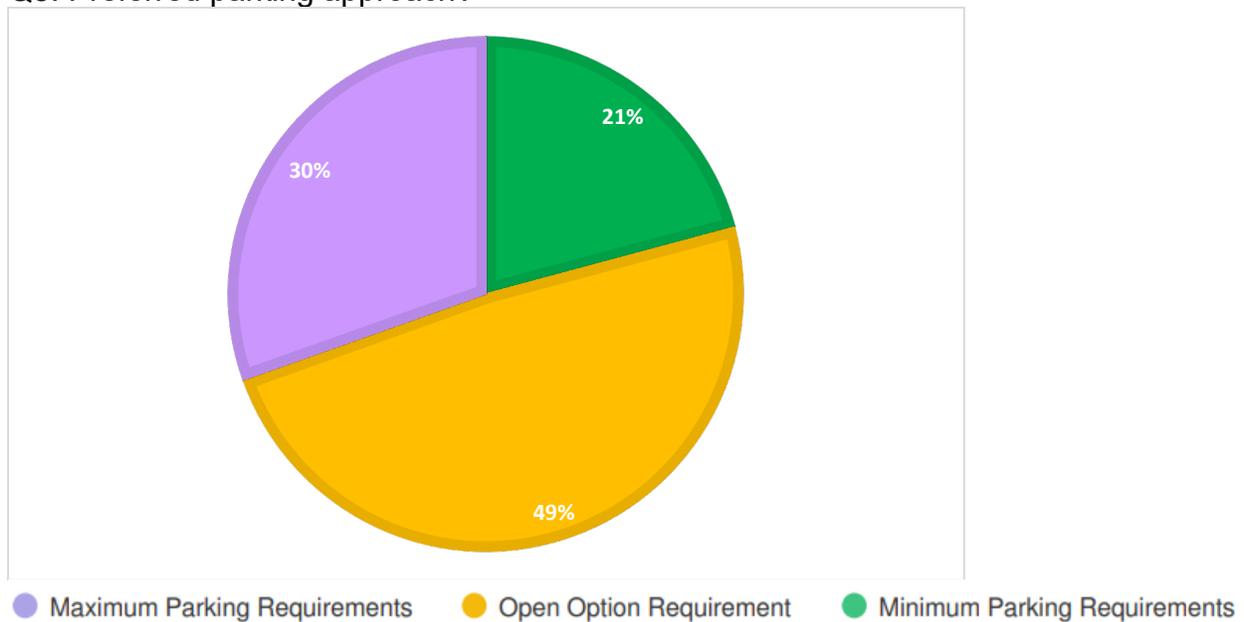
Q6: Who is best situated to decide how many parking spaces businesses must have to serve customer? This would not include any parking that may be available on the street.



Q7: Are you aware that the City of London's Zoning By-law sets a minimum number of required parking spaces that must be provided for new or redeveloped homes and businesses?



#### Q8: Preferred parking approach?



The demographic questions Q9-Q19 are not included in the Appendix, please contact Planning & Development for more information on the Parking Standards Review Survey.

#### Q20: Is there any other feedback you would like to add?

- Parking is important for community events.
- Restrict Parking lots!
- Along with car parking maximums we need bike parking minimums.
- Off-street parking standards should be implemented with the goal of maximizing our social lives and ensuring our overall well-being. London is far too car-dependent, and it stops me from living a fulfilling life like I can in other cities with better transportation plans.
- I frequently enjoy walking downtown to shop and eat. Surface lots are ugly and most often empty. It's not a good use of space.
- Enhance off-street parking, and remove on-street parking please.
- Please remove parking minimums! New construction needs to have choice to include zero parking spaces in their developments.
- I would like to see driveways exceed more than 50% of the lot width.
- Very pleased to see this survey and know that our city might be realizing the damage that's been done to our public areas through vast oceans of pavement. Never have I been downtown when I could not access parking within one block of my destination.
- We are desperate for more active transportation infrastructure and less car infrastructure.
- Focus efforts on phasing out surface parking lots, especially in the Downtown. Such a waste of valuable land.

- The less we can all use cars but still complete our daily tasks, the better off we will all be.
- I would be so happy if London got rid of parking minimums. It is the best option for both the housing crisis and the climate crisis.
- If you want me to continue shopping downtown, parking must be supplied. I will never use public transit.
- Surface parking lots are probably the worst use of land. Housing or businesses or a park would be so much better.
- Please do as much as you can to make walking/biking/public transport a more appealing option for people.
- I think the current City of London minimum parking requirements are too high. There are businesses forced to construct large parking lots, even when they know that they will not use them. Then they sit unused just because they had to meet an arbitrary standard.
- Parking should not be dictated by the developers. The city needs to not be influenced by those only interested in making the most profit possible. Apartment dwellings should be charged for parking spots to decrease automobile usage, but ample parking needs to be given to visitors to keep vehicles off the streets.
- Off street parking should be regulated by the business or developer.
- The first set of questions in this survey were overly simplistic. For example, pre-pandemic I took the bus a lot, but not at all since. Same with finding parking for events.
- Please add spaces for bike parking!
- More accessible parking.
- Residential areas of downtown, especially high-rises should allow for a bit of free visitor daytime parking e.g. 2 hours free. Out of town relatives shouldn't have to choose between refilling a meter every 2 hours or paying a 24-hour fee in a lot.
- The parking lots downtown make our city unattractive.
- Stop developers from not allowing extra parking for households that may have 4 or more family members with limited personal parking space.
- Off-street parking encourages people to use business. It must be flexible to allow variations for a particular use of a property.
- Cars will be around even as the younger generation considers driverless or 100% electric cars. So taking the restricted and limited approach will just push cars to the street which make it more dangerous for everyone.
- Parking lots are eating up downtown London. They are underutilizing land and are depressing to see and unsafe to walk through.
- The city has too much parking. The issues aren't a lack of parking, people are unwilling to pay... and we should have to pay to park our cars. The land is too valuable. Invest in ways to make it easier to walk, cycle, and take public transportation, those are the next steps.
- Just need more and larger spaces. The new commercial and residential developments are really unsafe for parking. You can never have too much parking.
- The city needs to be bold and progressive in developing standards that put the environment and multi-modal transportation ahead of other interests.

- I would love to see an elimination or reduction in minimum spots/unit for new development as this would lead to better intensification/infill, and more green space.
- I look forward to seeing more greenery and sustainable design elements in parking lots going forward. These elements are visually appealing, environmentally beneficial, and have positive effects on everyone.
- Get rid of minimums please. I'd prefer maximums but open is better than minimum.
- Ensuring more safe, secure bike parking would be a great thing too.
- End parking minimums so we can strengthen our neighbourhoods and encourage more incremental development of the places we've loved for decades that are also much more financially productive for the city and create more jobs and encourage people to walk or bike or take transit.
- Eliminate parking minimums for housing particularly around Western University and Fanshawe as students have little need to drive and can't afford a car.
- Let's do better with less parking and encourage alternate means of transport.
- If there were enough free day long off street parking downtown, more people would return. I personally try to avoid downtown London at all cost, because parking is a pain.
- Handicapped spots are being taken by non-handicap cars.

## 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: Thames Village Joint Venture Corp.  
3315 Oriole Drive (formerly 1752-1754 Hamilton Road)

**Meeting on:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Thames Village Joint Venture Corporation to exempt lands located at 3315 Oriole Drive (formerly 1752-1754 Hamilton Road), legally described as Lot 65, Plan 33M-814, 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 Lot 65, Plan 33M-814 from the Part-Lot Control provisions of subsection 50(5) of the said Act, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Residential R1 (R1-3) in Zoning By-law No. Z.-1, which permits single detached dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Lot 65, Plan 33M-814, as noted in clause (a) above:
  - I. The applicant be advised that the cost of registration of the said by-law is to be borne by the applicant in accordance with City Policy;
  - II. The applicant submit a draft reference plan to the City for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
  - III. The applicant submits to the City 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 the City that the assignment

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

- IX. The applicant shall obtain approval from the City of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- X. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- XI. The applicant shall obtain clearance from the City that requirements IV), V) and VI) 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 on notice from the applicant that a reference plan has been registered, and that conveyance of the registered part lots has occurred, that Part Lot Control be re-established by the repeal of the bylaw affecting the Lot/Block in question;
- XIII. The Applicant shall ensure all existing buildings, structures and hard surfaced materials are removed and the land restored to its original condition prior to creation of the parcels; and,
- XIV. The Applicant shall implement the recommendations of the Environmental Noise Assessment prepared by Eng Plus Ltd., dated March 25, 2019; and the Thames Village Subdivision – Phase 2, Thames Village Joint Venture Corp. Supplemental Noise Letter prepared by LDS Consultants Inc., dated June 5, 2020; including requirement for forced air heating, warning clauses to be included in all agreements of purchase and sale or lease of these dwellings, and installation of noise attenuation barriers, all in accordance with the Subdivision Agreement and accepted servicing drawings.

## **Executive Summary**

### **Summary of Request**

This report is for review and endorsement by Municipal Council to exempt Lot 65 in Registered Plan 33M-814 from the Part-Lot Control provisions of the Planning Act.

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

Exemption from Part-Lot Control will facilitate the creation of four (4) single detached dwellings with frontage on Oriole Drive.

### **Rationale of Recommended Action**

The standard conditions for passing the Part-Lot Control By-law, identified in Clause B above, are to be reviewed and endorsed by Municipal Council prior to the final by-law.

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

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

# Analysis

## 1.0 Background Information

The subject site consists of a single detached bungalow converted to two units which is proposed to be demolished. The dwelling is setback from Hamilton Road approximately 45 to 50 metres with access provided by a U-shaped, gravel driveway. The requested exemption from part-lot control will facilitate creation of four (4) single detached dwelling lots with individual driveway access and frontage on future Oriole Drive.

### 1.1 Previous Reports Related to this Matter

**February 28, 2022** - Report to Planning and Environment Committee recommending approval of an amendment to the Zoning By-law to remove holding provisions for lands located at 1738, 1742, 1752 and 1754 Hamilton Road (File No. H-9466)

**May 31, 2021** - Report to Planning and Environment Committee recommending approval of Zoning By-law Amendments for lands located at 1752-1754 Hamilton Road (File No. Z-9314).

**June 18, 2018** – Report to Planning and Environment Committee recommending approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments for lands located at 1738, 1742, 1752 and 1756 Hamilton Road (File No. 39T-17502/OZ-8147).

### 1.2 Planning History

On August 15, 2018, the City of London Approval Authority approved a draft plan of subdivision for lands located at 1738, 1742, 1752 and 1754 Hamilton Road submitted by Thames Village Joint Venture Corporation. Municipal Council previously advised the Approval Authority of its support for the draft plan and related zoning by-law amendments at their meeting held June 26, 2018. The Approval Authority issued final approval of the subdivision plan on December 22, 2021, which was registered as Plan No. 33M-814. A Subdivision Agreement between Thames Village Joint Venture Corporation and the City of London was also entered into and registered as Instrument No. ER1439731. On June 15, 2021, Council approved a site-specific zoning by-law amendment for Lot 65 in the subdivision plan to facilitate division of the lands into four (4) residential lots fronting future Oriole Drive.

### 1.3 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-family, Medium Density Residential
- Existing Zoning – Residential R1 (R1-3)

### 1.4 Site Characteristics

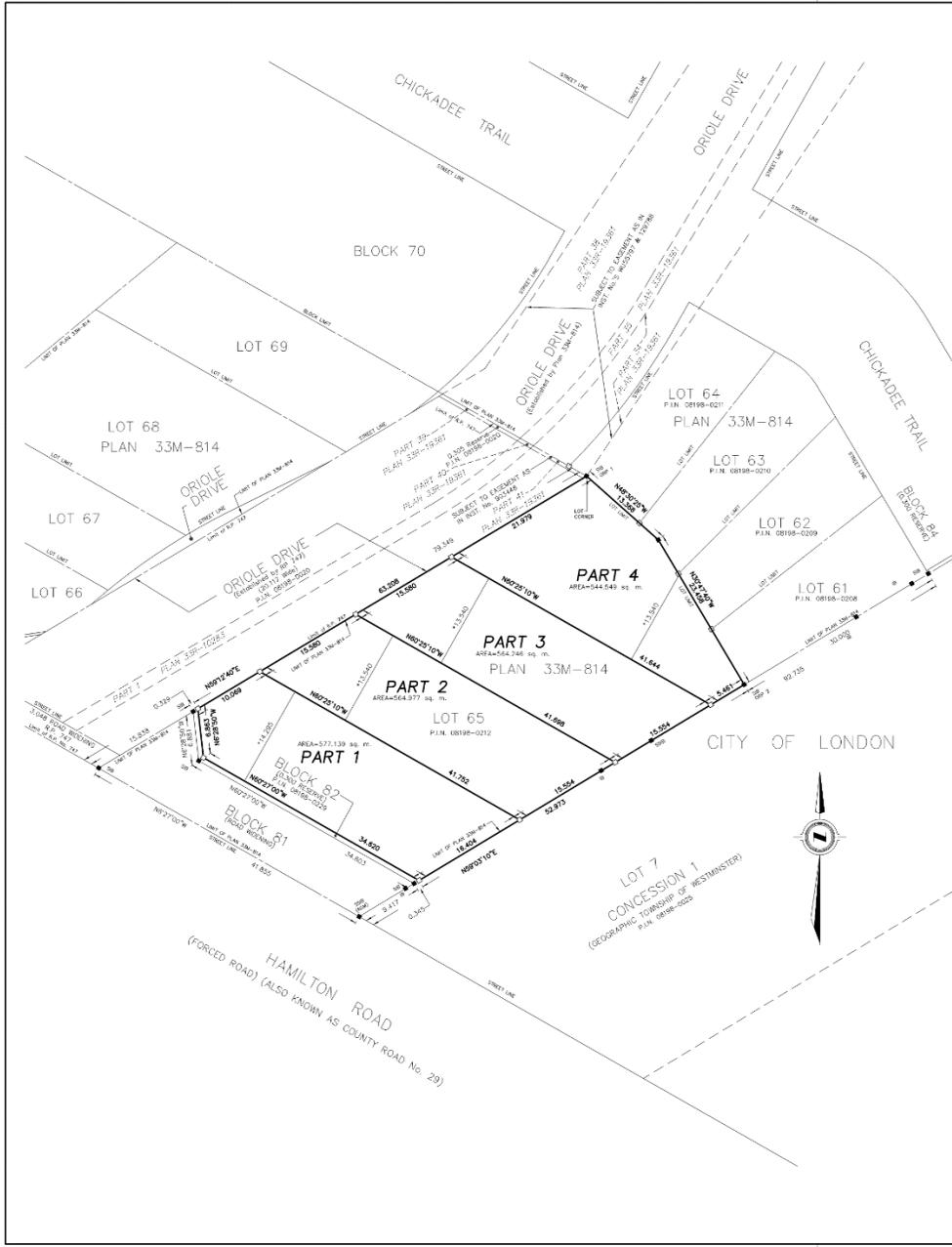
- Current Land Use – residential
- Frontage – approx. 42 metres
- Depth - approx. 79 metres
- Area – 0.26 hectares (2,600 sq.m.)
- Shape – Irregular

### 1.5 Surrounding Land Uses

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



# 1.7 Proposed Lotting Plan (Parts 1 to 4)



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

ROBERT WOOD  
ONTARIO LAND SURVEYOR

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

PART SCHEDULE		
PART	LOT	P.I.N.
1	PART OF 65	33M-814
2	PART OF 65	33M-814
3	PART OF 65	33M-814
4	PART OF 65	33M-814

PARTS 1 TO 4 INCLUSIVE COMPRISE ALL OF PIN: 08198-0212

**PLAN OF SURVEY**  
OF ALL OF  
**LOT 65**  
**PLAN 33M-814**  
IN THE  
**CITY OF LONDON**  
**COUNTY OF MIDDLESEX**

SCALE: 1:300  
1 2 3 4 5 6 7 8 9 10 20  
METRES

2022  
ARCHIBALD, GRAY & MCKAY LTD.  
ONTARIO LAND SURVEYORS

**SURVEYOR'S CERTIFICATE:**  
I CERTIFY THAT:  
1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM;  
2) THE SURVEY WAS COMPLETED ON THE \_\_\_\_\_th DAY OF \_\_\_\_\_, 2022.

DATE: \_\_\_\_\_ ROBERT WOOD  
ONTARIO LAND SURVEYOR

**NOTES & LEGEND**

- DENOTES WORK NOT FOUND
- DENOTES WORK NOT PLANTED
- SSB DENOTES STANDARD IRON SAMP
- SSB DENOTES SHORT STANDARD IRON BAR
- PC DENOTES PLASTIC BAR
- CC DENOTES CUTE CROSS
- WT DENOTES WITNESS
- ADM DENOTES ARCHIBALD, GRAY & MCKAY LTD., O.L.S.'s
- PKS DENOTES F.K.L.S. LAND SURVEYING
- Q2 DENOTES CADLON GISTE INC., O.L.S.
- P1 DENOTES PLAN 33M-814

**UTM GRID NOTES**  
REFERENCES ARE U.T.M. GRID IN NAD83 (ORIGINAL) DERIVED FROM G.P.S. OBSERVATIONS AND THE CAN-NET BASE STATION NETWORK AND ARE REFERRED TO THE CENTRAL MERIDIAN 81°00' WEST LONGITUDE, ZONE 17.

UTM ZONE 17, NAD83 (ORIGINAL) GRID CO-ORDINATES TO UTM ACCURACY FOR 5' (402) OF GRID, 216/10	EASTING
POINT 1	475262.412
POINT 2	475493.433

LINEAR VALUES SHOWN ON THIS PLAN ARE GROUND LEVEL DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999961964.

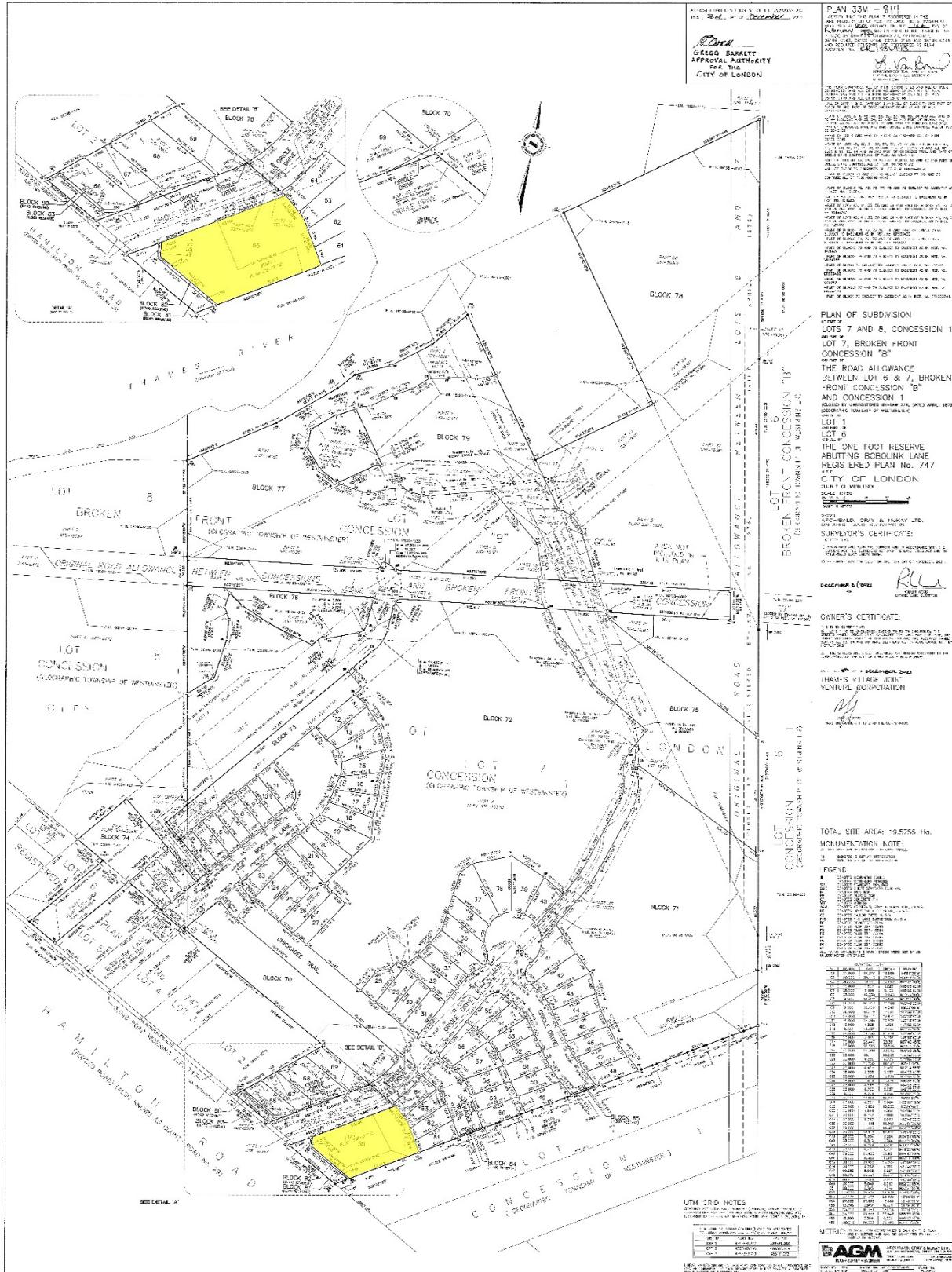
**METRIC** - DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**AGM ARCHIBALD, GRAY & MCKAY LTD.**  
214 HURON ROAD, LONDON, ON, N6A 2Z9  
PHONE 519-865-5300 FAX 519-865-5303  
EMAIL info@agm.com WEB www.agm.com

DRAWN BY: \_\_\_\_\_ DATE: \_\_\_\_\_ JOB FILE: 132215 PLAN NO: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ JOB FILE: 132215 PLAN NO: \_\_\_\_\_  
FILE NO: 08-08-2022 FILE NO: 13-0814-02-1

**4-2-8507**

## 1.8 Thames Village Joint Venture Subdivision (Registered Plan 33M-814)



### 2.1 Community Engagement

There is no legislated Community Engagement component to an Exemption from Part-Lot Control. A notice of the request for exemption from part-lot control and a list of standard draft conditions was circulated to internal departments, such as Engineering and Building Division. Development Engineering confirmed that the draft standard conditions are applicable, and the only additional conditions were with respect to removal of existing buildings and structures, and implementation of noise attenuation measures to reflect conditions in the Subdivision Agreement and servicing drawings.

## 2.2 Policy Context

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

## 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

Through By-law No. CPOL.-392-153, Municipal Council enacted a policy to guide consideration of requests for Exemption to Part-Lot Control. Requests for exemption to part-lot Control will be considered as follows:

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

The subject lands are zoned Residential R1 (R1-3) which permits single detached dwellings. The applicant will be required to submit a draft reference plan to Planning and Development for review and approval to ensure the proposed lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office.

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

The applicant intended to consolidate the remnant parcel at 3315 Oriole Drive (formerly known as 1752-1754 Hamilton Road) as a single lot/block within the plan of subdivision as it went through the process of final approval and registration. At that point, an application could be considered by Municipal Council to pass a by-law exempting the block from the Part Lot Control provisions of the Planning Act to allow for creation of the four (4) single detached dwelling lots reflecting the lotting on the north side of Oriole Drive. The complete division of land was not practical at the time of subdivision approval and registration due to the presence of an existing dwelling which is intended to be removed.

- 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;*

The nature and character of the subdivision are not changed by the part-lot control exemption. The proposal is consistent with the intended use of the block as established through the plan of subdivision and zoning by-law.

- 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 four (4) 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 single detached dwellings. The proposal will facilitate the development of the parcel in accordance with the form of development established at the time of subdivision and zoning approvals. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided by Oriole Drive and no private roads are proposed.

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

The applicant is responsible for all costs associated with the registration of the Exemption to Part-Lot Control by-law, in accordance with City Policy.

## 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 single detached dwellings, 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 Thames Village Joint Venture Subdivision, subject to the completion of the proposed conditions.

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

**Reviewed by:** Bruce Page, MCIP, RPP  
Manager, Subdivision Planning

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

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

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

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

April 11, 2022  
SM/GB/BP/LM/lm

## Appendix A

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

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

A by-law to exempt from Part-Lot  
Control, lands located at 3315 Oriole  
Drive (formerly 1752-1754 Hamilton  
Road), legally described as Lot 65 in  
Registered Plan 33M-814.

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 Thames Village Joint Venture Corporation, it is expedient to exempt lands located at 3315 Oriole Drive (formerly 1752-1754 Hamilton Road), legally described as Lot 65 in Registered Plan 33M-814, from Part Lot Control;

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

1. Lot 65 in Registered Plan 33M-814, located at 3315 Oriole Drive (formerly 1752-1754 Hamilton Road), are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c.P.13, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit single detached dwellings in conformity with the Residential R1 (R1-3) 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:** Application By: Four Fourteen Inc.  
414 - 418 Old Wonderland Road  
Removal of Holding Provision (h-5)

**Meeting on:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Four Fourteen Inc. relating to the property located at 414 - 418 Old Wonderland Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R5 Special Provision (h-5\*R5-7(20)) Zone **TO** a Residential R5 Special Provision (R5-7(20)) Zone to remove the "h-5" holding provision.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding (h-5) provision from the zoning at 414 - 418 Old Wonderland Road to permit the development of three (3) townhouse blocks and two (2) stacked townhouse blocks for a total of 29-units.

### Rationale of Recommended Action

1. The conditions for removing the holding (h-5) provision have been met and the recommended amendment will allow development of a proposed residential apartment building in compliance with the Zoning By-law.
2. The holding (h-5) provision can be removed from the zoning as a public meeting has been held and the requirements for public site plan review have been met.
3. A Development Agreement has been entered into by the applicant and the City, and security has been posted in accordance with City policy.

## 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

**February 16, 2022** - Notice of Provisional Consent Decision was granted on August 3, 2017, for B.025/17. Final approval of consent regarding the properties located at 414 - 418 Old Wonderland Road was granted on November 17, 2017.

**July 26, 2021** - Planning and Environment Committee – Four Fourteen Inc. regarding the property located at 414 - 418 Old Wonderland Road – Application for Zoning By-law Amendment (Z-9293).

**December 13, 2021** - Planning and Environment Committee – Four Fourteen Inc. regarding the property located at 414 - 418 Old Wonderland Road public meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development (SPA20-103).

## **1.2 Planning History**

In 2017, an Application for Consent (B.025/17) was submitted for the severance and conveyance of surplus lands for the purpose of future infill development with access from the abutting lands along Berkshire Drive. As part of this application, a Minor Variance (A.093/17) was submitted and granted for reduced lot frontages and lot areas to facilitate the severance. In 2017, both applications were granted.

In 2020, the City received Zoning By-law Amendment Application (Z-9293) to facilitate the proposed development of cluster townhouses and cluster stacked townhouses with a total of 29 units and 49 parking stalls. Revisions were received throughout the process to address concerns relating to parking requirements and setback reductions. Additional revisions were received to clearly identify the woodland and compensation area that was zoned Open Space Special Provision (OS5(19)).

On July 26, 2020, a Public Participation Meeting was held before the Planning and Environment Committee, which recommended approval of the proposed Zoning By-law Amendment. The Zoning By-law Z.-1 was amended from a Residential R1 (R1-10) Zone and an Urban Reserve (UR1) Zone to a Holding Residential R5 Special Provision (h-5\*R5-7(20)) Zone and an Open Space Special Provision (OS5(19)) Zone. The resolution of Council also noted the requirement for board-on-board fencing along the east, north and south property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities; ensuring naturalization with feature restoration and compensation to be completed by the landowner in accordance with the mitigation measures in the recommendations of the Environmental Impact Assessment and City Ecologist; ensuring the development agreement is clear that the restoration and compensation areas are to be protected in a natural state and not manicured; and the creation of a small berm along the edges of the storage area to direct flows back to the road surface and not towards the pond feature to the north.

On November 23, 2020, a Site Plan Control Application (SPA20-103) was received by the City of London. The Site Plan Control Application and Zoning By-law Amendment application were submitted and reviewed concurrently. Staff are close to Site Plan Approval on the subject lands pending an additional submission to ensure Council's resolution has been addressed. The public participation meeting to consider the site plan was held by the Planning and Environment Committee on December 13, 2021.

At its meeting held on December 21, 2021 resolved:

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Four Fourteen Inc., relating to the property located at 414-418 Old Wonderland Road:

- a) *the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development; and,*
- b) *the Approval Authority BE ADVISED that the Municipal Council has no issues with respect to the Site Plan Application, and that the Municipal Council supports the Site Plan Application;*

*it being pointed out that the Planning and Environment Committee reviewed and received the staff presentation with respect to this matter;  
it being further pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;*

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

- the Site Plan, as proposed, is consistent with the Provincial Policy Statement, 2020, as it provides for development within an existing settlement area and provides for an appropriate range of residential uses within the neighbourhood;*
- the proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan;*
- the proposed Site Plan conforms to the Multi-family, Medium Density Residential designation of the 1989 Official Plan;*
- the proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law; and,*
- the proposed Site Plan meets the requirements of the Site Plan Control By-law. (2021-D09) (3.7/1/PEC)*

### **1.3 Property Description**

The subject property is located on the east side of Old Wonderland Road with Springbank Drive to the north and Teeple Terrace to the south. The site has frontage along Old Wonderland Road of approximately 42.7 metres and a total area of 0.65 hectares. The subject lands are presently vacant. The subject lands are surrounded by low-density residential development uses.

A woodland and pond feature is located directly to the north of the subject lands. An Environmental Impact Study was submitted and accepted by the City's Ecologist through the Zoning By-law Amendment Application to ensure the development will not impact these areas.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – a Holding Residential R5 Special Provision (h-5\*R5-7(20))

### **1.5 Site Characteristics**

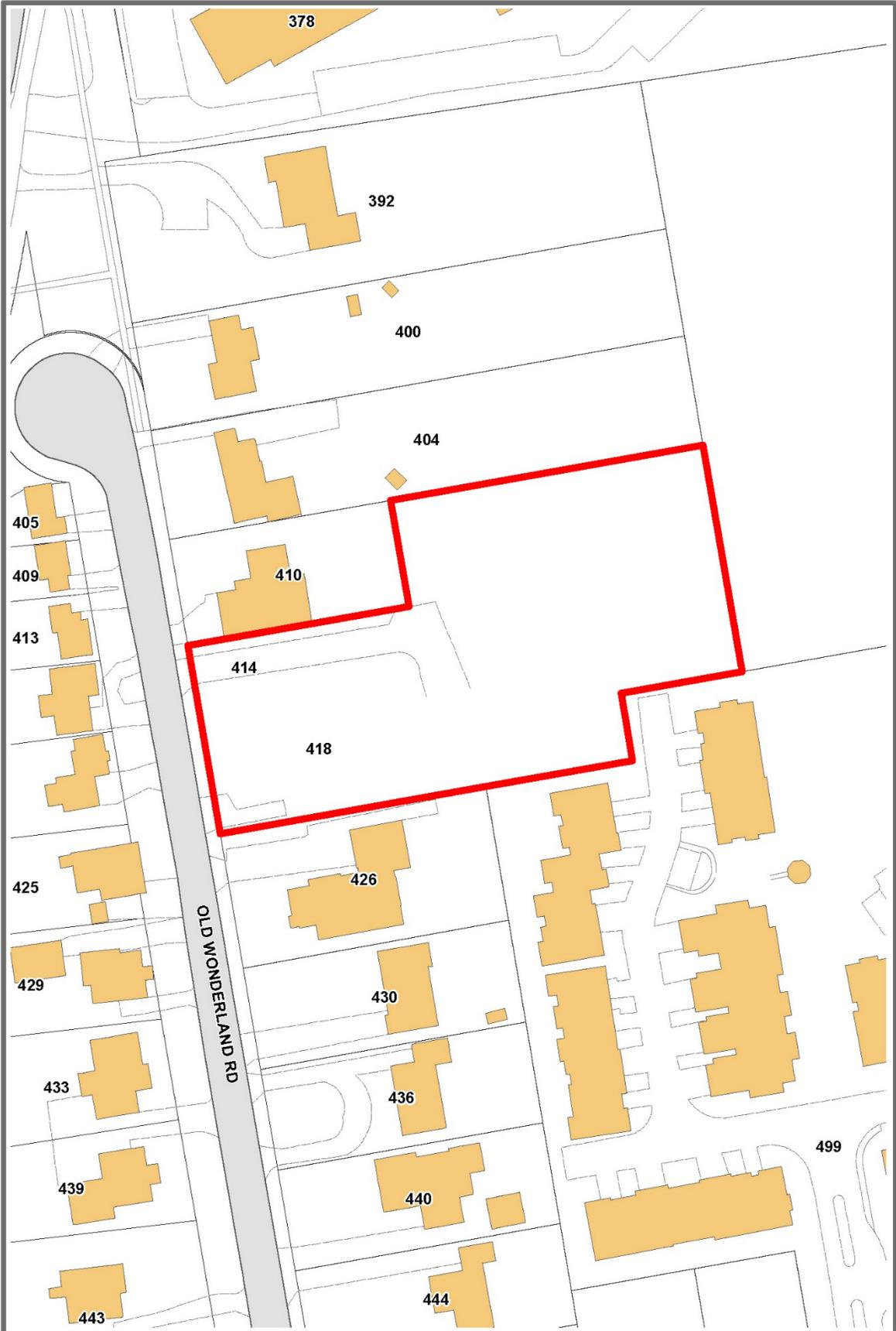
- Current Land Use – Vacant
- Frontage – 42.7 metres (140.0 feet)
- Depth – 121.8 metres (399.6 feet)
- Area – 5,763 square metres (62,032 square feet)
- Shape – Irregular

### **1.6 Surrounding Land Uses**

- North – Existing single detached dwellings, apartment buildings, woodland, wetland
- East – Vacant residential land, cluster townhouses
- South – Existing single detached dwellings and cluster townhouses
- West – Existing single detached dwellings, cluster residential

### **1.5 Intensification**

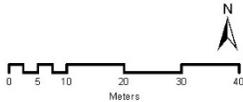
- The proposed development of 29-units is within the Primary Transit Area boundary and constitutes infill development.



**LOCATION MAP**

Address: 414 & 418 Old Wonderland Road  
 File Number: H-9482  
 Planner: Sean Meksula  
 Date: 2022/03/01

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



Scale 1:1000

**Legend**

- Subject Site
- Buildings
- Driveways/ParkingLots
- Assessment Parcels



## **2.0 Discussion and Considerations**

### **2.1 Description of Proposal**

The proposed development consists of three (3) townhouse blocks and two (2) stacked townhouse blocks for a total of 29-units (50 units per hectare). The proposed site plan includes 53 parking stalls total. The three (3) townhouse blocks contain two parking stalls per unit – one in the garage and one in the driveway. Through the Zoning By-law Amendment application, a special provision for parking was approved to allow one parking space for the stacked townhouses. Parking for the stacked townhouses is proposed with one car in the driveway and/or garage and one within the common parking area. The total on-site parking is 53 spaces. One (1) barrier-free visitor parking stall is required along with two (2) standard visitor parking stalls. The visitor parking has been provided in accordance with the Site Plan Control By-law.

A landscaped common amenity space is proposed along the north of the property boundary within the Open Space Special Provision (OS5(19)) Zone. The Open Space Zone was applied to the property because of the accepted Environmental Impact Study completed through the Zoning By-law Amendment process.

The applicant is requesting the removal of the “h-5” holding provision from the Zone on the subject lands, which requires a public meeting be held and the requirements for public site plan review have been met. The requested amendment will permit the development of three (3) townhouse blocks and two (2) stacked townhouse blocks for a total of 29-units.

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

On March 16, 2022, a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

### **2.3 Policy Context (see more detail in Appendix C)**

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

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

## **3.0 Financial Impact/Considerations**

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

## **4.0 Key Issues and Considerations**

### **4.1 What is the purpose of the “h-5” holding provision and is it appropriate to consider its removal?**

*The “h-5” holding provision states:*

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

The required public participation meeting was held at the Planning and Environment Committee (PEC) on December 21, 2021.

There were no issues or concerns raised at this meeting. Issues of use, intensity, form, landscaping, tree preservation, natural heritage features, privacy, parking, lot lighting and garbage storage have all been addressed as part of the site plan process.

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

The above public issues that were raised at public meeting have been addressed by staff and are incorporated in the recommended site plan. This satisfies the requirement for the removal of the “h-5” holding provision.

## **Conclusion**

The applicant has satisfied the requirements to remove the “h-5” holding provision. As noted above, the applicant has entered into a development agreement for this site, and a public meeting was held before Planning and Environment Committee. The removal of the holding provision will allow the applicant to submit and be issued building permits and is being recommended to Council for approval. The removal of this holding provision supports the re-building of our local economy.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

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

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

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

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Bruce Page, Manager, Subdivisions  
cc: Michael Pease, Manager, Site Plan  
cc: Matt Davenport, Manager, Subdivisions

April 11, 2022  
SM/GB/BP/Sm/sm

## Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 414 - 418 Old Wonderland Road.

WHEREAS Four Fourteen Inc. has applied to remove the holding provision from the zoning for the lands located at 414 - 418 Old Wonderland Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 414 - 418 Old Wonderland Road, as shown on the attached map, comprising part of Key Map No. 106 to remove the h-5 holding provision so that the zoning of the lands as a Residential R5 Special Provision (R5-7(20)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

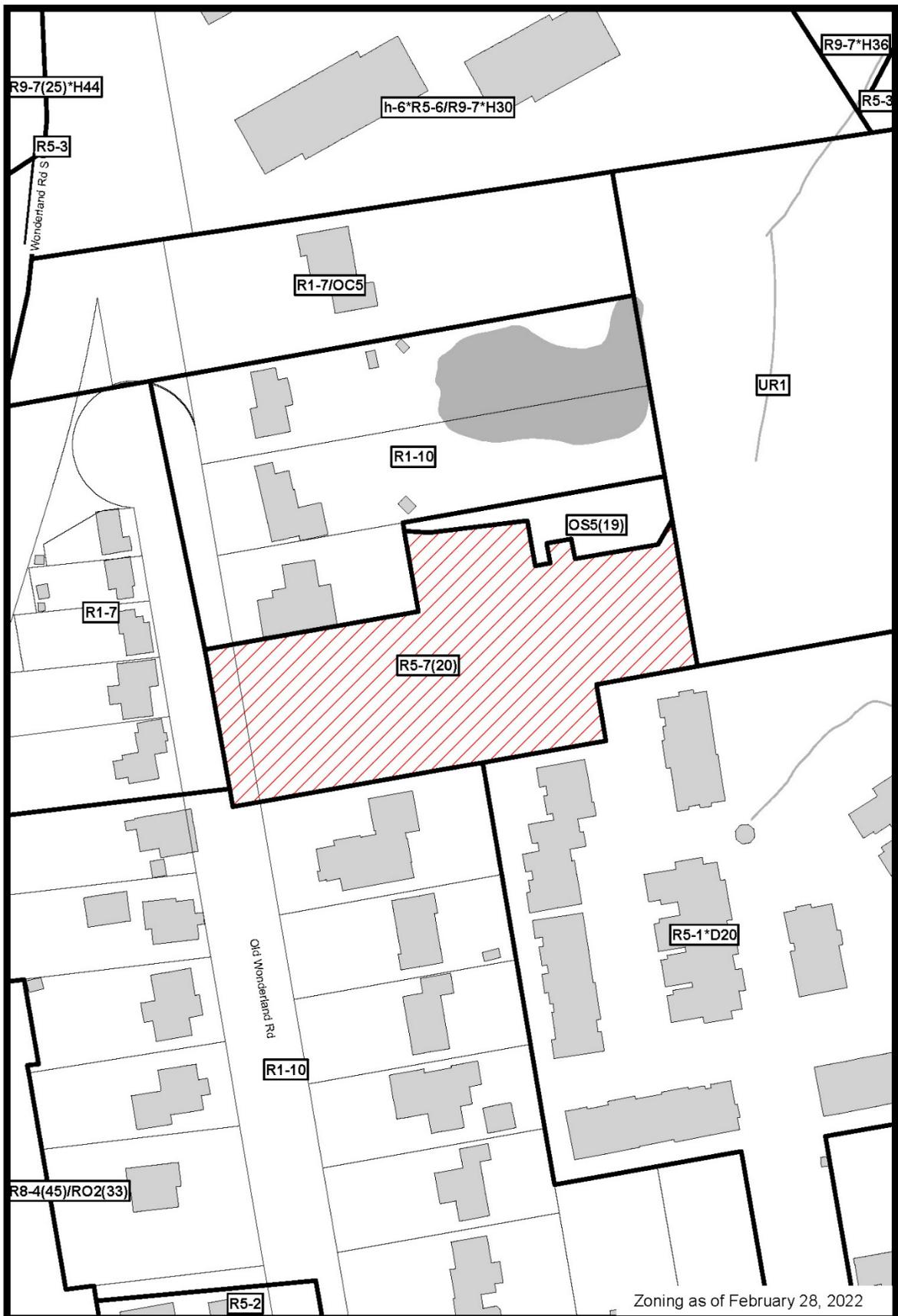
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

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



Zoning as of February 28, 2022

File Number: H-9482

Planner: SM

Date Prepared: 2022/03/09

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40  
Meters



## Appendix B – Public Engagement

### Community Engagement

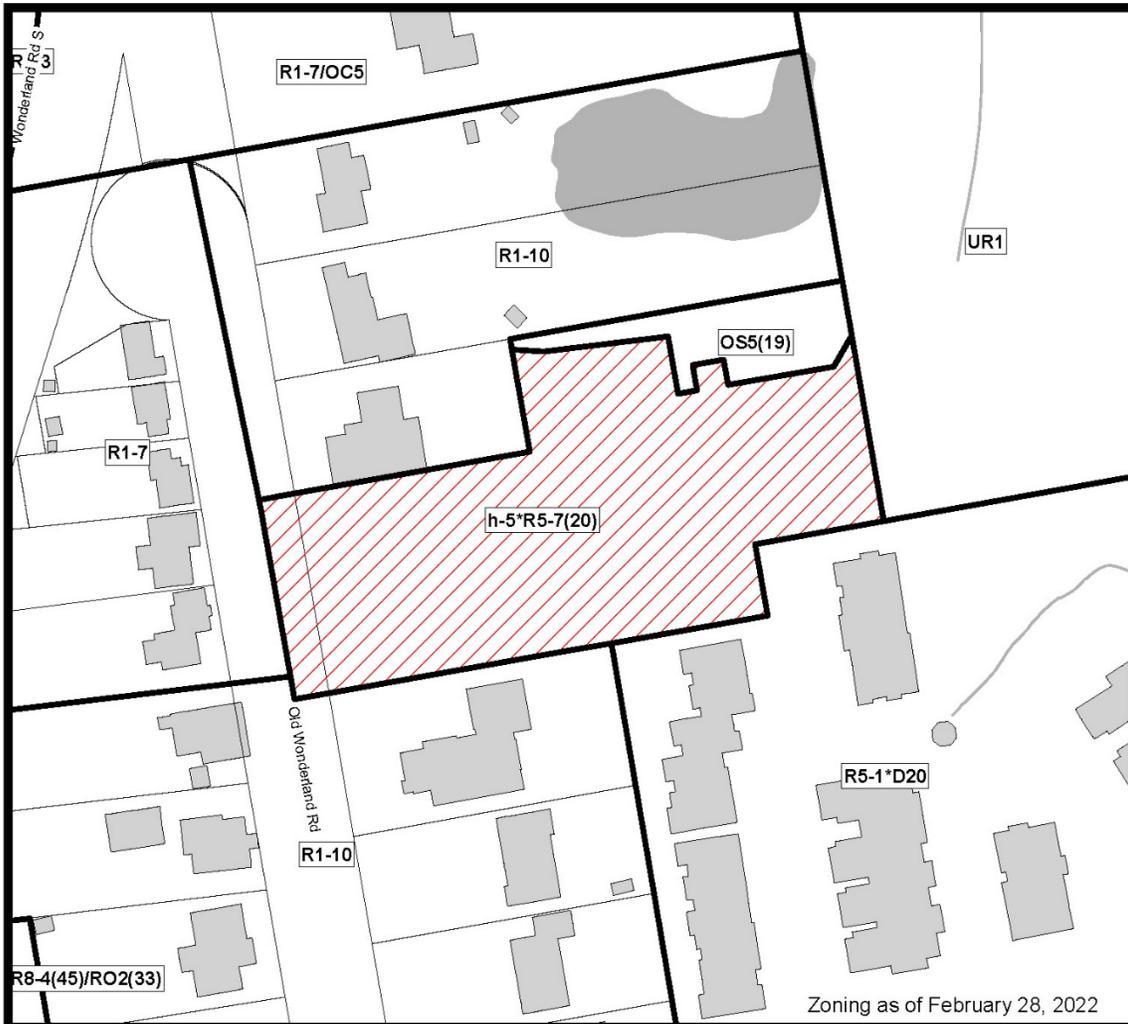
**Public liaison:** Notice of the application was published in the Londoner on March 17, 2022.

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the Holding (“h-5”) Provision from the zoning of the subject lands to allow 29 cluster townhouse and cluster stacked townhouses permitted under the Residential R5 Special Provision (R5-7(20)) Zone. The purpose of the “h-5” provision is to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol. Council will consider removing the holding provisions as it applies to these lands no earlier than April 25, 2022.

# Appendix C – Relevant Background

## Existing 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:

H-9482

SM

MAP PREPARED:

2022/03/08

rc

1:1,250

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:** Application By: Applewood Market Place Inc.  
870 Kleinburg Road  
**Meeting on:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Applewood Market Place Inc. relating to the property located at 870 Kleinburg Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law Z.-1 in conformity with the Official Plan to change the zoning of the lands **FROM** a Holding Special Provision Business District Commercial (h\*h-100\*h-173\*BDC2(7))\*H18\*D75 Zone **TO** a Special Provision Business District Commercial (BDC2(7))\*H18\*D75 Zone to remove the "h", "h-100" and "h-173" holding provisions.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect is to remove the holding "h", "h-100" and "h-173" symbols from the zoning applied to this site to permit the development of a 31-unit 4 storey apartment building and future commercial uses.

### Rationale of Recommended Action

1. The conditions for removing the holding (h, 100 & h-173) provisions have been met and the recommended amendment will allow development of a residential plan of subdivision to proceed in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement has been executed by the subdivider and the City.
3. Provision has been made for a looped watermain system to ensure adequate water service, as well as provision for a second public road access to the satisfaction of the City.
4. The development as approved is consistent with the City of London Urban Design Principles and Placemaking Guidelines. All issues have been resolved and the holding provisions are no longer required.

## Linkage to the Corporate Strategic Plan

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

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**June 9, 2003** - Report to Planning Committee recommending adoption of the Uplands North Area Plan.

**July 28, 2014** - Report to Planning and Environment Committee for Draft Plan Approval of Subdivision, Official Plan Amendment and Zoning By-law Amendment (39T-09501/OZ-7638)

**January 22, 2018** - Report to Planning and Environment Committee for Revised Draft Plan of Subdivision and Zoning By-law Amendment (39T-09501/Z-8818)

**February 20, 2018** - Report to Planning and Environment Committee for Revised Draft Plan of Subdivision and Zoning By-law Amendment (39T-09501/Z-8818)

**April 30, 2018** - Report to Planning and Environment Committee for Special Provisions for Phase 1 of the subdivision. (39T-09501)

**November 18, 2019** - Report to Planning and Environment Committee for Special Provisions for Phase 2 of the subdivision. (39T-09501)

## **1.2 Planning History**

On September 9, 2014, the City of London Approval Authority approved a Draft Plan of Subdivision for lands located at 660 Sunningdale Road East submitted by Extra Realty Limited. Municipal Council previously advised the Approval Authority of its support for the draft plan and related zoning by-law amendments at their meeting held July 29, 2014. On February 21, 2018, a revised draft plan of subdivision was granted. The Approval Authority issued final approval of the phase 2A of this subdivision plan on August 28, 2021 (?), registered as Plan No. 33M-787.

## **1.3 Property Description**

The site is addressed as 870 Kleinburg Drive. These lands are within Registered Plan of Subdivision 33M-787. The lands are currently vacant.

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

- The London Plan Place Type – Main Street
- 1989 Official Plan Designation – Main Street Convince Commercial
- Existing Zoning – (h\*h-100\*h-173\*BDC2(7))\*H18\*D75

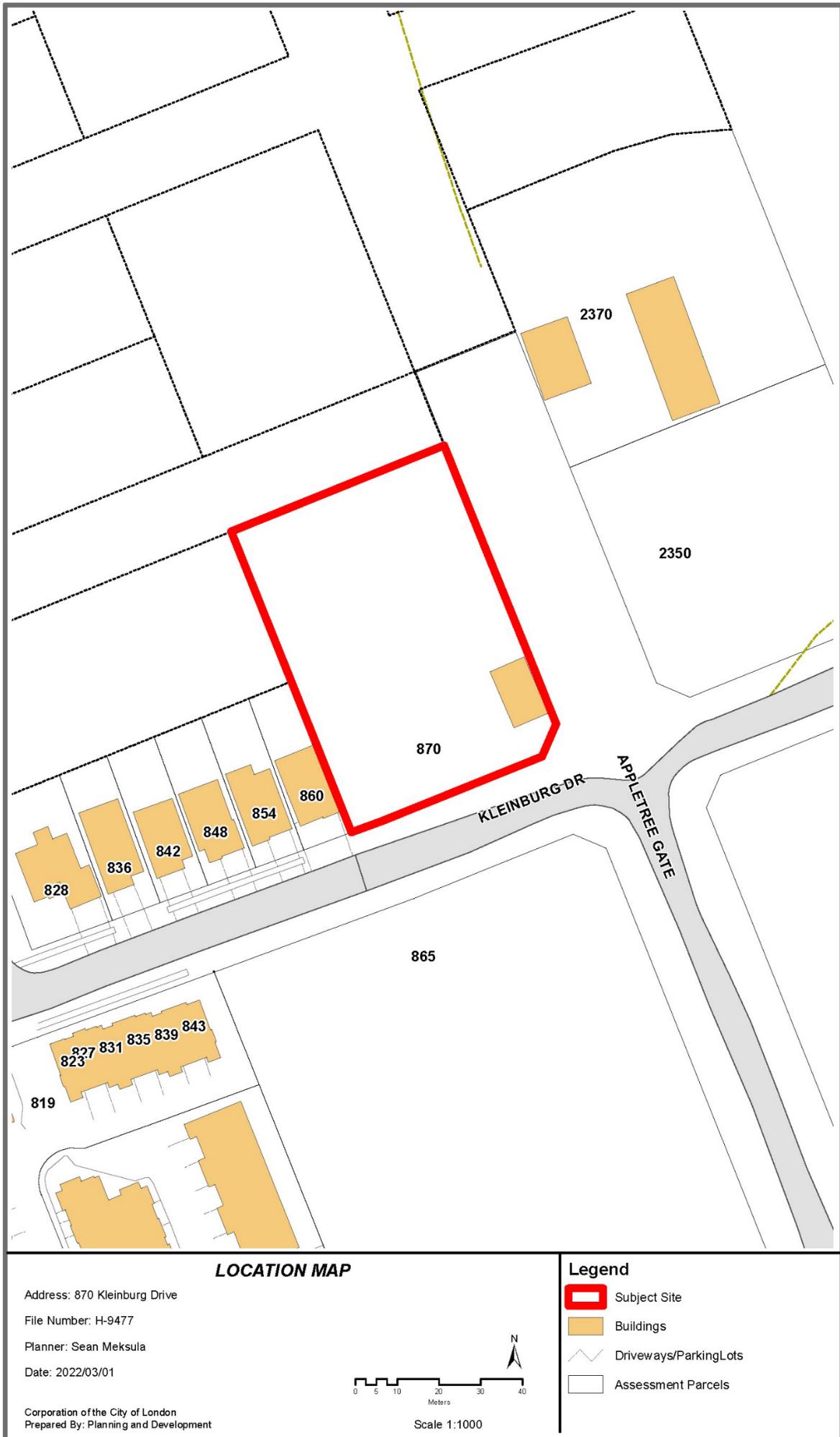
## **1.5 Site Characteristics**

- Current Land Use – Vacant
- Frontage – 101.05 m
- Depth – 42.0 m
- Area – 4240.0m<sup>2</sup>
- Shape – Rectangular

## **1.6 Surrounding Land Uses**

- North – Vacant – future residential
- East – Existing dwelling – future commercial
- South – Medium density residential
- West – Existing dwellings – future residential

## 1.7 Location Map



### LOCATION MAP

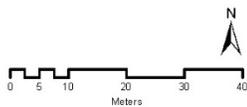
Address: 870 Kleinburg Drive

File Number: H-9477

Planner: Sean Meksula

Date: 2022/03/01

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



### Legend

- Subject Site
- Buildings
- Driveways/Parking Lots
- Assessment Parcels



## **2.0 Discussion and Considerations**

### **2.1 Description of Proposal**

The site is addressed as 870 Kleinburg Drive, on the north side of Kleinburg Drive, north of Sunningdale Road East. The subject lands have a total frontage of 101.05 metres on Kleinburg Drive, with a site area of approximately 4240.0m<sup>2</sup>. The subject lands are presently vacant. There are existing residential uses to the south, west, and vacant lands to the north and east.

The applicant is requesting the removal of the “h”, “h-100” and “h-173” holding provisions from the Zone on the subject lands, which requires the necessary securities be provided and a development agreement is executed prior to development which ensures the new development is consistent with the City of London Urban Design Principles and Placemaking Guidelines.

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

On March 17, 2022, a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

### **2.3 Policy Context (see more detail in Appendix C)**

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

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

## **3.0 Financial Impact/Considerations**

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

## **4.0 Key Issues and Considerations**

### **4.1 Have the conditions for removal of the holding (h, h-100 & h-173) provisions been met?**

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. Through the Zoning By-law amendment and Draft Plan of Subdivision application process, three (3) holding provisions were added to the subject site to ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development, to ensure that there is adequate water service with appropriate access and to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines. The holding provisions, and confirmation as to how each requirement has been satisfied, are noted below:

#### **The “h” holding provision states:**

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

*applicant and the City prior to development.*

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

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

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

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

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

The subdivision servicing drawings have been reviewed and accepted by City staff. Applewood Market Place Inc. has commenced with the installation of services, including the watermains and water looping of the subdivision with connections to the existing 250 mm diameter PVC watermain on Kleinburg Drive and Appletree Gate. A second public road access is also provided to the subdivision street network with separate road connections to Sunningdale Road East via Appletree Gate and Canvas Way. Therefore, the condition has been satisfied for removal of the h-100 provision.

**The “h-173” holding provision states that:**

*“Purpose: To ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London.*

*Permitted Interim Uses: Existing Uses.”*

The Owner has entered into a development agreement, and the development as designed and approved is consistent with the Uplands North Community Plan and the City of London Urban Design Principles and Placemaking Guidelines. This satisfies the requirement for the removal of the “h-173” holding provision.

## Conclusion

The applicant has entered into a development agreement for this site, provided the necessary security, provided water looping, and the development as approved is consistent with the City of London Urban Design Principles and Placemaking Guidelines. Therefore, the holding zone requirements have been satisfied to remove the “h”, “h-100” and “h-173” holding provisions. The removal of the holding provisions is recommended to Council for approval.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

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

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

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

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Bruce Page, Manager, Subdivisions  
cc: Michael Pease, Manager, Site Plan  
cc: Matt Davenport, Manager, Subdivisions

April 11, 2022  
GK/GB/BP/Sm/sm

## Appendix A

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

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 870 Kleinburg Drive.

WHEREAS Econ Consultant Ltd. has applied to remove the holding provision from the zoning for the lands located at 870 Kleinburg Drive, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 870 Kleinburg Drive, as shown on the attached map, comprising part of Key Map No. 102 to remove the h, h-100 and h-173 holding provisions so that the zoning of the lands as a Special Provision Business District Commercial (BDC2(7))\*H18\*D75 Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

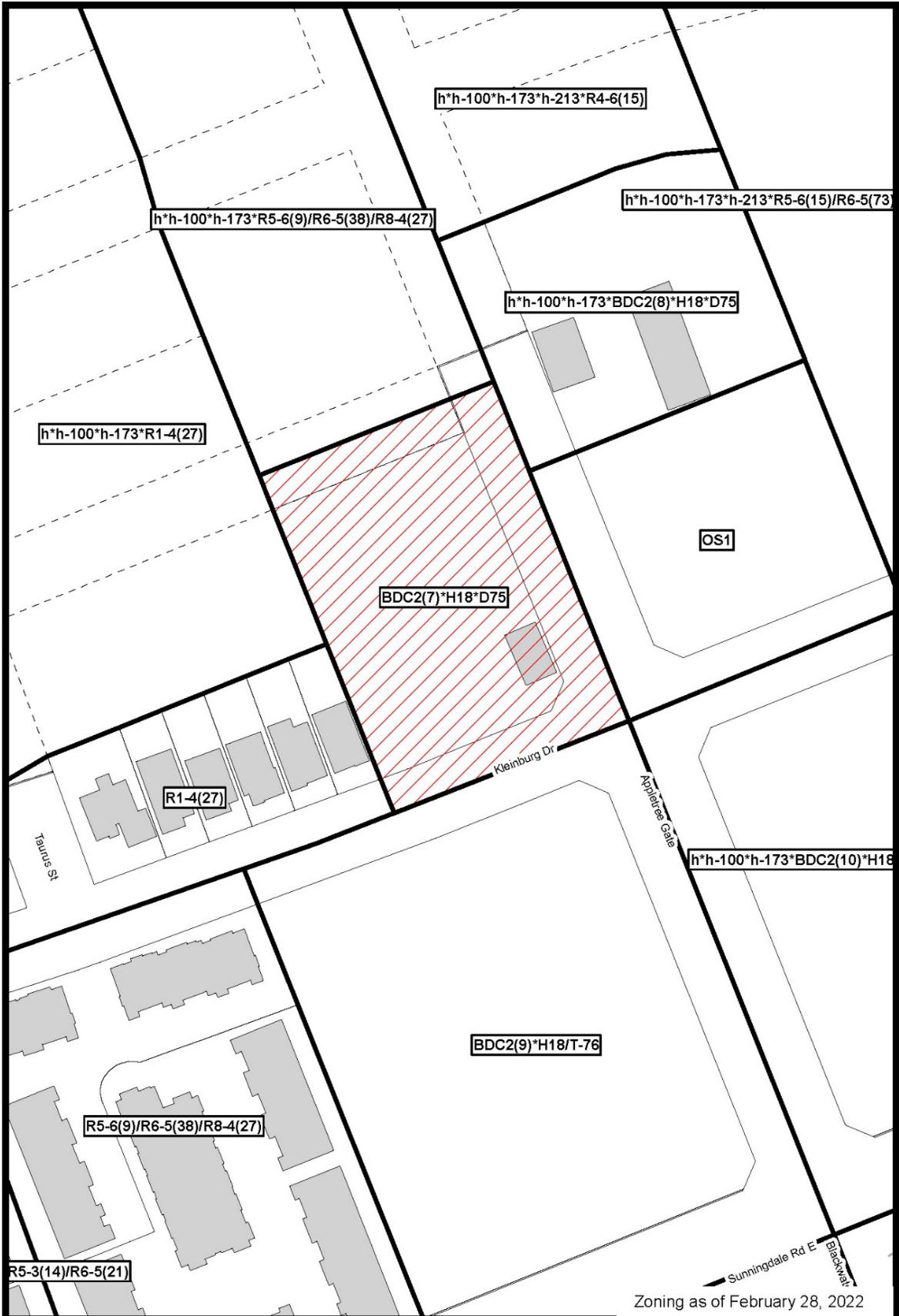
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

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



File Number: H-9477  
 Planner: SM  
 Date Prepared: 2022/03/08  
 Technician: rc  
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40  
 Meters



## Appendix B – Public Engagement

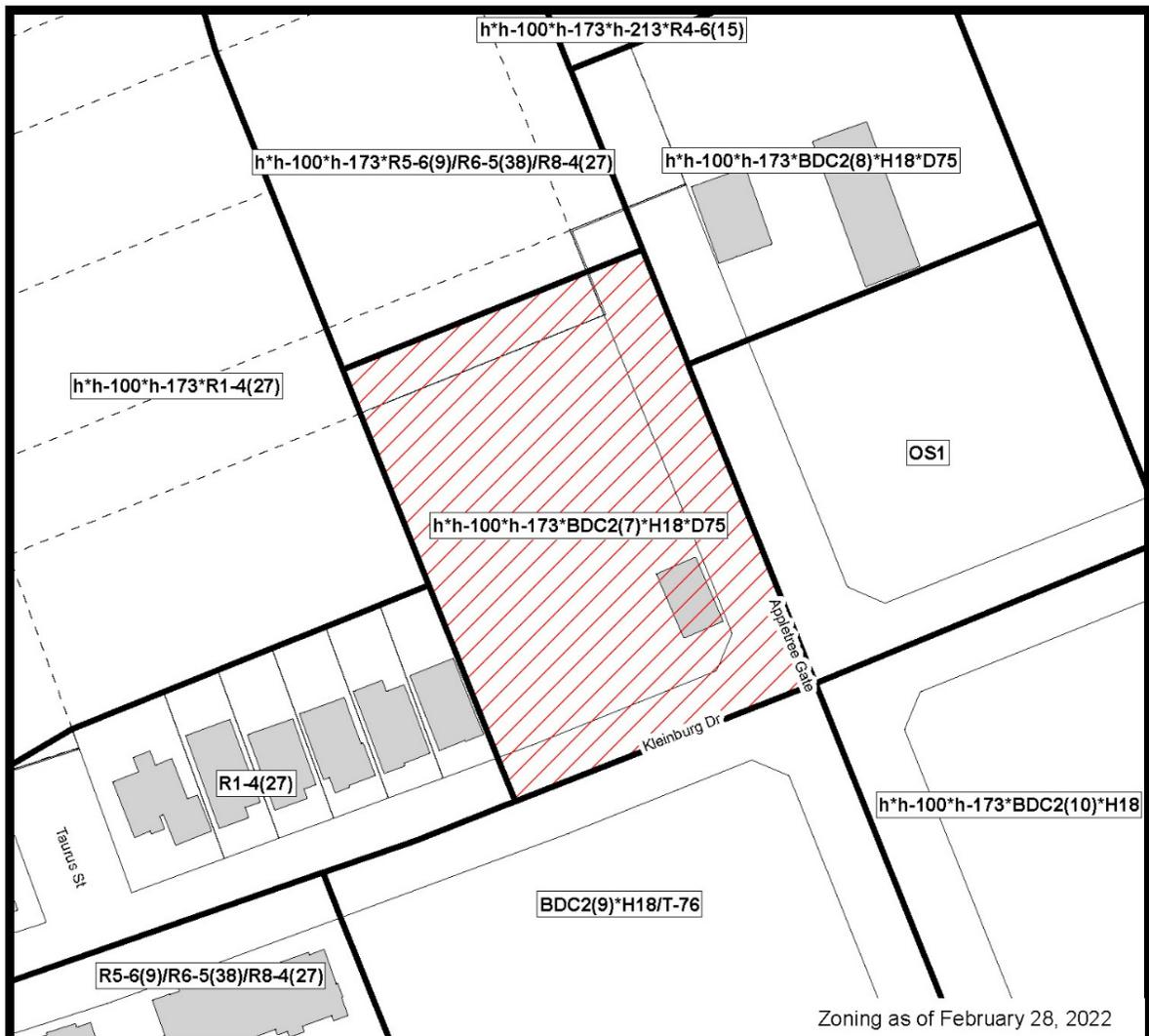
### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on March 17, 2022.

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the “h”, h-100 and “h-173” Holding Provisions from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbols to allow development of the lands for residential purposes permitted under the Holding Special Provision Compound Business District Commercial (h\*h-100\*h-173\*BDC2(7))\*H18\*D75 Zone. The purpose of the “h” provision is to ensure the orderly development of the lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. The purpose of the “h-100” symbol is to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units. The purpose of the “h-173” symbol is to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines. The “h-173” shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London. Council will consider removing the holding provisions as it applies to these lands no earlier than April 25, 2022.

# Zoning Excerpt



Zoning as of February 28, 2022

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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:  
H-9477 SM

MAP PREPARED:  
2022/03/08 rc

1:1,250  
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:** Application by: 1247987 Ontario Inc. (Artisan Homes Inc.)  
459 Hale Street  
Request for Extension of Draft Plan Approval (39CD-18503)

**Meeting on:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application of 1247987 Ontario Inc. (Artisan Homes Inc.) relating to the property located at 459 Hale Street, the Approval Authority **BE REQUESTED** to approve a one (1) year extension to Draft Plan Approval for the residential vacant land plan of condominium File No. 39CD-18503, **SUBJECT TO** the revised conditions contained in the attached Schedule "B".

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to consider a one (1) year extension to Draft Approval for the residential vacant land plan of condominium File No. 39CD-18503.

### Rationale of Recommended Action

1. The requested one (1) year extension of Draft Plan Approval is reasonable, and should allow the applicant sufficient time to satisfy revised conditions of draft approval towards the registration of this plan.
2. The lotting pattern, servicing and access alignments in this condominium will allow for the efficient use of underutilised lands within a serviced area of London and supports the City's infill and intensification goals. Therefore, an extension should be supported provided the conditions of Draft Approval are updated to reflect current City Standards and regulatory requirements.

## Linkage to the Corporate Strategic Plan

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

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The property is located on the west side of Hale Street, south of Brydges Street and north of Heather Crescent. The lot is currently occupied by an older single detached, one storey dwelling, detached garage, and a large rear yard.

## **1.2 Current Planning Information**

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Zoning – Residential R6 Special Provisions (R6-2(15))

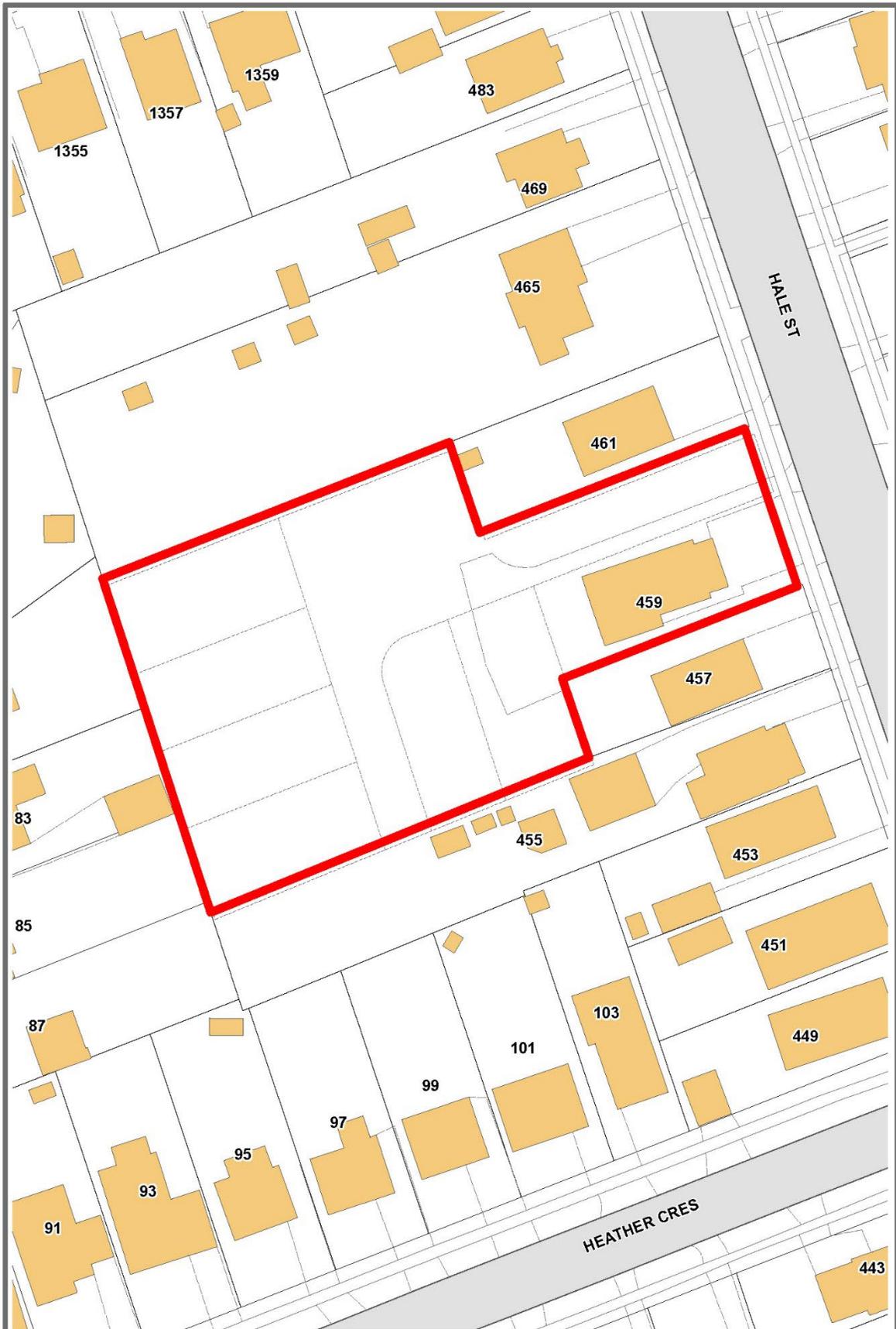
## **1.3 Site Characteristics**

- Current Land Use – residential single detached dwelling
- Frontage – 22.4 metres total
- Depth – approx. 90 metres
- Area – approx. 3200 square metres or 0.32 hectares total area
- (0.28 hectares vacant portion of property proposed to be developed)
- Shape – irregular

## **1.4 Surrounding Land Uses**

- North – residential single detached dwellings
- East – residential single detached dwellings
- South – residential single detached dwellings
- West – residential single detached dwellings

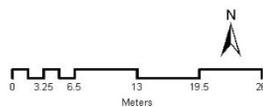
### 1.5 Location Map



#### LOCATION MAP

Address: 459 Hale Street  
File Number: 39CD-18503  
Planner: Michael Clark  
Date: 2022/03/21

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

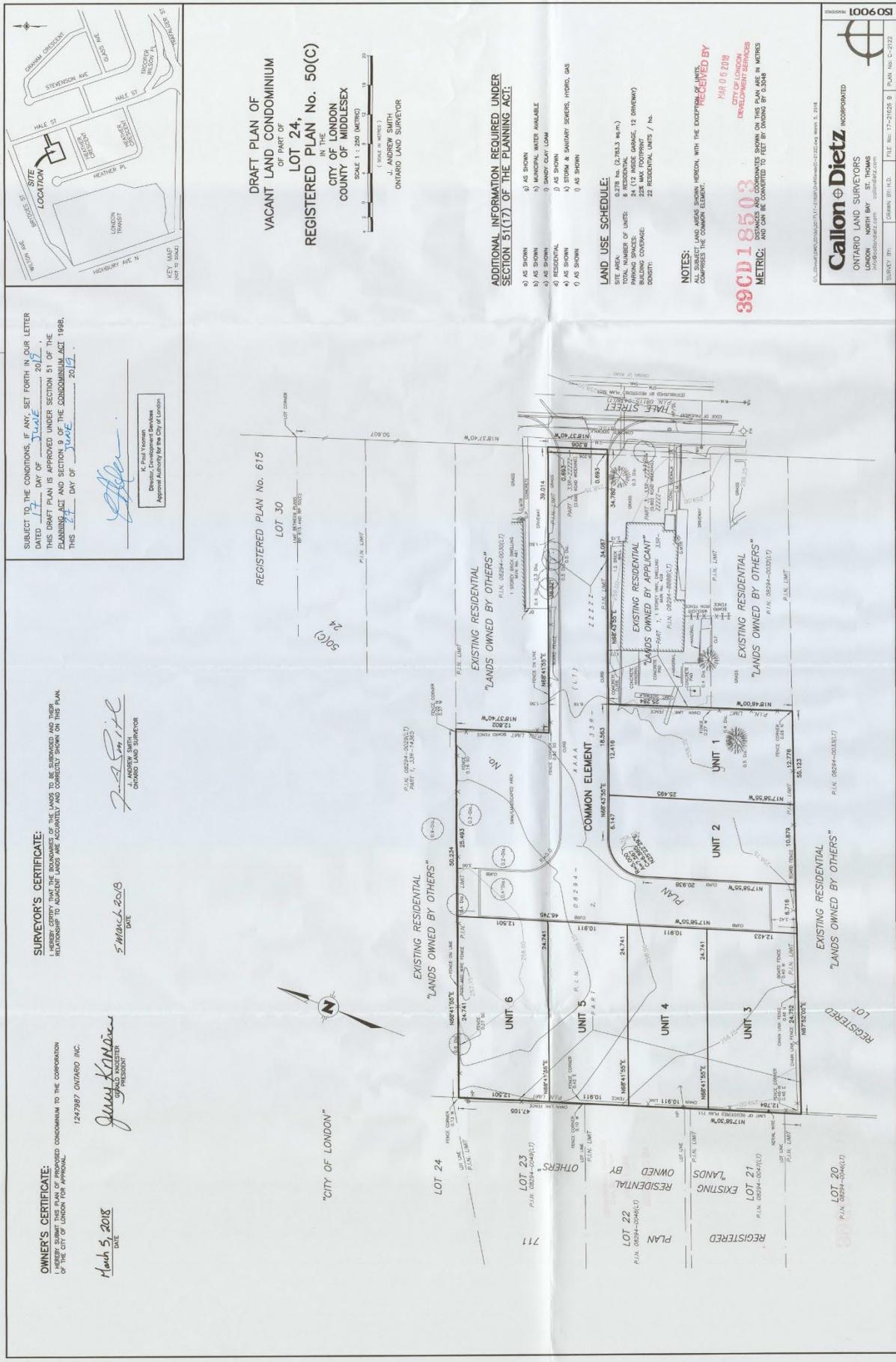


Scale 1:600

#### Legend

-  Subject Site
-  Buildings
-  Driveways/Parking Lots
-  Assessment Parcels

1.6 Draft Approved Plan of Condominium



SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN YOUR LETTER DATED 17 DAY OF June, 2017. THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT AND SECTION 11 OF THE CONDOMINIUM ACT 1980, THIS 17 DAY OF June, 2017.

*[Signature]*  
J. Andrew Smith  
Ontario Land Surveyor  
Approval Authority for the City of London

**SURVEYOR'S CERTIFICATE:**  
HEREBY CERTIFY THAT THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT AND THAT I AM A REGISTERED SURVEYOR IN THE PROVINCE OF ONTARIO.

*[Signature]*  
J. Andrew Smith  
Ontario Land Surveyor

**OWNER'S CERTIFICATE:**  
I HEREBY SUBMIT THIS PLAN OF PROPOSED CONDOMINIUM TO THE CORPORATION OF THE CITY OF LONDON FOR APPROVAL.

*[Signature]*  
Gerald Kasper  
President

DRAFT PLAN OF  
VACANT LAND CONDOMINIUM  
OF PART OF  
LOT 24  
REGISTERED PLAN No. 50(C)  
IN THE  
CITY OF LONDON  
COUNTY OF MIDDLESEX

SCALE 1:200 (METRIC)  
J. ANDREW SMITH  
ONTARIO LAND SURVEYOR

**ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(7) OF THE PLANNING ACT:**

- 1) AS SHOWN
- 2) AS SHOWN
- 3) AS SHOWN
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- 100) AS SHOWN

**LAND USE SCHEDULE:**

SITE AREA: 0.278 ha (2,763.3 m<sup>2</sup>)

TOTAL NUMBER OF UNITS: 6 RESIDENTIAL

RESIDENTIAL UNITS: 6 RESIDENTIAL UNITS, 12 BIKINGWAYS

BUILDING COVERAGE: 22% MAX FOOTPRINT

DENSITY: 22 RESIDENTIAL UNITS / ha.

**NOTES:**  
ALL SUBJECT LAND AROUND SHOWN HEREON, WITH THE EXCEPTION OF UNITS 1-6, COMPRISES THE COMMON ELEMENT.

**39CD18503**  
M.R. 0.8.2018  
CITY OF LONDON  
DEVELOPMENT SERVICES

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

10060501

**Callon Dietz**  
INCORPORATED  
ONTARIO LAND SURVEYORS  
LONDON NORTH BAY ST. THOMAS  
info@callondietz.com  
callondietz.com

SURVEY BY: [Signature] FILE No. 17-21028-B PLAN No. C-2122

## **2.0 Discussion and Considerations**

### **2.1 Previous Reports Related to this Matter**

**September 2018** - Report to Planning Committee on Draft Plan and associated Zoning By-law amendment (39CD-18503/Z-8886)

### **2.2 Planning History**

This application for Draft Plan of Condominium Approval was accepted as a complete application on March 26, 2018. Notice of Application was circulated to the required agencies, municipal departments, and surrounding property owners on April 18, 2018, and the public meeting was held on September 10, 2018. Draft approval for the Plan of Condominium will lapse on June 28, 2022.

### **2.3 Requested Action**

This request is for a one (1) year extension of Draft Approval for the Draft Plan of Condominium 39CD-18503. The attached amendments to the conditions of draft approval are required to ensure that these lands are developed to today's standards and to address engineering issues. The amendments to the conditions of draft approval are shown as strikeouts (deletions) and bold italic lettering (additions) on the attached Appendix. If granted, the new draft approval lapse date would be June 28, 2023.

An extension of Draft Approval is required in order to have sufficient time to complete the final approval and registration process as the COVID-19 pandemic caused delayed with the satisfaction of the conditions of approval. The applicant has not proposed any changes to the lotting configuration or zoning that applies to these lands. A Draft Approval extension period of one (1) year is being recommended in accordance with standard City practice. If final approval has not been provided within the one (1) year period and the applicant requests an extension, there will be another opportunity to formally review the conditions and ensure that they are relevant to current planning policies, municipal servicing requirements, and the projects listed in the updated Growth Management Implementation Strategy (GMIS).

### **2.4 Community Engagement (See more detail in Appendix A)**

Notice was not circulated to the public regarding the request for extension of draft approval given that no significant changes are being proposed to the zoning, lotting pattern or roadway alignments in the Draft Approved Plan (39CD-18503). In accordance with Section 51(45) of the Planning Act notice will be provided to the applicant, as well as any persons or public bodies who are prescribed under the Act and anyone who previously requested notification.

Detailed departmental / agency comments can be found in Appendix "A".

### **2.5 Policy Context**

#### **The London Plan**

The subject site is located within the Neighbourhoods Place Type in the London Plan. The London Plan, through the vision articulated in the Our City policies, places an emphasis on growing "inward and upward" to achieve a compact form of development, as well as encouraging and supporting growth within the existing built-up area of the city. The Neighbourhoods Place Type policies, with respect to Residential Intensification in Neighbourhoods, expands on that vision and specifically states that:

*937\_ Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. However, such intensification must be undertaken well in order*

*to add value to neighbourhoods rather than undermine their character, quality, and sustainability...*

The City Structure Plan also recognizes that residential intensification will play a large role in achieving our goals for growing “inward and upward”, and supports various forms of intensification, including infill development of vacant and underutilized lots, subject to the policies of the Plan. This includes consideration of the policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. The London Plan policies are intended to support infill and intensification, while ensuring that proposals are appropriate and a good fit within their receiving neighbourhoods.

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

These lands are designated “Low Density Residential” on Schedule ‘A’ of the 1989 Official Plan. This land use designation permits single detached, semi-detached, and duplex dwellings as the primary permitted uses up to a maximum density of 30 units per hectare. The proposal to develop this parcel with six single detached dwelling units is permitted and will result in an overall density of 22 units per hectare which is within the density limits prescribed in the Low Density Residential policies.

The proposal also represents a form of residential infill of a vacant or underutilized site within an established neighbourhood which may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the Residential Intensification policies of the Official Plan. These policies require that a Statement of Neighbourhood Character and Compatibility be submitted by the proponent in accordance with Section 3.2.3 Residential Intensification and Section 3.7.3 Planning Impact Analysis.

A Neighbourhood Character and Compatibility Report was prepared and submitted by Artisan Homes Inc. including concept site plan, building floor plans and elevations, colour renderings, and 3D massing model showing the proposed development within the context of the neighbourhood. A Tree Assessment Report and Servicing Brief also accompanied the formal application submission. The Official Plan policies have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives.

## **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**

### **Possible Noise and Vibration Impacts from CN Rail**

Following circulation of the notice of request for extension of draft approval, CN Rail requested that a noise impact study be undertaken as a condition of approval of the condominium, and that the recommendations of that study are implemented. CN Rail has also asked that warning conditions be applied to all lots within 300m of the railway (See Appendix ‘A’).

The subject lands are located over 350 metres from the CN Rail right of way, and there are over 60 dwellings, and other building located between the subject lands and the railway. In addition, no comments were received from CN Rail regarding these requirements during the circulation to the public and commenting agencies in 2018, nor following draft approval in 2019.

As all dwelling units are outside the range requiring a warning clause, and there are a significant number of buildings, trees and other objects which will mitigate noise from the railway, staff are satisfied that neither the preparation of a noise study nor any mitigation measures are required to extend draft approval of the condominium.

### **Draft Conditions (See Appendix B)**

The Draft Approval conditions have been re-circulated and reviewed with municipal departments and agencies to determine their relevance within the context of current regulatory requirements. As a result, there are minor wording modifications and revisions, as well as a number of new clauses added reflecting current municipal standards and requirements. The proposed modifications and new conditions are briefly highlighted below:

1. All conditions have been modified to reflect the recent reorganization and the new title for the 'Planning and Development' department.
2. Condition 4 is updated to reflect the new lapse date of June 28, 2023
3. A new condition has been added at the request of Stormwater Engineering that the development shall proceed in accordance with the final approved Site Plan conditions and drawings (File #SPA19-009).

### **Conclusion**

It is appropriate to approve a one (1) year extension to Draft-Approval for this Plan of Condominium, subject to the revised conditions as attached. The recommended extension is considered reasonable and appropriate to allow sufficient time for final approval and registration. The recommended conditions of Draft Approval are attached to this report as Schedule "B" – 39CD-18503.

**Prepared by:** Michael Clark, MA  
Planner, Planning and Development (Subdivisions)

**Reviewed by:** Bruce Page,  
Manager, Planning and Development (Subdivisions)

**Recommended by:** Gregg Barrett, RPP, PLE  
Director, Planning and Development

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

cc: Matt Feldberg, Manager, Planning and Development (Subdivisions)  
cc: Bruce Page, Manager, Planning and Development (Subdivisions)  
cc: Matt Davenport, Manager, Development Engineering (Subdivisions)  
cc: Michael Pease, Manager, Planning and Development (Site Plan)

BP/mc

## Appendix A – Community Engagement

### Agency & Department Comments

Internal departments and external agencies were circulated for comment on February 4<sup>th</sup>, 2022 for a one (1) year extension of approval for a 6 unit draft plan of vacant land condominium. Comments received are identified below:

#### UTRCA – February 4, 2022

Please accept this email as confirmation that the UTRCA has no objections to this request for extension. Should you require anything further, please advise.

#### CN Rail – February 4, 2022

Thank you for consulting CN on the application mentioned in subject. It is noted that the subject site is located within 1000m to CN's Rail Yard. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. Please refer to CN's guidelines for the development of sensitive uses in proximity to railways. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
2. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 1000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

3. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the noise safety isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
4. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
5. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN anticipates the opportunity to review a Noise study taking into consideration the CN development guidelines.

London Hydro – February 10, 2022

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Stormwater Engineering – March 8, 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 # SPA19-009) 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.”

**Schedule B – 39CD-18503**

The Corporation of the City of London’s conditions and amendments to final approval for the registration of this condominium, file number 39CD-18503 are as follows:

~~Deleted~~, **Revised**, or **New Condition #**

No.	Conditions
1)	That this approval applies to the draft plan submitted by Artisan Homes Inc. (1247987 Ontario Inc.) prepared by Callon Dietz Inc., certified by J. Andrew Smith, Ontario Land Surveyor, File No. 39CD-18503, Plan No. C-2122, dated March 5, 2018, which shows a 6 unit development located at 459 Hale Street.
2)	This draft approval is for a Vacant Land plan of condominium under Part XII of the Condominium Act, 1998.
3)	The development is to be registered as one Condominium Corporation.
4)	That this approval of the draft plan applies <del>for a period of three (3) years</del> <b>until June 28, 2023</b> , and if final approval is not given within that time, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
5)	Prior to final approval for the registration of any condominium corporation within the development by the Approval Authority, the City of London is to be advised in writing by the Site Plan Approval Officer and/or Landscape Planner, City of London that: <ol style="list-style-type: none"><li>the Applicant has entered into a Development Agreement for the site and has registered the agreement on title;</li><li>if site works in the common elements are substantially complete, the owner's consulting engineer has submitted a final grading certificate which has been accepted by the City;</li><li>the fire route and fire route signs have been installed to the satisfaction of the City; and</li><li>all obligations of the Owner, pursuant to the development agreement with the City shall be substantially complete.</li></ol>
6)	That the owner submit a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to the NAD83 UTM horizontal control network for the City of London mapping program.

- 7) That prior to final approval for the registration of any condominium corporation within this development, a plan showing the door point numbers to be displayed on the exterior of each unit in the entire development has been submitted to the satisfaction of the City.
- 8) Prior to final approval for the registration of the development as a condominium corporation by the Approval Authority, **Development Services Planning and Development** shall be advised in writing by the Finance Department, City of London that all taxes on the said lands have been paid in full.
- 9) That the description of the Common Elements in the Condominium Declaration include the water lines and appurtenances, sanitary sewer lines and appurtenances and storm sewers and appurtenances which are not solely related to the unit on which they are located, and all perimeter fencing and any other structure (ie. gazebo). These elements are to be operated, repaired and maintained by the Condominium Corporation.
- 10) That the Condominium Declaration contain appropriate provisions setting out the responsibility for maintaining, repairing, and replacing services which serve:
  - i) more than one unit, whether or not those services are within the common elements or within a unit;
  - ii) the owner's unit only, that are located within the owner's unit or another unit; and,
  - iii) the owner's unit only, that are located within the common elements.
- 11) That the Condominium Declaration shall contain provisions setting out responsibility for maintenance and monitoring of the on-site stormwater infiltration basin in accordance with the approved site servicing drawings and Development Agreement, to the satisfaction of the City.
- 12) The following warning clause shall be included in the Declaration for all Units within this development:
 

*"If it is determined by the Ministry of the Environment (MOE) that the water service for the site is a regulated drinking water system, then the Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O. Reg. 170/03."*
- 13) That prior to final approval, the owner's professional engineer is to provide certification to the Approval Authority that all buildings, structures, facilities and services (including landscaping and grading) shown in the declaration and description to be included in the common elements have been completed, installed and provided in accordance with the requirements of the Condominium Act, 1998.

Should all facilities and services (including landscaping and grading) not be installed and provided prior to final approval, the owner's engineer shall have his professional engineer provide a written, detailed estimate of 100% of the cost to install and provide the facilities and services shown in the declaration and description to be included in the common elements, to the City's satisfaction, and provide security in the accepted amount plus 25% for administration and contingencies in a form acceptable to the City Treasurer. Should security already being held by the City under the authority of Section 41 of the Planning Act be partially or fully sufficient in form and amount to meet this requirement, the Condominium security requirement may be reduced or waived by the City. The City will not hold security for amenities such as pools, tennis courts, or clubhouses.

Should security be provided, the owner shall enter into a condominium agreement with the City to be registered on title prior to final approval.

- 14) Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority, in writing, how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete

information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.

- 15) That the approval of the draft plan applies to the development of single detached dwellings only.

**## *The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA19-009) 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.***

## 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:** Removal of Holding Provisions on the Submission of Sifton  
Properties Limited for 1395 Riverbend Road  
**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 1395 Riverbend Road

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting May 3, 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 Business District Commercial BDC (h\*h-206\*BDC(31)) Zone, **TO** a Business District Commercial BDC (BDC(31)) Zone to remove the "h" and "h-206" holding provisions.

## Executive Summary

### Purpose and Effect of the Recommended Action

The purpose and effect of this zoning change is to remove the "h" and "h-206" holding provision so that the development of two mixed-use apartment buildings can proceed in compliance with the Zoning By-law.

### Rationale of the Recommended Action

1. The conditions for removing the "h" have been met and the recommended amendment will allow two apartment buildings to be developed in compliance with the Zoning By-law.
2. A Site Plan has been approved and a Development Agreement has been entered into to ensure that the West Five Urban Design Guidelines have been met, satisfying the conditions for the "h-206" holding provision.

## 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 21, 2001** – Approval of the Riverbend Community Plan

**April 25, 2005** – Report to Planning Committee regarding Zoning By-law Amendments (Z-6790).

**December 3, 2012** – Report to Civic Works Committee on Tributary 'C' Storm/Drainage

& Stormwater Management Transportation and Sanitary Trunk Servicing Environmental Study Report modifications.

**July 17, 2012** – Report to Civic Works Committee with respect to the Municipal Class Environmental Assessment (EA) Study Schedule “C” for Tributary ‘C’ Storm/Drainage and Stormwater Management (SWM), Transportation and Sanitary Trunk Servicing Works located within the Downstream Thames River Subwatershed Area.

**November 30, 2015** – Planning and Environment Committee – Application by Sifton Properties Limited for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments for lands bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road (39T14503/OZ-8410).

**June 1, 2015** - Planning and Environment Committee – Application by Sifton Properties Limited for removal of holding (“h” & “h-25”) provisions for lands located at 1080 Westdel Bourne, east of Westdel Bourne and west of the future extension of Riverbend Road.

**December 14, 2018** – Report to London Consent Authority regarding consent application at 1835 Shore Road (B.031/18).

**February 3, 2022** – Report to Committee of Adjustment on external and front yard setbacks for 1395 Riverbend Road (A.168/21).

## **1.2 Planning History**

The subject lands are within the Riverbend Community Planning Area, which identified the lands as Community Shopping Area (CSA). Sifton Properties Limited submitted a Zoning By-law Amendment Application for the lands bounded by Lumen Drive, Riverbend Road, Oxford Street West and Westdel Bourne in 2005 to delete the Rural Holding (A2) Zone from a portion of the subject lands and apply the Holding Community Shopping Area (h\*h-25\*CSA5) Zone and Open Space OS(3) Zones. This request was passed by Council on May 2, 2005.

In 2014, Sifton Properties Limited submitted a Draft Plan of Subdivision and a combined Official Plan and Zoning By-law Amendment that would permit the development of a mixed-use community consisting of commercial, office, and medium and high-density residential uses. The lands included in this application are approximately 30 hectares and were bounded by Oxford Street West, Westdel Bourne, Shore Road and Kains Road. The long-term development plans for these lands are known as “West Five”, which are planned as a sustainable, mixed-use community providing a range of office, retail, residential and public uses and is promoted as a model of “smart” community design through the incorporation of renewable energy technologies and initiatives. Draft Approval was granted on January 8<sup>th</sup>, 2016, subject to conditions, and Subdivision Agreements have been registered for all three (3) phases.

While the review process for the subdivision application was under way, Municipal Council adopted an amendment to the Zoning By-law on June 10, 2015, to remove the holding provisions to allow for the development of three (3) storey mixed-use buildings for the new head offices for Sifton Properties Limited and two additional building floor plates for development that would be compliant with the CSA(5) Zone.

The Official Plan and Zoning By-law Amendments submitted with the Draft Plan of Subdivision were adopted by Council and included specific-area policies to guide the development of the “West Five” Community. During this process, the CSA5 zone was amended to the Business District Commercial Special Provision BDC(31) Zone to reflect the specific area-policies and community visions. The adoption of the “h” and “h-206” in the zoning implement urban design guidelines prepared and approved by Council.

A consent application presented to the London Consent authority on December 14, 2018, severed the lot at 1395 Riverbend Road from the larger parcel at 1835 Shore

Road. Three (3) additional parcels were severed from the retained lands through this application. A minor variance application requesting an exterior side yard setback of 12 meters, whereas a maximum of eight (8) meters is required, and a front yard setback of 13.5 meters, whereas a maximum of eight (8) meters is required, was presented to the Committee of Adjustment on February 3, 2022, and granted on February 23, 2022. This application for Removal of the “h” and “h-206” was received on February 9, 2022, and was accepted as complete on March 8, 2022.

### **1.3 Property Description**

The subject lands are located in the northeast quadrant of the City in the West Five Community, and are generally located north of Oxford Street West and east of Westdel Bourne. The Plan of Subdivision was registered on April 19<sup>th</sup>, 2018, and the lands are part of Block 1 on registered plan 33M-743. The subject lands are approximately 1.87 hectares in size and are currently vacant. Removal of the holding provisions would permit the development of two (2) mixed-use apartment buildings, which have received Site Plan Approval (SPA21-095) and a Development Agreement has been registered. A third apartment building is proposed on the southeast segment of the subject lands, at the intersection of Linkway Boulevard and Riverbend Road, but was not subject to the Site Plan Approval application and the holding provisions cannot be removed.

### **1.4 Current Planning Information**

- The *London Plan* Place Type – Shopping Area
- (1989) *Official Plan* Designation – Community Commercial Node
- Existing Zoning – h\*h-206\*BDC(31)

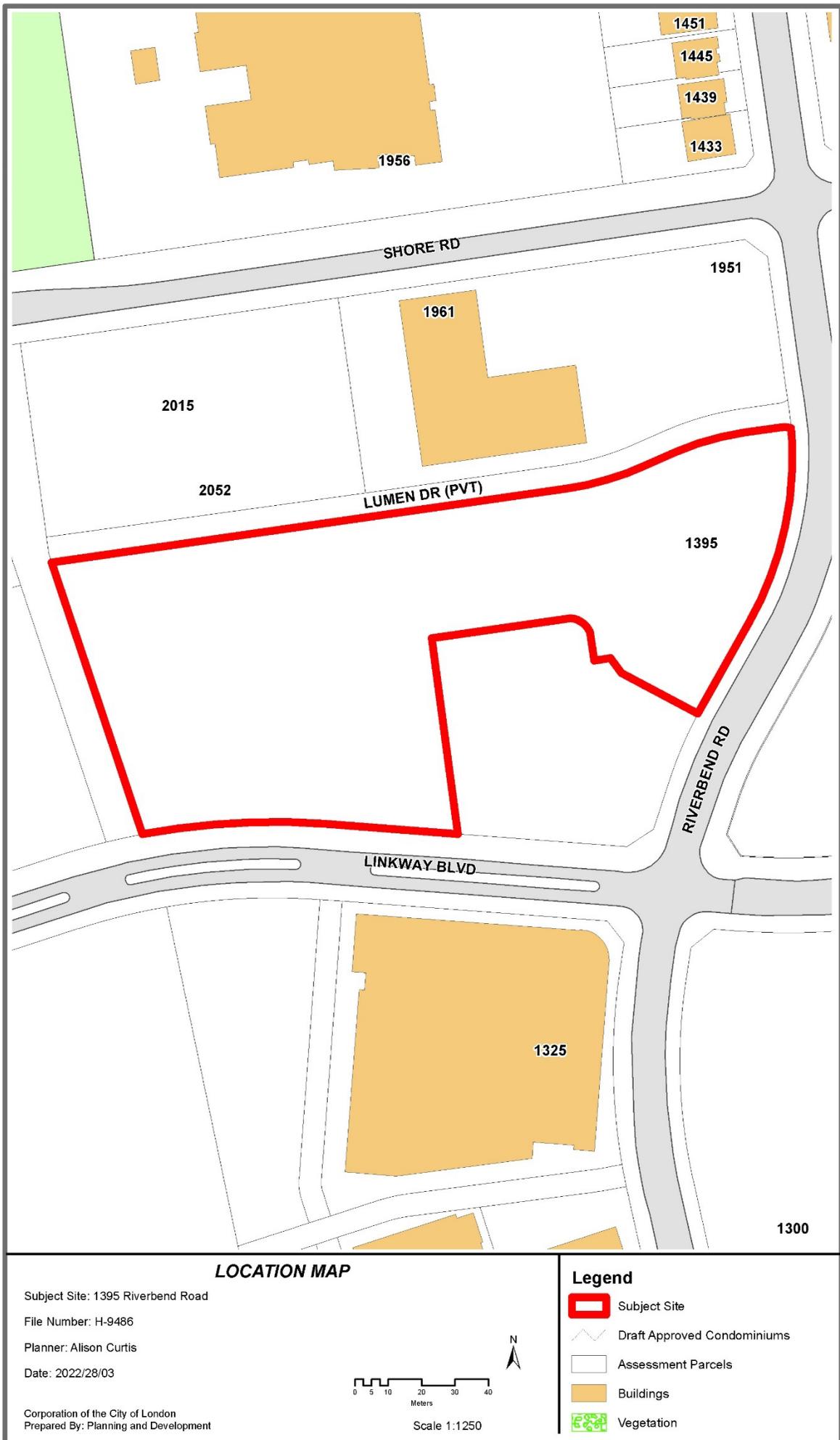
### **1.5 Site Characteristics**

- Current Land Use – vacant
- Frontage – 138.3 meters
- Depth – 145.8 meters
- Area – 1.87 hectares
- Shape – Irregular

### **1.6 Surrounding Land Uses**

- North – Medium density residential, and St Nicholas Catholic Elementary School
- East – Medium density residential
- South – Community commercial node, mixed-use apartment buildings
- West – Medium and low density residential

## 1.7 Location Map



## 2.0 Discussion and Considerations

The purpose of this amendment application is to remove the “h” and “h-206” holding provisions from the subject lands. The purpose of the “h” provision is to ensure the orderly development of lands and adequate provision of municipal services. This 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-206” shall not be removed until there is an approved site plan, and a development agreement has been entered into to ensure the development is in keeping with the design principles identified in the West Five Urban Design Guidelines.

### 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 March 31, 2022.
- Notice of Intent to Remove Holding Provisions was circulated to the relevant internal and external agencies on March 30, 2022.

There was no response from the public.

### 2.2 Policy Context

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.*

The Applicant has provided the necessary securities to the City of London and the Development Agreement has been executed. This satisfies the requirements for the removal of the “h” holding provision

## **h-206 Holding Provision**

The h-206 Holding Provision states that:

*“h-206 Purpose: To ensure that urban design objectives established through the subdivision review process are being met, a site plan shall be approved and a development agreement shall be entered into which ensures that future development of the lands is in keeping with the design principles and concepts identified in the West Five Urban Design Guidelines, and subject to further refinement through the subdivision Design Studies and/or Site Plan Approval process, to the satisfaction of the City of London prior to the removal of the h-206 symbol. Permitted Interim Uses: Existing Uses (Z.-1-162444)”*

The Site Plan Approval application has been approved and a Development Agreement has been entered into which will ensure that the design objectives established through the subdivision review process have been met. The Applicant has noted the following:

- Pedestrian connectivity is provided throughout the site through the provision of sidewalks and connections to Riverbend Road and Linkway Boulevard;
- The apartment buildings have been designed such that there is architectural interest through the materials used and fenestration patterns; and,
- Landscaping has been designed to enhance the streetscape and coordinate with the surrounding context.

This satisfies the requirements for the removal of the “h-206” holding provision.

## **Conclusion**

It is appropriate to remove the “h” and “h-206” holding provisions from the subject lands at this time as a development agreement has been executed, the required securities have been received, and the urban design concepts identified in the West Five Urban Design Guidelines have been met.

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

**Reviewed by:** Bruce Page  
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)

GB/BP/AC/ac

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2022\H-9486 - 1395 Riverbend Road (A. Curtis)

## 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 1395 Riverbend Road

WHEREAS Sifton Properties Limited have applied to remove the holding provision from the zoning for the lands located at 1395 Riverbend 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 1395 Riverbend Road, as shown on the attached map, to remove the h and h-206 holding provisions so that the zoning of the lands as a Business District BDC (BDC(31)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on May 3, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading - May 3, 2022  
Second Reading – May 3, 2022  
Third Reading - May 3, 2022

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



<p>File Number: H-9486                  Planner: AC                  Date Prepared: 2022/03/23                  Technician: AC                  By-Law No: Z.-1-</p>	<p><b>SUBJECT SITE</b> </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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## Appendix B – Consultation

### Community Engagement

**Public Liaison:** Notice of the Intent to Remove Holding Provisions was published in the Londoner on March 31, 2022, and notice of the application were circulated to the relevant internal and external agencies.

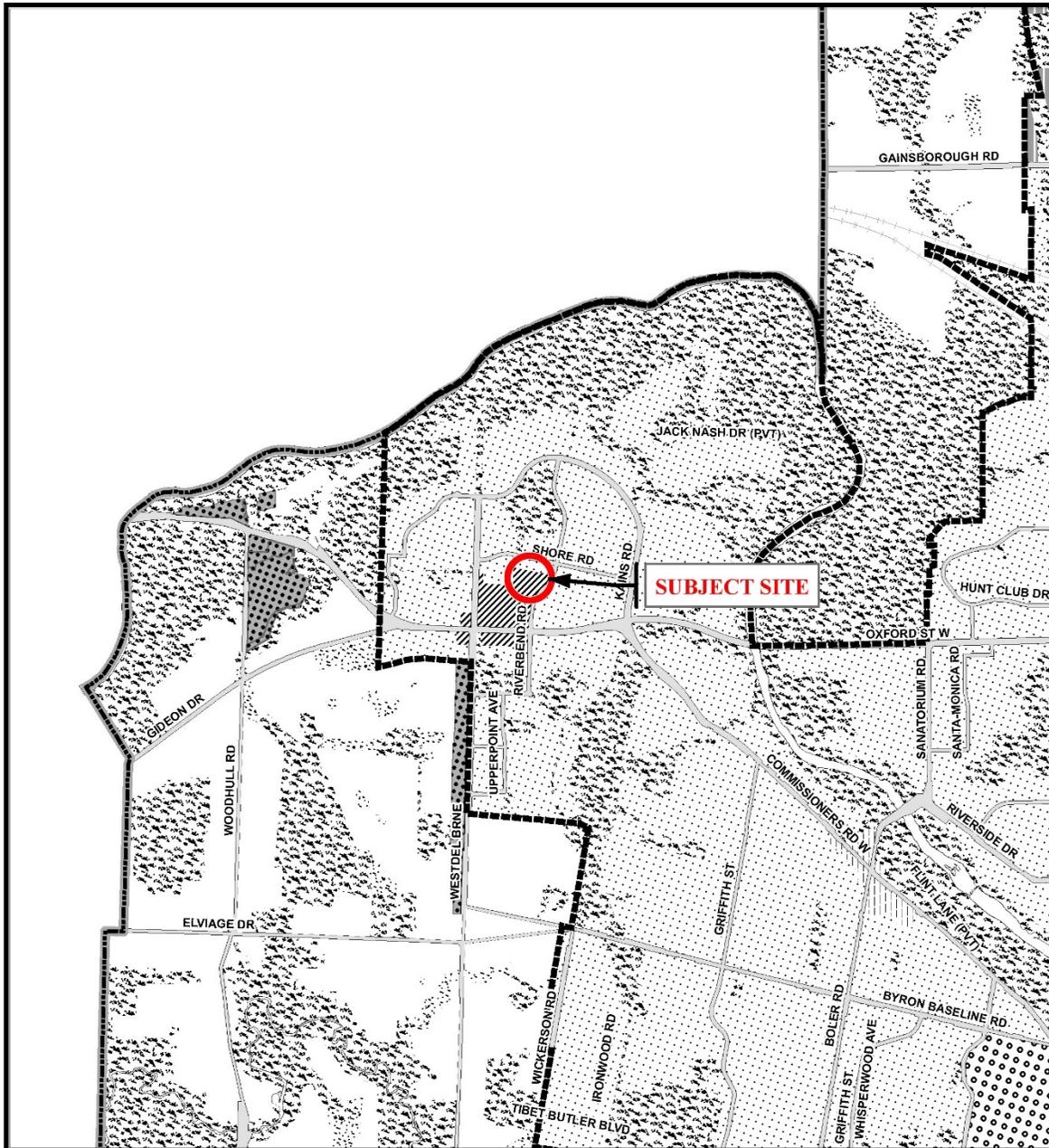
No replies were received.

**Londoner Notice:** City Council intends to consider removing the h and h-206 holding provisions from the subject lands to allow for the development of three (3) mixed-use apartment buildings. 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-206” shall not be removed until there is an approved site plan and a development agreement has been entered into to ensure the development is in keeping with the design principles identified in the West Five Urban Design Guidelines. Council will consider removing the holding provisions as they apply to these lands no earlier than April 19, 2022. *\*For the lands under consideration, a separate application for Site Plan Approval – Application File No. SPA21-095 – has been submitted by Sifton Properties Limited.*

File: H-9486 Planner: A. Curtis x.4497

# Appendix C: Policy Context

## London Plan Excerpt



### Legend

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

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

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

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



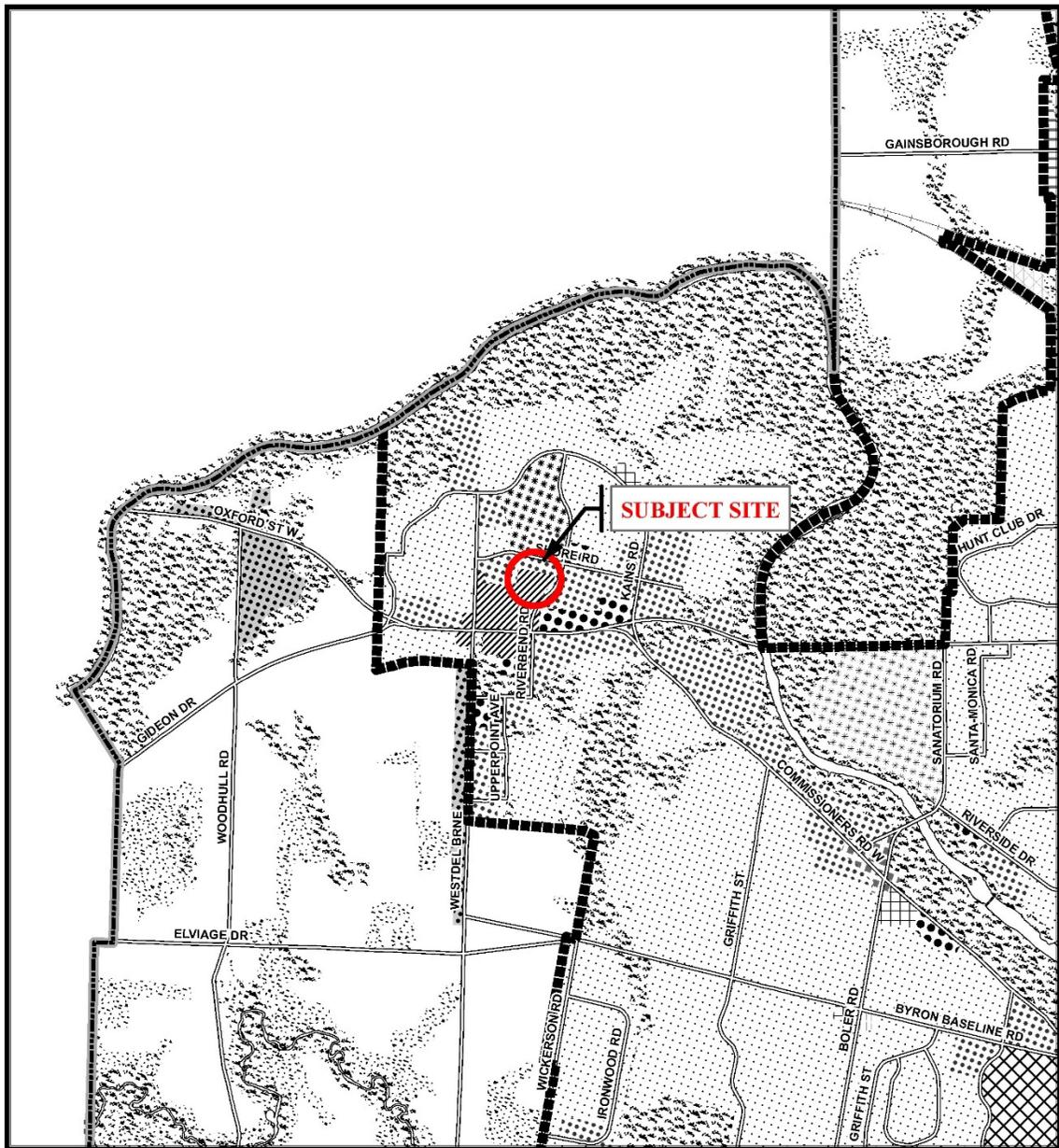
File Number: H-9486

Planner: AC

Technician: RC

Date: March 28, 2022

# 1989 Official Plan Excerpt



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

<p><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: H-9486</p>
		<p>PLANNER: AC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/03/28</p>

# 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-9486

AC

MAP PREPARED:

2022/03/28

rc

1:2,000

0 10 20 40 60 80

Meters

## Report to Planning and Environment Committee

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

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

**Subject:** Horizen Developments LP  
520 Sarnia Road  
Public Participation Meeting

**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Horizen Developments LP relating to the property located at 520 Sarnia Road:

- (a) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend The London Plan to create a specific area policy in the Neighbourhoods Place Type at 520 Sarnia Road to permit an 8-storey apartment building and by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend the 1989 Official Plan to **ADD** a policy to Section 10.1.3 – “Policies for Specific Areas” that would modify the ‘Community Commercial Node’ designation to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor, and also align this policy context with The London Plan;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan and The London Plan for the City of London as amended in part (a and b) above), to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone **TO** a Residential R9 Special Provision Bonus (R9-7(\_)\*B-\_) Zone;
- (d) **IT BEING NOTED** that the following site plan and urban design matters were raised during the application review process:
  - i) Provide individual or common walkways that connect to the ground floor units to the City sidewalk, to encourage and allow residents and visitors to easily walk to transit and nearby amenities. Landscape buffering can be provided between the amenity spaces and the walkway to delineate the public from the private realm;
  - ii) Provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to retain existing trees and protect offsite tree roots, and/or provide adequate soil volumes for required perimeter plantings.
  - iii) Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.
  - iv) Include all connections to the sewer on Chapman Court from these lands and the adjacent Commercial property (Shell Gas Station).
  - v) Provide all details and information regarding all easements, all servicing sewers through the subject site, any and all setbacks as required while

ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

- e) The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys, 129 dwelling units and a maximum density of 168 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i. Exceptional Building Design

- A built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- Treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- An adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed building and the existing uses to the northeast;
- A larger than required rear yard setback is proposed between the building and the medium-density and high-density residential uses to the south, southeast and southwest;
- Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;
- A variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- Universal accessibility including units that provide the opportunity for any and all demographics, able-bodied or not, to live in the proposed development.

ii. Provision of Affordable Housing

- A total of two(2) bachelor residential units will be provided for affordable housing;
- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

## Executive Summary

### Summary of Request

The owner has requested amendments to both The London Plan and the 1989 City of London Official Plan. For the London Plan, a Specific Area Policy is requested to the existing “Neighbourhoods” Place Type along a “Civic Boulevard” Street Classification to permit a building height of 8-storeys. To align the policy context of the 1989 Official Plan policies with The London Plan, a special policy area is proposed to the existing “Community Commercial Node” land use designation in the 1989 City of London Official Plan to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor. Also, the owner has requested a Zoning By-law Z.-1 to change the zoning of the subject lands to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare and parking spaces provided in underground and above-ground facilities. The requested Residential R9 Special Provision (R9-7(\_)) Zone would permit 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 150 units per hectare and a maximum height to be determined on the Zone Map.

Special provisions would identify the Sarnia Road frontage as the front lot line; permit a minimum interior side yard setback of 7.5 metres; and permit a minimum parking rate of 0.78 spaces per residential unit, whereas 1 space per unit is required. The proposed bonus zone would permit a maximum building height of 8-storeys (27.1 metres) and a maximum mixed-use density of 168 units per hectare in return for eligible facilities, services, and matters, specifically for exceptional design and affordable housing outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan.

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of an eight (8) storey, 129 unit apartment building with 100 surface parking spaces. Special provisions establishing Sarnia Road frontage as the front lot line, a minimum interior side yard setback of 7.5 metres, a minimum parking rate of 0.78 space per residential unit, and a bonus zone establishing a maximum density of 168 units per hectare; and a maximum height of 27.1m are recommended to facilitate a development that is appropriate for the site. The recommendation also includes site plan and urban 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, Our City, Key Directions, City Design and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
3. The recommended amendment meets the criteria for specific area policies in the 1989 Official Plan;
4. The recommendation aligns the policy context of the 1989 Official Plan with The London Plan policies to exclusively permit the proposed residential development.

5. The recommended amendment facilitates the development of an underutilized property and encourages an appropriate form of development.
6. The recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.
7. The recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit supportive development, and a quality design standard to be implemented through a subsequent site plan application.

## 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 irregular shaped lot located on the south side of Sarnia Road at the southeast corner of the intersection of Sarnia Road and Chapman Court. The site currently contains a one-storey, multi-tenanted commercial building and has a frontage of 148.5m metres along Sarnia Road and an area of 0.77 hectares.



Figure 1 – Existing Commercial Building

In this area, Sarnia Road has four traffic lanes, two west bound traffic lanes with bicycle lanes on each side and two east bound. Existing access is provided from Sarnia Road with public sidewalks along both sides of Sarnia Road and Chapman Court. Access to transit is along Sarnia Road and east on Wonderland Road North. The pedestrian and bicycle connectivity in the neighbourhood provides for convenient access to active mobility in the area.

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

- Official Plan Designation – Community Commercial Node
- The London Plan – Neighbourhoods Place Type on a Civic Boulevard
- Existing Zoning – Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone

### **1.4 Site Characteristics**

- Current Land Use – Commercial
- Frontage – 148.5 metres
- Depth – 60.0 metres
- Area – 0.77 hectares
- Shape – irregular

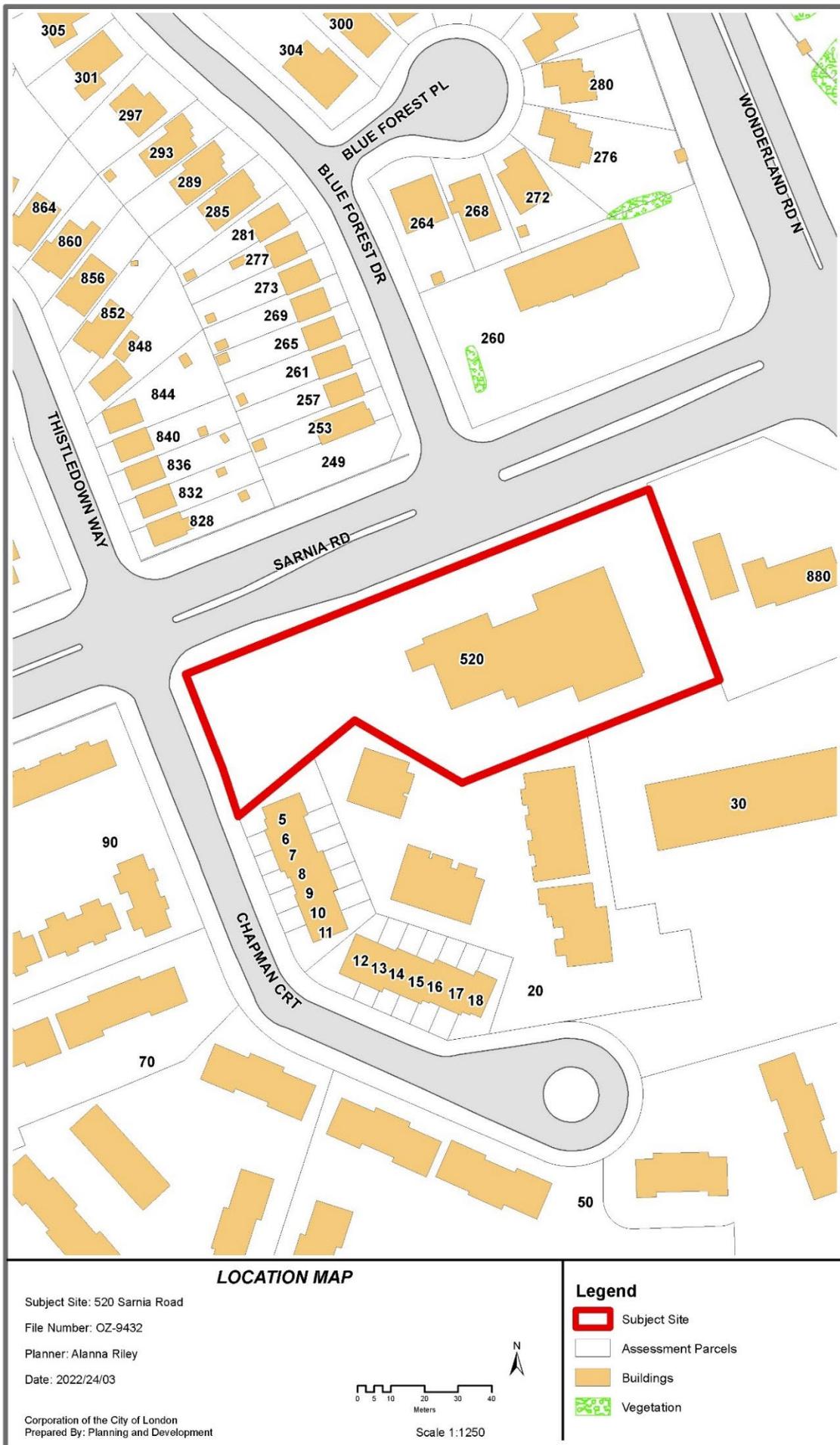
### **1.5 Surrounding Land Uses**

- North –single detached dwellings, commercial
- East – townhouses
- South – townhouses, apartment building
- West – commercial

### **1.6 Intensification**

The proposed 129 residential units contribute to residential intensification within the Primary Transit Area and the Built-Area Boundary.

# 1.7 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

On November 4, 2021, the City accepted a complete application that proposed an eight (8) storey, 129 unit apartment building with 100 surface parking spaces accessed from Chapman Court. The proposed building is oriented to and situated close to Sarnia Road.

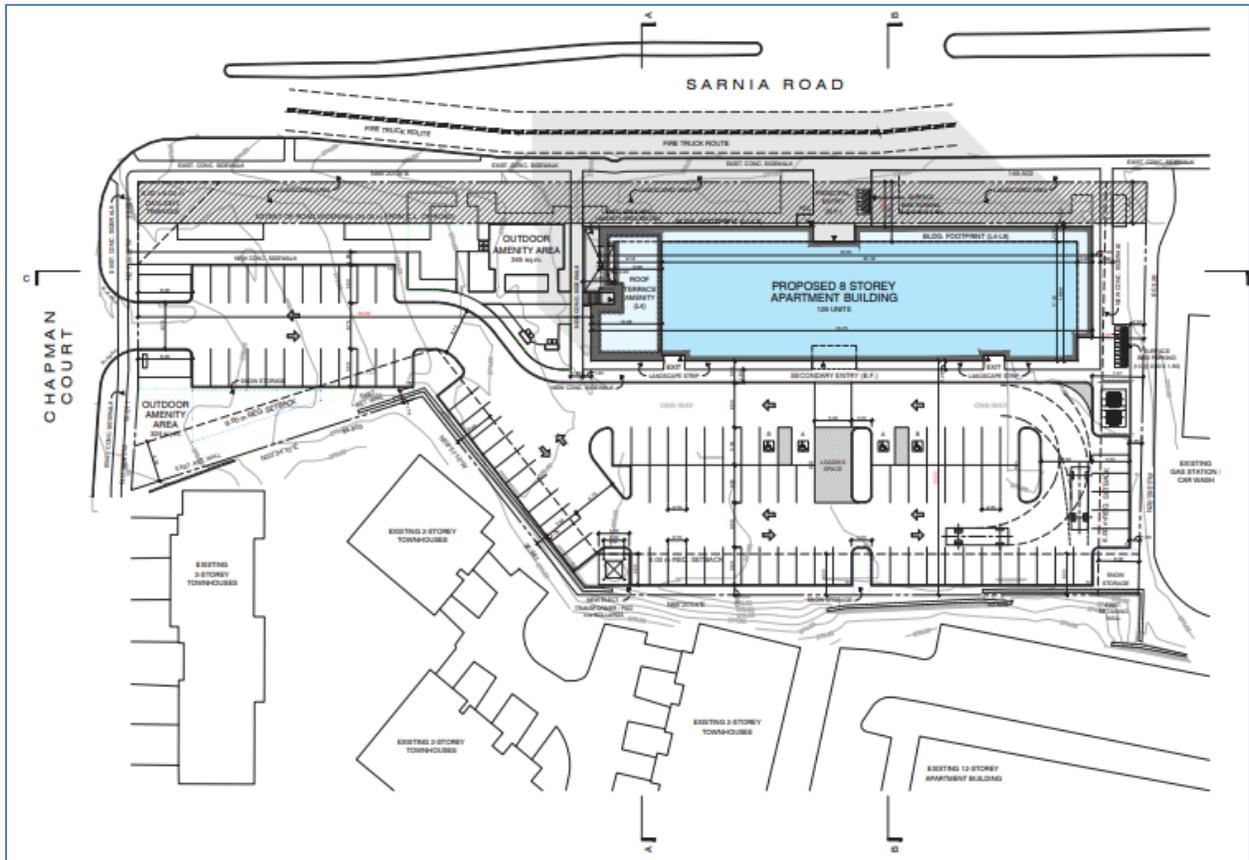




Figure 4: View from Sarnia Road within the greater context

### 2.3 Requested Amendments

The owner has requested an amendment to both The London Plan and the 1989 City of London Official Plan. A Specific Policy Area is proposed to the existing “Neighbourhoods” Place Type along a “Civic Boulevard” Street Classification to permit a building height of 8-storeys. To align with The London Plan, a special policy area is proposed to the existing “Community Commercial Node” land use designation in the 1989 City of London Official Plan to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor. Also, the owner has requested a Zoning By-law Z.-1 to change the zoning of the subject lands from a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone to a Residential R9 Special Provision Bonus (R9-7( ) \*B- ) Zone to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare and parking spaces provided in underground and above-ground facilities.

Special zoning provisions are requested for:

- Sarnia Road frontage as the front lot line;
- a minimum interior side yard setback of 7.5 metres; and
- a minimum parking rate of 0.78 spaces per unit;

A bonus zone is requested for a maximum building height of eight (8) storeys (27.1 metres) and a maximum mixed-use density of 168 units per hectare in return for eligible facilities, services, and matters, specifically for affordable housing.

### 2.5 Community Engagement (see more detail in Appendix C)

Written responses were received from, or on behalf of, 8 households. The public’s concerns generally dealt with the following matters:

- Height
- Density
- Insufficiency of park facilities to accommodate additional residents
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value

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

### *Provincial Policy Statement, 2020*

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).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration an area’s existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4).

The PPS 2020 also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). It directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas.

The PPS also encourages the range and mix of affordable and market-based housing to be built at densities that meet projected needs, by establishing targets for affordable housing (s. 1.4.3.a). Planning authorities are also required to permit and facilitate all housing options and all types of residential intensification.

### *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 (. 61\_Key Direction #7).
- Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services ( 61\_ Key Direction #7).

The site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard (Sarnia Road) and a Neighbourhood Street (Chapman Court), 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 City’s *Official Plan (1989)* contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The lands are within the Community Commercial Node land use designation of the 1989 Official Plan. The Community Commercial Node designation is intended to provide for provide for a wide range of function goods and services which are needed on a regular basis. (4.3.7.1) Although this designation contemplates mixed-use developments, the policies require the residential component to be implemented through specific zoning by-law amendments and concurrent site plan applications.

Multi-Family, High Density Residential designation provides direction regarding the anticipated scale of high density development with residential densities varying by location. The net residential densities will normally be less than 350 units per hectare in the Downtown Area, 250 units per hectare in Central London and 150 units per hectare outside Central London (3.4.3).

## **3.0 Financial Impact/Considerations**

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

## **4.0 Key Issues and Considerations**

### **4.1 Provincial Policy Statement**

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). 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 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)).

### Analysis

Consistent with the PPS, the recommended apartment building will contribute to the existing range and mix of housing types and commercial in the area, which consists of one and two-storey single detached dwellings and a commercial plaza across Sarnia Road to the north, townhouses to the west, a high-rise apartment, townhouses to the south and commercial to the east.

The subject lands are of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site, currently developed with a commercial plaza 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 recommended intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Surrounded by a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth.

## **4.2 Issue and Consideration #1: Use**

### *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 a diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms, and that affordable housing will be planned for, and integrated.

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 Official Plan identifies that the subject lands are designated as ‘Community Commercial Node’. The permitted uses on lands designated ‘Community Commercial Node’ include: all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses such as real estate, insurance and travel agencies; community facilities, such as libraries or day care centres; professional and medical/dental offices; and commercial and private schools. Multi-family high density residential uses may also be permitted through a zoning by-law amendment application, concurrent site plan application and consideration of design features which allow integration of the two uses as commercial must be a component on the ground floor. Zoning on individual sites or areas may be for less than the full range of permitted uses. (4.3.8.3) A site specific amendment is required to permit a residential development with a non-commercial component on the ground floor.

### Analysis:

Under The London Plan Neighbourhood Place Type policies (916\_3), the expectation is that apartment buildings are anticipated to be developed within neighbourhoods and which may also include affordable dwellings. These policies provide guidance to the siting of various residential types relative to the street classification. As noted, the subject site fronts onto a Civic Boulevard which permits low-rise apartments. The development of the proposed eight (8) storey, 129-unit apartment building would contribute to a mix of housing types, providing more intrinsically affordable housing options. Adjacent surrounding uses include apartments, townhouses, single detached dwellings and commercial uses. In this context, an apartment is not out of place in the neighbourhood and its impact would be mitigable. Consistent with this surrounding context as well as the list of uses permitted in the policies, the recommended eight (8) storey apartment building is in keeping with the policies as amended at this location.

That being said, the Community Commercial Node requires commercial on the ground floor. An amendment to add a policy to Section 10.1.3 – Policies for Specific Areas for the subject lands to allow an apartment building with no commercial component on the ground floor is required. Staff are supportive of the change to residential use solely on this site as it is consistent with the the Neighbourhoods function for this site, as outlined in The London Plan. This proposal also includes affordable housing. The property has suitable access to open space, transit, community facilities and shopping areas. Therefore, the request to permit a specific policy area to permit a strictly residential use is appropriate as the intent of Specific Area Policies have been met. The recommended amendment to facilitate the development of the eight (8) storey apartment building provides for the “integration” of residential uses in the neighbourhood, and is consistent with the planned function of the area. The proposed amendment to identify the lands under a Specific Areas policy that includes the requested height and density along with no commercial component on the ground floor aligns with the proposed bonus zoning request, which is discussed below in the analysis of intensity and form section of this report. The above analysis demonstrates that the apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

### 4.3 Issue and Consideration #2: Intensity

#### *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.).

As mentioned, the applicant proposes eight (8) storeys with bonusing and has applied for a site-specific amendment to The London Plan. While the majority of the applicable policies of the “Neighbourhoods” Place Type are not under appeal, they are not in force and effect until “Map ‘1’ – Place Types” in The London Plan has been approved by the Local Planning Appeal Tribunal (LPAT). At this time, the policies of the 1989 Official Plan prevail.

#### *1989 Official Plan*

There are no height and density permissions for the Community Commercial Node; however, for residential development within this designation, the policies refer to the Multi-family High Density Residential designation which states that high density residential areas outside of Central London will normally be less than 150 units per hectare (3.4.3. Scale of Development). As previously indicated, the applicant has applied to increase the density above the permitted 150uph to 168uph through bonusing provisions. Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities.

Further to this, the *Planning Act* provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.4- Form), and the provision of two (2) affordable housing units, all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation and discussed in the Bonusing Section below.

#### Analysis:

Although The London Plan does not identify density limits within the policy framework, it does control how intense lands can develop through specific criteria. The proposed development is generally in keeping with the intensity policies of the Plan. The proposed building is for eight (8) storeys whereas The London Plan contemplates a maximum height of six (6) storeys for apartment buildings along Civic Boulevards. However, the relevant policies are still under appeal and are not the in-force policies that apply to this application. Notwithstanding, the proposed maximum eight (8) storey apartment building contributes to the overall form of the development in the area which is considered appropriate .

A Specific Area policy to the Neighbourhoods Place Type to permit an apartment building with a maximum intensity of eight (8) storeys is recommended. The proposed development is in keeping with the remainder of the Neighbourhoods Place Type policies as it is sensitive to the adjacent land uses through the building orientation,

landscaping, parking area. The subject lands have frontage on a Civic Boulevard (Sarnia Road), which is a higher-order street, to which higher-intensity uses are directed with convenient access to the variety of office and commercial uses clustered at the intersection of Sarnia Road and Wonderland Road, and a broader range of services, stores and facilities located in the commercial centre at Wonderland Road and Oxford Street to the east.

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 as commercial 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.

Furthermore, it has become a matter of practice for City staff to recommend Policies for Specific Areas in the 1989 Official Plan where a proposed development advances Council's direction as stated in The London Plan. Therefore, along with the specific policy in The London Plan to allow for additional height for this development, a further special policy in the 1989 Official as previously discussed in the Use Section of this report is recommended. This will allow for no commercial component on the ground floor, density of 168 uph, and a height of eight (8) storeys to align with The London Plan and proposed bonus zoning.

Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities. The *Planning Act* provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design (discussed in Section 4.3- Form), the provision of two (2) affordable housing units, and exceptional design all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation and discussed in Section 4.4 below.

The development proposal provides 129 units with some units dedicated to affordable housing. The applicant has presented a number of facilities, services, and matters for the recommended bonus zone, commensurate for the requested increased intensity in conformity with Bonus Zoning. These facilities, services, and matters are addressed below in this report. Staff is satisfied that the proposed facilities, services, and matters are commensurate for the proposed increased intensity. Also, the recommended zoning provisions provide assurances that the appropriate level of intensity will be permitted on the site.

#### *Sarnia Road Frontage as the Front Lot Line and Interior Side Yard Reduction*

The requested Sarnia Road as the frontage for the front lot line is for the purposes of allowing building placement closer to the property line in support of contemporary urban design principles, as well as design flexibility. The requested interior yard reduction does provide for additional opportunities for more units on the site than would be achievable within the restrictions. It provides sufficient space along the easterly property line for landscape buffering, while providing for a strong street wall with minimal breaks between buildings and minimal impacts to the eastern properties.

No reduction to the rear yard depth is proposed. The parking area and landscape buffer along the south property line provide sufficient mitigation of potential overlook and privacy impacts with the townhouse dwellings located to the immediate south and west fronting on Chapman Court.

### Parking Reduction

The revised application includes a parking reduction request from 1.25 spaces per unit to 0.78 spaces per unit, with an effective reduction in the required number of parking spaces from 162 to 100. The Transportation Division is not in support of the reduced parking rate based on the Parking Study that was provided to staff. However, Planning and Development staff are of the opinion that the reduced parking rate is a common and acceptable modern standard for sites located on streets that support public transportation, such as Sarnia Road. The development is located along a higher-order road, close to a higher-order intersection with many transit stops in the area. Also, Planning and Development is currently undertaking a review of parking rates and considering potential changes to reduce these rates for apartment buildings. .

### Traffic Impacts

A Traffic Operations Study was submitted with this application to address whether anticipated traffic pattern changes will have a negative impact due to a possible increase in traffic volume. Traffic Division has not expressed concern with regards to the traffic impacts from this proposed development. On a preliminary basis, impacts are expected to be minimal, as the signalized intersection at Wonderland Road N and Sarnia Road provides controlled access for both east and westbound traffic. There is also a pedestrian signalized intersection at the corner of Sarnia Road and Chapman Court. Traffic Impacts will continue to be reviewed and considered through the site plan approval stage.

Overall, the addition of traffic volume from a 129-unit development on Sarnia Road will have a negligible impact in the area and is not an impediment to the proposed development.

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.

### Base Zone Considerations for Intensity

Bonus zones are usually paired with a base zone that establishes the maximum regulations within which development must occur if the requirements of the more permissive Bonus (B-\_) Zone are not met. In the event future development is contemplated without the use of bonus zoning, City staff recommend a maximum permitted height of 14 metres/4 storeys. Staff are also recommending a special provision within the R9-7 Zone for a reduced minimum front yard depth of 1.0 m, whereas 8 m is required. This special provision is recommended to ensure that any development will provide a suitable alignment towards Sarnia Road.

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

### *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).

The London Plan also provides guidance on compatibility and fit with regards to form (Policy 953\_). The applicant has provided a concept for review (site concept plan provided above) which allows for some analysis of the anticipated form and its relationship to the neighbourhood.

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*

As noted above, for residential development within the Community Commercial Node designation, a Multi-family, High Density Residential designation may also be permitted through a zoning by-law amendment application, site plan application and consideration of design features which provide for the proper integration of the use (4.3.7.3).

Considering the development concept, as proposed, does not include commercial uses on the ground floor; therefore, an Official Plan amendment is required to permit the proposed apartment building with no commercial component on the ground floor and the amendment articulates the associated height and density permissions. Again, it is important to note that there are no height and density permissions for the Community Commercial Node; however, that the Multi-Family, High Density Residential designation states that high density residential areas outside of Central London will normally be less than 150 units per hectare.

### Analysis:

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 half vacant commercial building that currently occupies the site.

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses, and that the location and massing of the proposed building is consistent with urban design goals. The building is proposed to be situated close to Sarnia Road, defining the street edge and encouraging a street-oriented design with ground floor entrances facing the streets. The overall development uses building articulation, rhythm, materials, fenestration, and balconies along the public street frontage to help reduce the overall massing of the buildings, and create a pleasant and interesting pedestrian environment while reducing large expanses of blank walls along the street and internal to the site.

Landscaping will be provided to include trees and fencing that would screen the proposed building providing privacy for both residents and neighbours. The main entrance and lobby for the proposed residential units will be located along the northerly lot line, facing Sarnia Road. The recommended zoning provides 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 extends minimally 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 townhouse dwellings to the immediate south and west, and the townhouses opposite the proposed development on the north side of Sarnia Road. However, the proposed building is not as tall as the existing apartment building to the south of the site, which is twelve (12) storeys in height. To ensure there are minimal impacts on the adjacent uses, the proposed building placement provides for a suitable separation between the proposed

development and existing homes that serves to mitigate concerns expressed by the public, 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 in the 1989 Official Plan and the Evaluation Criteria for Planning and Development Applications in the Our Tools part of The London Plan. Staff are satisfied that the evaluation criteria are met through the recommended Zoning By-law amendment and can be further addressed 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. The design refinements illustrated on the revised the revised elevations in Schedule "1", 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 through bonusing with exceptional design.

At the site plan approval stage, City staff will continue to refine these building and site design features with the applicant for implementation in the final approved drawings and development agreement, including:

- i) Provide individual or common walkways that connect to the ground floor units to the City sidewalk, to encourage and allow residents and visitors to easily walk to transit and nearby amenities. Landscape buffering is to be provided between the amenity spaces and the walkway to delineate public from private realm;
- ii) Provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to protect offsite tree roots and/or provide adequate soil volumes for required perimeter plantings.
- iii) Provide a drop-off layby at least 3.5m x 12.0m within 15.0m of the main building entrance – required per 6.8.1 of the Site Plan Control By-law;
- iv) Remove the proposed sound walls along Sarnia Road;
- v) Confirm the proposed height of all accessory structures (pergolas) and dimension them to the property line, ensuring compliance with 4.1 of the Zoning By-law;
- vi) Confirm if barbeques and ping pong table will be permanent fixtures onsite – if they are communal amenities and will be brought inside during the winter, confirm where they will be stored;
- vii) Screen any surface parking exposed to the public street with enhanced landscaping, particularly along the Sarnia Road frontage;
- viii) Identify the location of the internal bicycle storage space and ensure it meets the standard dimensions per the Site Plan Control By-law;
- ix) Provide curb ramps and identify the barrier-free path of travel to the building entrance from the parking lot;
- x) Label the fire route on the plan and include the locations of fire route signs and standard details; and
- xi) Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.
- xii) Include all connections to the 200mm diameter sewer to SAMH 107 on

Chapman Court from these lands and the adjacent Commercial property (Shell Gas Station).

- xiii) Provide all details and information regarding all easements, all servicing sewers though the subject site, any and all setbacks as required while ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

These are the detailed matters summarized under clause d) of 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. Implementation of the required Bonus Zone elements and targeted refinements of the 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.

#### **4.4 Issue and Consideration #4: Bonusing**

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (\*1650\_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy \*1652\_.

Under the provisions in the 1989 Official Plan of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. iv)). Chapter 19.4.4. ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning.

A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below:

*\*1652\_1: Exceptional site and building design:*

- Building design and site layout incorporate architectural themes and design elements that creates a strong street wall and sets the context for a comfortable pedestrian environment.

*\*1652\_12: Affordable housing:*

- The applicant worked with the Housing Development Corporation (HDC) London through the application process for the provision of affordable housing. The HDC has recommended the following:
  - A total of two (2) one-bedroom residential units will be provided for affordable housing;
  - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
  - The duration of affordability set at 50 years from the point of initial occupancy;
  - The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
  - These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

Staff is satisfied the proposed facilities, services, and matters outlined above are commensurate to the requested increase in intensity.

The applicant's bonus proposal meets the objective of providing affordable housing as identified above.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

#### **4.5 Issue and Consideration #5: Neighbourhood Concerns**

Although many issues have been raised by the residents, many of the concerns can be generally grouped under several key headings - Traffic Impacts and Parking, Privacy and Overlook, Sufficiency of Servicing Infrastructure, Buffering/Tree Removal, and Type of Tenancy.

Comments related to height, form, density and incompatibility have been addressed in sections 4.1 through 4.4. of this report. Additional Planning Impact Analysis has been provided under Appendix D of this report.

##### ***Traffic***

Concerns were raised about the amount of traffic that would be generated by this development. Residents in the area are concerned about negative impacts on the neighbourhood in terms of increased traffic and safety.

As mentioned, Transportation did not have concerns with the proposed increase in traffic from the proposed development.

Additionally, Chapman Court is a neighbourhood street that serves a small number of dwelling units in the area, thus its traffic volumes are low. Neighbourhood (local) streets are typically intended to accommodate traffic volumes up to approximately 1000 vehicles per day; however, this threshold varies by location, length of road, types of developments etc.

The City has developed a Traffic Calming and Procedures manual to assess when traffic calming measures are required. As per the point assessment table, volumes on local roads may become an issue when volumes reach 1500 vehicles a day. Based on the evaluation tools, the proposed development will not significantly affect the capacity of the local roads.

##### ***Privacy and Overlook***

Members of the public expressed concerns about the height of the building leading to loss of privacy from people looking out their windows, or when using their terraces or balconies.

The development proposes the building to be placed closer to the Sarnia Road frontage to additionally reduce height impacts on the abutting lands, which also supports urban design principles, as well as design flexibility.

With respect to the privacy of yards to the south and west, the building is proposed to be set back approximately 18 metres from the townhouses to the southwest, 36 metres from the apartment building to the south, and 66 metres from Chapman Court with further townhouses to the west. The placement of the proposed building allows for the surface parking infrastructure to be located mainly in the rear yard with minimal parking in the exterior yard of the site (as per zoning by-law) and creates an appropriate separation between the proposed and existing buildings based on the differences in building height. In addition, the proposed plan provides for a buffer area that can accommodate enhanced, robust landscaping that will provide screening for the adjacent residential uses.

##### ***Buffering/Tree Removal***

The use of landscaping, fencing and separation distances are helpful to screen development and soften the impacts of new construction. As identified above, the proposed building is meeting and exceeding the minimum required setbacks for the south and west property boundaries adjacent to existing residential uses, which in addition to

providing physical distance separation, also provides space for buffering treatment. The east boundary is well vegetated and proposed to remain largely intact which allows the trees to provide a natural buffer. The east, west and south property boundaries are intended to have privacy fencing (ie- board on board) installed and plantings are also proposed along these property boundaries to provide for additional buffering above the fence height. Also, existing plantings are recommended to remain.

A Tree Inventory was prepared to identify the general type, health and/or significance of trees on site. Site Plan Approval will allow for further discussion and refinement of the fencing treatment, and retention or enhanced plantings.

### ***Type of Tenancy/Tenure***

Several comments were made with respect to who will be living in the proposed development, and questions on whether or not this will be student housing. It's important to note that planning considerations cannot be made based on residential tenure. Type of tenancy and tenure (owner vs. rental) are not planning considerations when analyzing planning applications.

## **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, High Density Residential designation. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary and the Primary Transit Area with a land use, intensity, and form that is appropriate for the site through the use of Bonus Zoning.

**Prepared by:** Alanna Riley  
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 London Plan Amendment – Policies for Specific Areas

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

By-law No. C.P.-1284-

A by-law to amend The London Plan for the City of London, 2016 relating to relating to 520 Sarnia 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 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 May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022.  
Second Reading – May 3, 2022.  
Third Reading – May 3, 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 Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit an eight (8) storey apartment building.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 520 Sarnia Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement 2020, and conforms to The London Plan, including affordable housing, city design and specific area policies. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

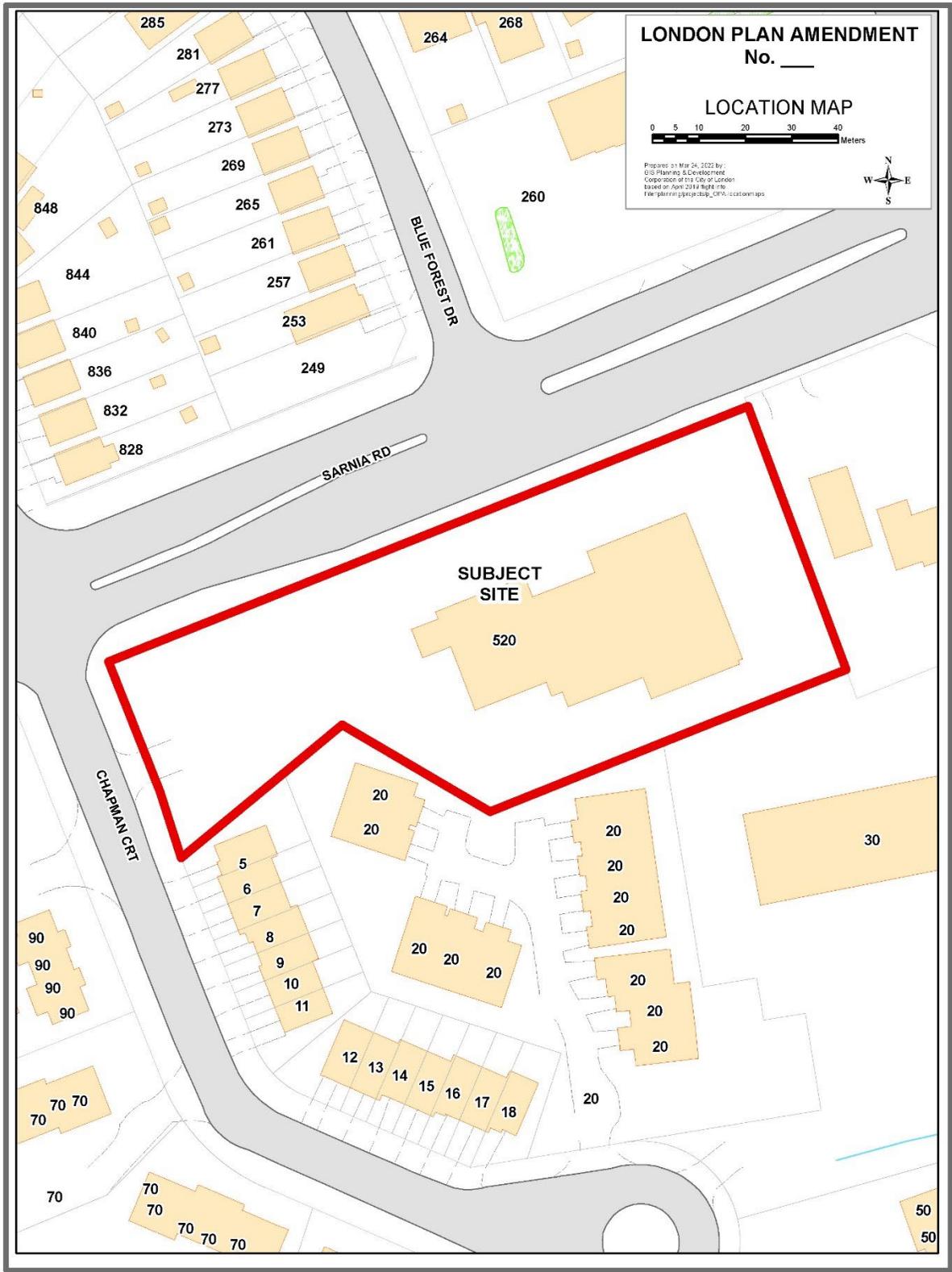
D. THE AMENDMENT

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

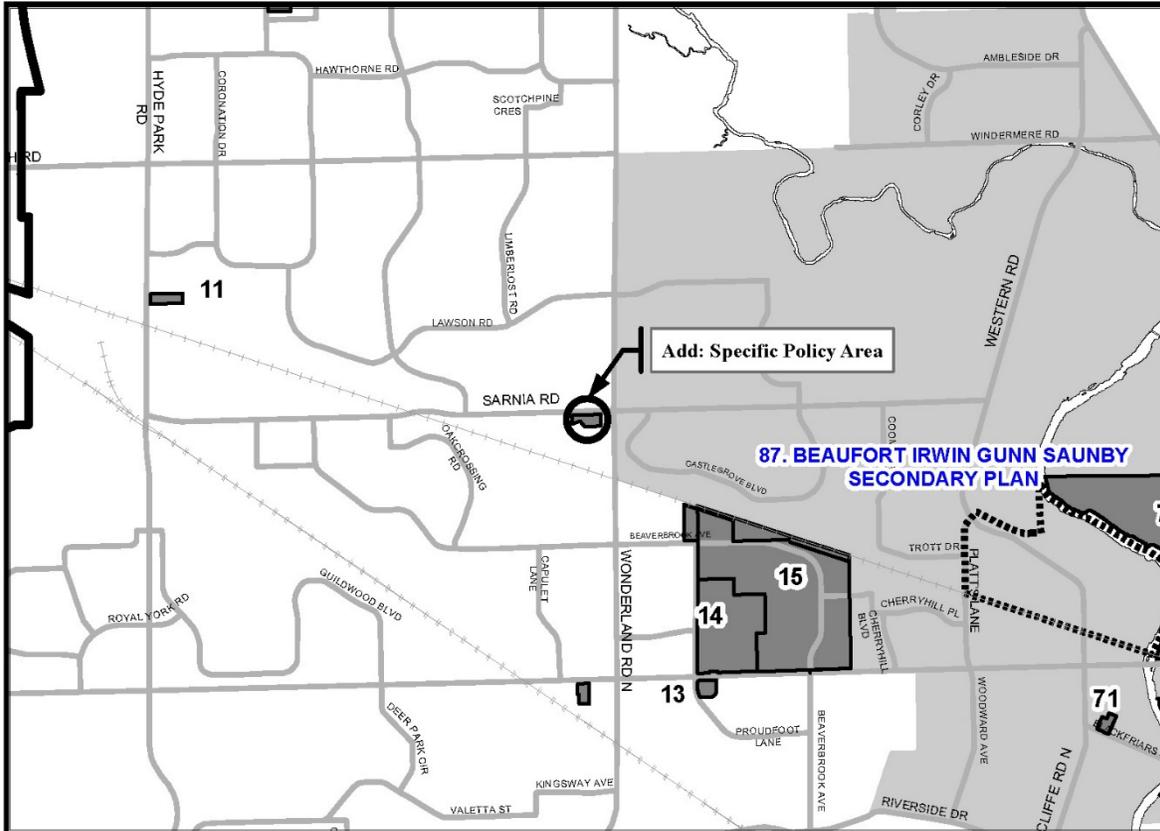
1. Policy (1077\_ ) - Specific Policies for the Neighbourhoods Place Type - of The London Plan for the City of London is amended by adding the following:

( ) In the Neighbourhoods Place Type at 520 Sarnia Road an eight (8) storey apartment building may be permitted.

1. 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 those lands located at 520 Sarnia Road in the City of London, as indicated on “Schedule 1” attached hereto.



AMENDMENT NO:



**LEGEND**

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

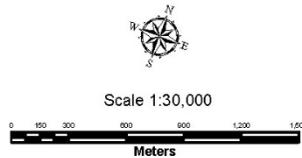
**BASE MAP FEATURES**

- 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



**FILE NUMBER:** OZ-9432  
**PLANNER:** AR  
**TECHNICIAN:** RC  
**DATE:** 3/24/2022

## 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 520  
Sarnia 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 May 3, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 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 10.1.3 of the Official Plan for the City of London to permit an eight (8) storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare without a commercial component on the ground floor and also align this policy context with The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 520 Sarnia 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 of The London Plan, 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:

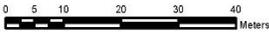
1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

520 Sarnia Road

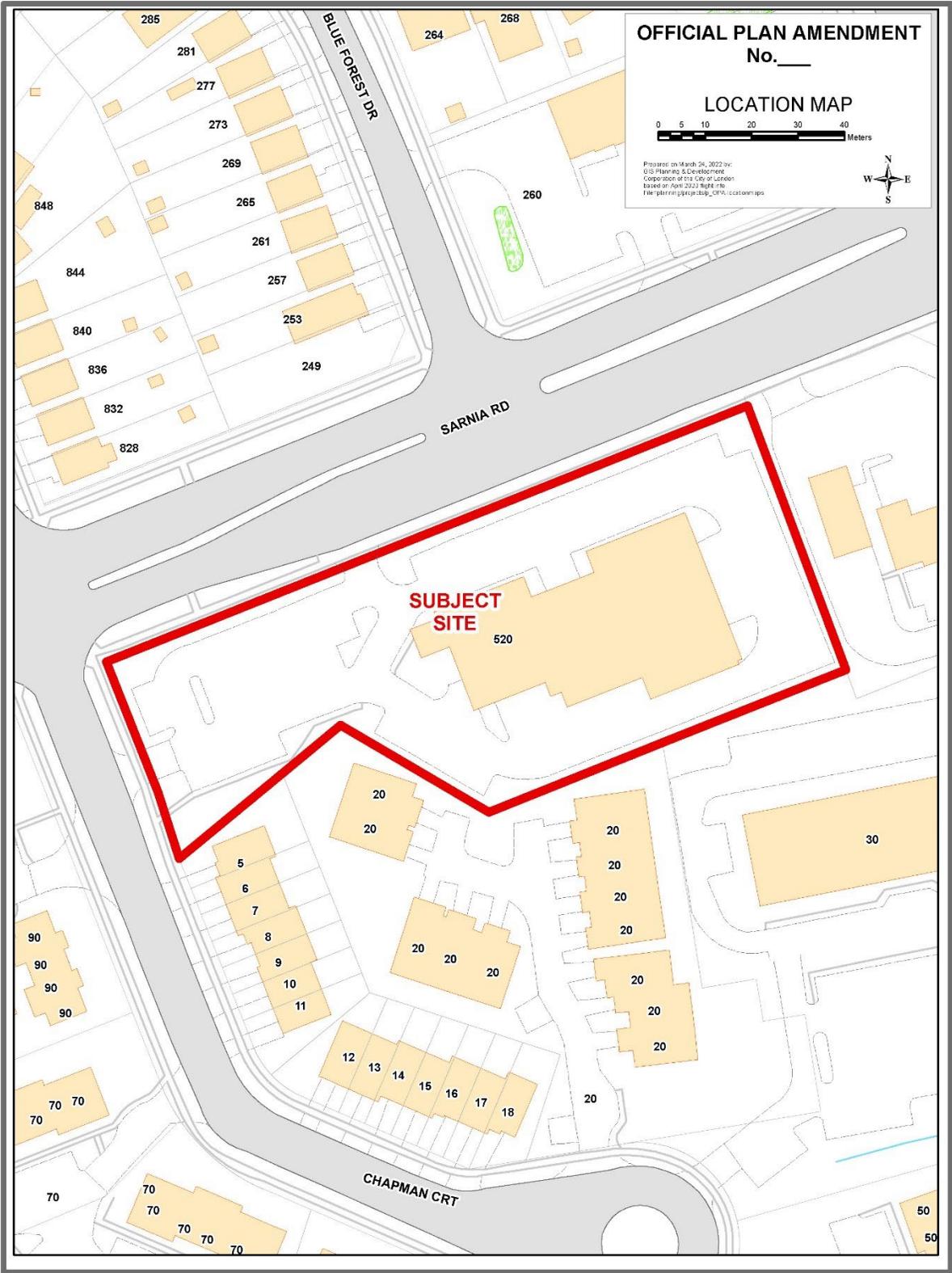
- ( ) In the Community Commercial Node designation at 520 Sarnia Road an apartment building is permitted with at total of a total of 129 residential units with a density of 168 units per hectare without a commercial component on the ground floor implemented by way of a Bonus Zone and also align this policy context with The London Plan.

**OFFICIAL PLAN AMENDMENT**  
No. \_\_\_\_

**LOCATION MAP**



Prepared on March 26, 2022 by:  
GIS Planning & Development  
Corporation of the City of London  
Based on: April 2012, Base file  
File path: r:\gis\proj\map\_CMA\locamaps



## 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 520 Sarnia Road.

WHEREAS Horizen Developments EP has applied to rezone an area of land located at 520 Sarnia 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 London Plan;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the 1989 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 520 Sarnia Road, as shown on the attached map comprising part of Key Map No. A101, from a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone to a Residential R9 Special Provision Bonus (R9-7( ) \*B- ) Zone;
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B( ) 520 Sarnia Road

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys measuring up to 27.1 metres, and a maximum density of 168 units per hectare, a minimum interior side yard depth of 7.5m, a reduced minimum parking requirement of 100 spaces (0.78 spaces per unit), and recognizing Sarnia Road frontage as the front lot line, which substantively implements the Site Plan, Renderings, Elevations and Views, attached as Schedule "1" to the amending by-law and provides for the following:

### 1) Exceptional Building Design

- i) A built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- ii) Treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- iii) A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- iv) An adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed building and the existing uses to the northeast;
- v) A larger than required rear yard setback is proposed

between the building and the medium-density and high-density residential uses to the south, southeast and southwest;

- vi) Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;  
A variety of materials, colours and textures break up the massing of the building into smaller sections , both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- vii) Universal accessibility including units that provide the opportunity for any and all demographics, able-bodies or not, to live in the proposed development.

## 2) Provision of Affordable Housing

- i) A total of two (2) bachelor residential units will be provided for affordable housing;
- ii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) The duration of affordability set at 50 years from the point of initial occupancy;
- iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- v) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

### a) Permitted Uses

- i) An apartment building with a non-commercial component on the ground floor

### b) Regulations

- i) Density (Maximum) 168 units per hectare,
- ii) Building Height (Maximum) 8 storeys up to 27.1 metres (88.9 feet)
- iii) Interior Side Yard Depth (Minimum) 7.5 metres (24.6 feet)
- iv) Parking (Minimum) 100 spaces (0.78 spaces per unit)

- 1) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:

) R9-7 ( ) 520 Sarnia Road

### a) Regulations

- i) Front Yard Depth (Minimum) 1.0 metres (3.3 feet)

ii) Height  
(Maximum)

the lesser of 14.0 metres,  
or 4 storeys

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.

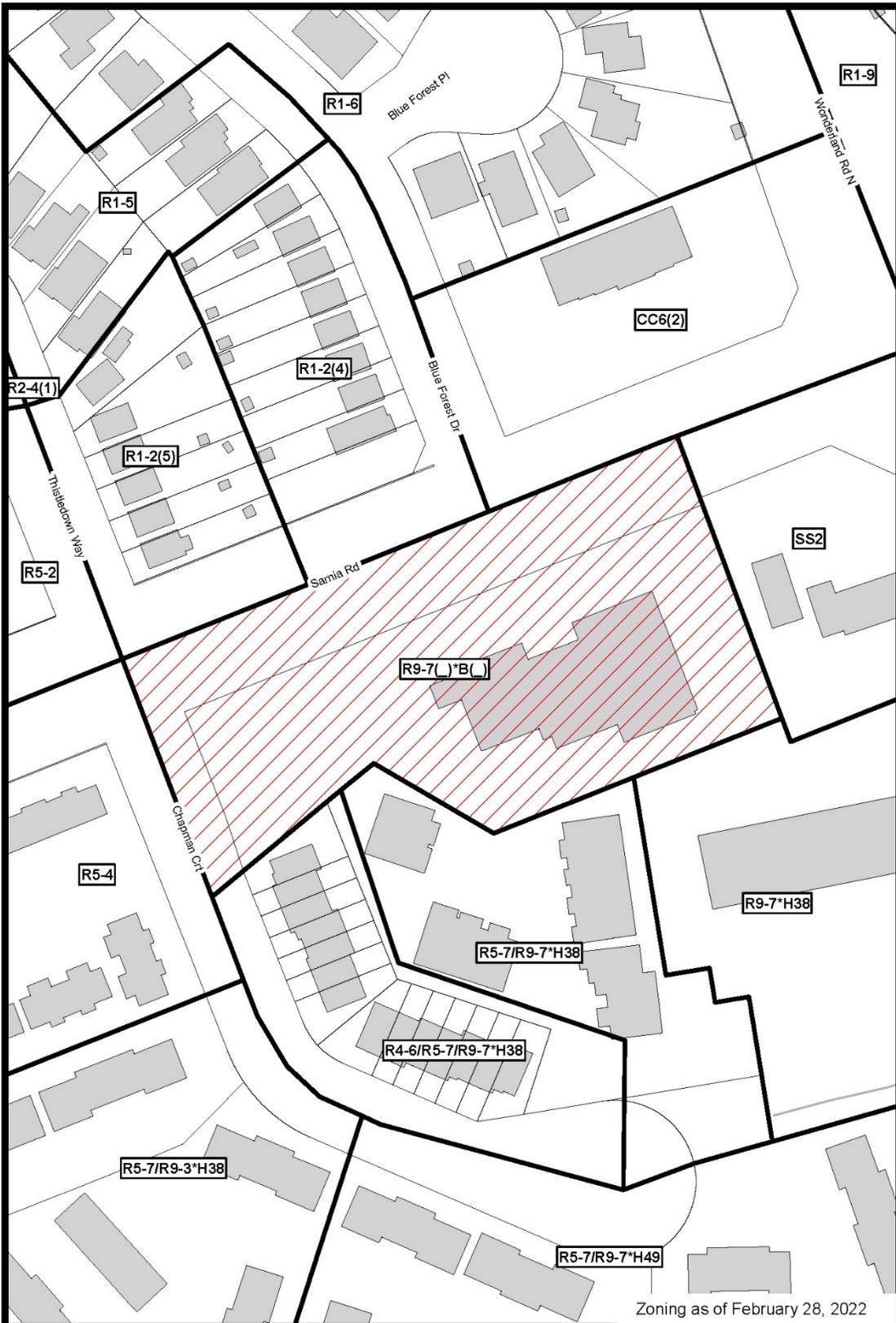
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 32, 2022

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



Zoning as of February 28, 2022

<p>File Number: OZ-9432 Planner: AR Date Prepared: 2022/03/24 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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# Schedule "1"

REID'S HERITAGE PROPERTIES  
520 Sarnia Road  
London, ON



## Zoning Information

Current Designation: Neighbourhood Commercial Node  
 Current Place Type: Neighbourhood Commercial Node  
 Current Zoning: Neighbourhood Shopping Area  
 Special Provision Zone (NSAS(3))  
 Proposed Zoning: Residential R9 Bonus Zone (R9-7B)

## Site / Building Data

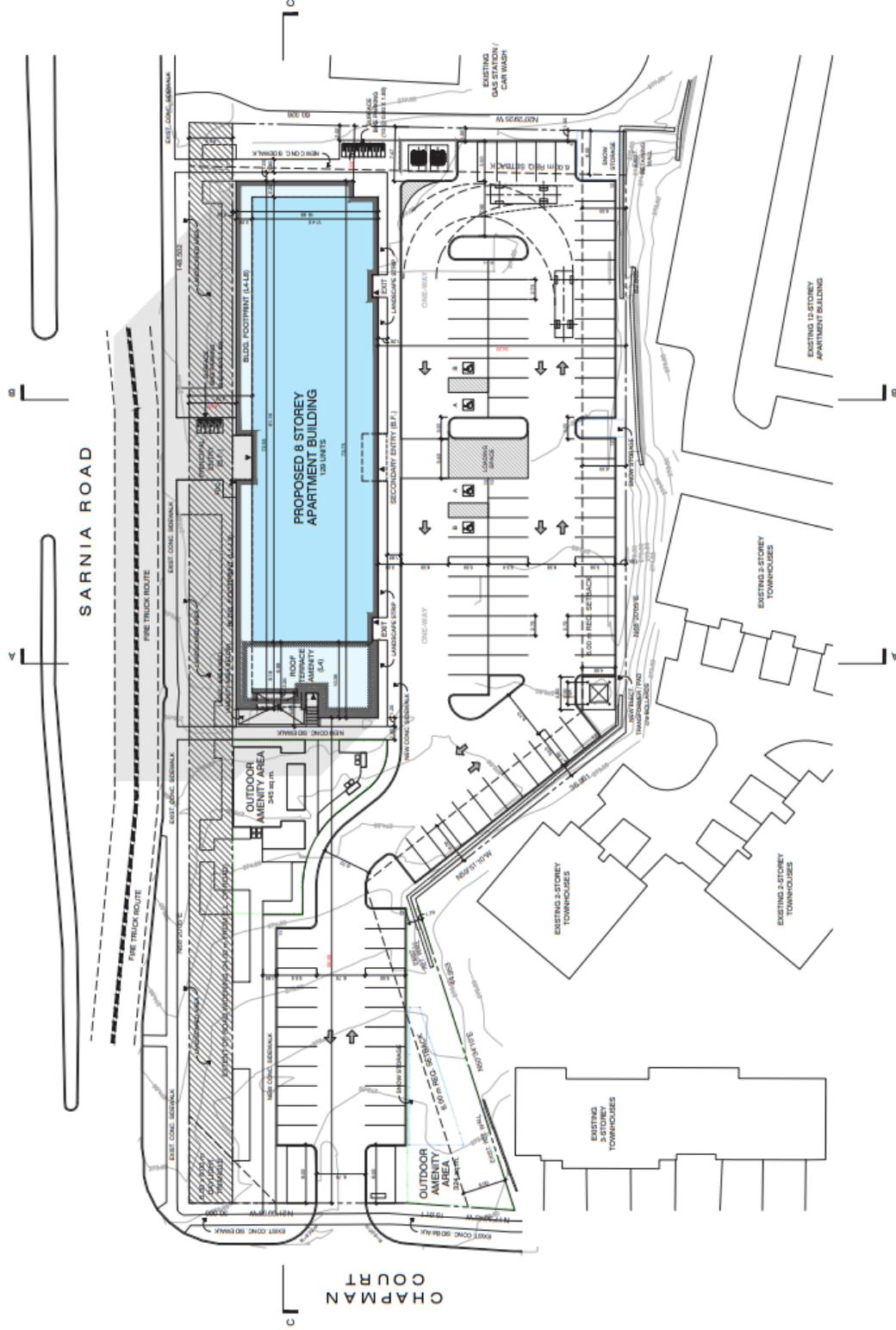
Site Area: 0.7714 (7,661.7 m<sup>2</sup>)  
 Building Footprint: 1,433.5 m<sup>2</sup> (15,430 ft<sup>2</sup>)  
 Gross Floor Area: 9,023.5 m<sup>2</sup> (96,816 ft<sup>2</sup>)  
 Lot Coverage: 18.46%  
 Lot Coverage (p.d.b.m.): 18.46%  
 Density: 168 Units/Ha  
 Land Open Space: 3,017.9 m<sup>2</sup> (30%)  
 Floor Area Ratio: 1.3  
 Front Setback: 6.50 m  
 Interior Stairs: 7.59 m  
 Exterior Stairs: 66.66 m  
 Floor: 34.25 m

## Unit Data

Level	ST	1-BR	2-BR	3-BR	Total	Beds
Ground Floor	4	5	2	3	14	22
First Floor	4	0	0	3	18	26
Second Floor	4	8	1	2	15	20
Third Floor	4	8	2	2	16	22
Fourth Floor	4	8	2	2	16	22
Fifth Floor	4	8	2	2	16	22
Sixth Floor	4	8	2	2	16	22
Seventh Floor	4	8	2	2	16	22
Eighth Floor	4	8	2	2	16	22
Total	32	63	15	19	129	182

## Parking Data

Surface Parking: Provided  
 100 Spaces  
 Ratio: (0.78 Spaces / Unit)  
 B.F. Parking: 4 Spaces  
 Ratio: (2x Type A, 2x Type B)  
 Bicycle Parking (Indoor): 07 Spaces  
 Ratio: (0.75 Spaces / Unit)

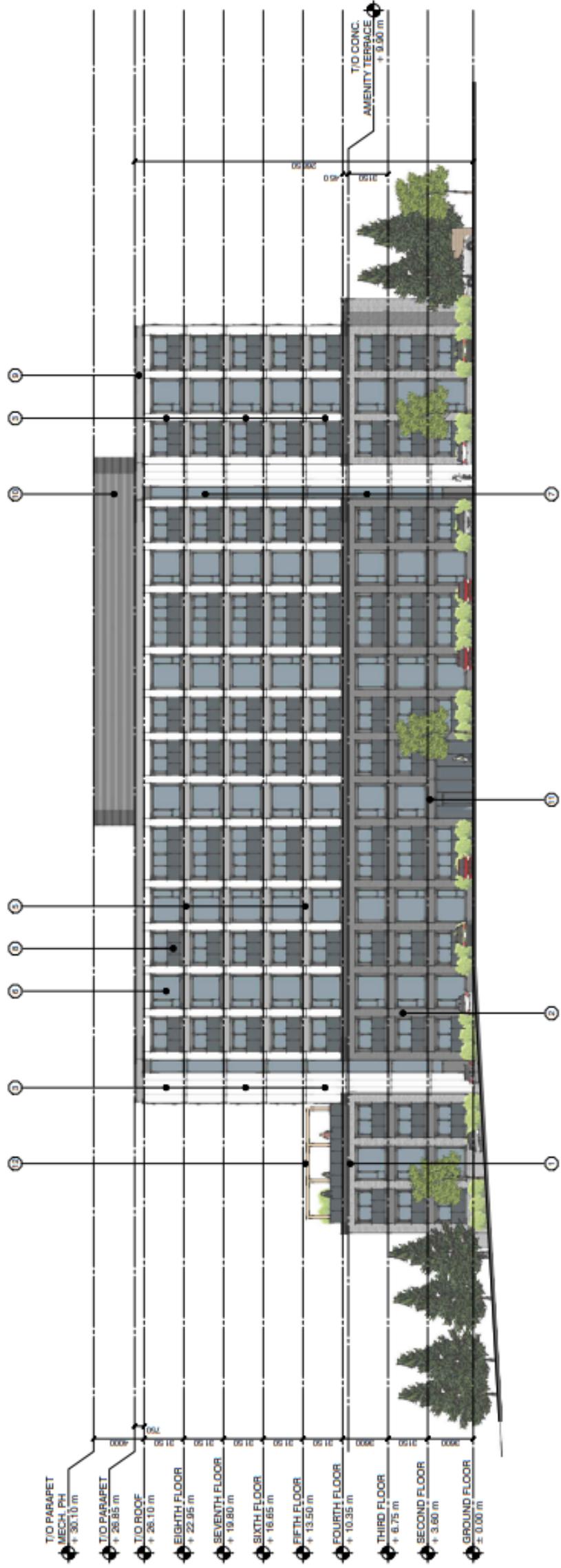


Schematic Site Plan  
 Project No. 2018-0001  
 (Scale: 1:500)

25/03/2021

MARTIN SIMMONS  
 ARCHITECTS





South Elevation  
Scale 1:300



West Elevation  
Scale 1:300

MARTIN SIMMONS  
ARCHITECTS

09/07/2021

## Appendix C – Public Engagement

### Community Engagement

#### Notice of Application (November 15, 2021):

On November 15, 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 4, 2021. A “Planning Application” sign was also posted on the site.

Replies were received from, or on behalf of, 8 households.

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit an 8-storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare and parking spaces provided in underground and above-ground facilities. Possible amendment to the 1989 Official Plan to **ADD** a Specific Area Policy to permit an 8-storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare without a commercial component on the ground floor. Possible amendment to the London Plan to permit an 8-storey apartment building with at total of a total of 129 residential units with a density of 168 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone **TO** a Residential R9 Special Provision Bonus (R9-7( )\*B- ) Zone. Special provisions would identify the Sarnia Road frontage as the front lot line; permit a minimum interior side yard setback of 7.5 metres; and permit a minimum parking rate of 1 space per residential unit, whereas 0.78 spaces per unit is required. The proposed bonus zone would permit a maximum building height of 8-storeys (27.1 metres) and a maximum mixed-use density of 168 units per hectare in return for eligible facilities, services, and matters, specifically affordable housing outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan.

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

#### **Concern for:**

- Height
- Density
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value

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

RE: Notice of Planning Application from City of London  
Official Plan and Zoning By-Law Amendments  
520 Sarnia Road – File OZ-9432

Attention: Alanna Riley

My name is Brian Newcombe and I live at 300 Blue Forest Place. My wife and I have lived at this address for over 35 years. While we are outside of the official notification area for this Zoning Application we are close enough to have concerns related to the Zoning Application being requested by Horizen Developments LP. Our concerns are as follows:

- 1) The current property is zoned as “Neighbourhood Shopping Area Special Provision”. The developer is requesting a change to “Residential R9 Special Provision Bonus”. This requested change would take the current property from a one floor commercial building to a proposed 8 floor apartment building with 129 units. This is a significant change to the local neighbourhood building style and would certainly increase the volume of people and vehicles on an extremely busy corner of the city. The stretch of Wonderland from Sarnia Road to Riverside

Drive is, no doubt, one of the busiest stretches of roadway in London. It is often times referred to as a "Parking Lot" by local residents due to the volume of stop and go traffic at almost any time of day. To add more vehicles would certainly be unfortunate and make Wonderland even worse than it already is.

- 2) If the property is to be re-zoned, the City of London Official Plan (1989) states that the maximum density should not exceed 150 units per hectare and not exceed 6 stories in height. Given the property size of .77 hectare this would equate to a maximum of 115.5 units with a maximum of 6 stories. We believe if the City considers any zoning change then the Official Plan should be followed and adhered to with density and height requirements being maintained according to the Official Plan.
- 3) The Developer has made it clear the apartment building they are proposing will be targeting "Western University Students". While we understand students must live somewhere we have no information that there is a severe shortage of student housing in the immediate area of Western University. On the other hand, the City of London, news outlets and social media sites proclaim almost daily there is a severe shortage of housing for families within London. We see no reason to "target" University Students when young couples and new families in London are having difficulty finding affordable housing. With the average London housing prices in the \$700,000 range it would be beneficial to young families to at least have the option of apartments to live in while they accumulate enough wealth to buy permanent housing. While we are not opposed to student housing it is our belief there is a greater need for family housing in London. Students are transient at best and many will be in London for a few years and occupy apartments for a few months each year. Families on the other hand are likely permanent long term residents of London holding down full time jobs and supporting local businesses every day 24/7/365.
  - For these reasons we request that if zoning is changed to permit an apartment then that apartment should "target" young couples and young families who are in desperate need of housing.
- 4) The Developer has taken great pains to provide an explanation of why the proposed apartments "parking spots" should be reduced to .78 per unit from the Official Plans requirement of 1.25 per unit. The reasoning is that "University Students" don't have as many vehicles as would regular full time residents and therefore less parking spots would be required. Once again this is totally premised on the fact that the Developer is proposing "Student Apartments". Once again my argument is if there is a zoning change approved for an apartment building then full time residents and families in London should be the "target", not students. The "Official Plan" should be followed and adhered to allowing 1.25 parking spots per unit. So for 115 units 144 parking spaces would be required according to the "Official Plan". While we know this would increase the number of cars we find it preferable offering enough spots for working couples and families rather than less spots to University students.

In conclusion it is our request that if any zoning changes are considered by the City of London Planning Dept. then existing density and height requirements be adhered to as per London's "Official Plan".

Thank you for your consideration of our requests and concerns.

Brian & Gloria Newcombe

Regarding the plan to change zoning to allow higher density building in the 520 Sarnia Rd location - the traffic congestion at Sarnia and Wonderland has already become horrific .. does the city realize the magnitude of additional congestion that this will induce? Another 130 cars + visitors? . . . All residents (1000?) across the road and along the corridor to Wilfred Jury PS will be unable to exit Blue Forest Dr to go east on Sarnia or south, down Wonderland, due to unavoidable congestion. This will become a traffic nightmare for the residents of the proposed building and the residents directly Northwest right out to Lawson Rd. What studies have been completed to assess this risk? Thanks Denis Hirschberger

Hello Ms. Riley,

Thank you for your notice about subject matter. I believe that the amendment would definitely have a negative effect on the area in question since the original plan called for a neighborhood shopping center, which is quite needed in this neighborhood. The amendment would not bring any added value to the area nor to the community and I believe that there is currently an oversupply of housing in this area both along Sarnia and Wonderland.

Notwithstanding, the developer, Reid Properties, is already promoting the lot on their website, as though they already are certain that the amendment will go through, which raises question marks.

Please let it be known that I am against any amendment to the current zoning.

Sincerely yours,

Bahija Hasbini

I have reviewed the details of the application.

I have concerns and do not agree with some/all of the conclusions provided within the report.

My first question is - is this a student-only rental building? Are tenants required to provide proof of enrolment? I ask that question as I believe the amount of vehicle traffic and vehicle parking relates directly to the type of occupancy.

I have resided at my residence for 8 years and prior to that, my primary residence was located on Reid Court.

I have seen the significant increase in road traffic with the continued expansion of housing opportunities on Sarnia Road.

The improvements/expansion of Sarnia Road has caused traffic to be directed through the area.

Noise from traffic has increased.

I do not agree with the proposed change to the London Plan that would see an increase in building height from the Plan of 6-storeys to 8-storeys.

This change increases the demand for on-site parking as it increases the number of rental units within the building and the number of residents requiring parking. Visitor parking is also affected and visitors do include all persons providing any service to the residents of the building.

A drive through the surrounding community shows an increase in the number of vehicles accessing street parking and the number of multi-family homes where parking spots on properties have been altered in an attempt to facilitate additional parking.

Parking is an issue in this high-density area.

Any increase in the volume of traffic on Sarnia Road will lead to an increase in noise within the community.

Of paramount importance is the need to upgrade the Thistledown Way/Sarnia Road/Chapman Court intersection to an intersection controlled by a "full signal light".

Finally, as a result of all the changes made to the Sarnia Road corridor, the City of London needs to consider upgrading the height and composition of fencing to increase sound absorption. Newer portions of this corridor have updated barriers installed already.

Respectfully

Mary-Lynne Coulas

875 Thistledown Way

Unit 10

London

Good Morning Alanna

I am contacting you to voice my concerns and opposition to the proposed development OZ-9432 .

This is one more high density project being built in an area that is becoming more congested daily . The city planners are letting developers build with little regard for infrastructure . The traffic on Wonderland rd. Is ridiculous and with the proposed

cancelation of a widening of Wonderland means greater traffic tie ups .  
An apartment complex of this size would mean more student housing and with that brings a myriad of future issues . This project will eliminate any opportunities to widen Sarina rd as well .

For these and other reasons I am attamently opposed.

Thank you

Mike Flynn

852 Thistledown Way

Hi Alanna and Steve,

I am the owner of unit 907-30 Chapman Court, neighbouring 520 Sarnia Road location for proposed build and zoning by-law amendments in file OZ-9432.

My very significant concerns with this proposal are:

1. My condo will no longer be as desirable if a tower is installed immediately to the north due to major visual obstruction and impact to my tenants: view, quality of life, privacy, light pollution due to new building interior/exterior lighting and parking lot lighting at night, noise pollution from very large parking lot from people coming/going at all hours, honking horns, car alarms, snow plows, garbage trucks, etc, and less desirable neighbourhood due to elimination of retail area/local amenities.

2. Property value will go down due to newer more convenient high density building steps away, neighbourhood's decreased ability to accommodate the increased people density with car traffic, bus traffic, impact on local amenities, and aspects listed in concern #1.

3. Additional pollution impact on owner/tenants health and on the environment due to construction and significantly increased vehicular traffic. Furthermore mature trees being removed to create/enlarge parking lot (London being the Forest City).

4. Further densification of high rise living accommodations (in an area with existing significant high rise presence), both for area zoned no higher than 6 stories (Specific Area Policy change and Zoning By-law Amendment). Moving away from city plans that made this city desirable for its existing and new owners/tenants and any notion of London being the Forest City.

5. Concerns during construction phase - noise, light pollution, hours of work, traffic impact, any service outages. How will these be communicated and mitigated?

Please note these concerns, include them in your consideration of this application, and include me in the much required public participation meeting.

Thanks for your consideration,  
Dimitrije Radakovic

I am a resident of London and live near the proposed planning site of 520 Sarnia. I want to urge you to include plans for affordable housing at this new apartment building. I have lived in London my entire life, and both my partner and I have careers and yet we struggle to find affordable housing (to rent and buy) in this city. As public servants, it is your obligation to make sure everyone in London has a safe and clean place to live. I urge you to start making affordable housing a priority, starting with the proposed 520 Sarnia street. Thank you for your consideration.

Best,

Rayna Abernethy

I'm sorry but I opened my postal box about this development mail lately.

I live at 1109-30 Chapman crt. building.

When I see the building image of the applicant's proposal, the new building is obstructed for front viewing from all my windows.

Almost 30% of the units of the new building also may have the same problem.

It would look good just for the area plan, but It's very disappointing or frustrating for the many actual residents to live in an obstructed area of both buildings.

I propose the new building move to the left side to avoid an obstructed area for residents of two buildings.

Please consider this for our happy living life in London.

Sincerely,

David Jeong

## Departmental and Agency Comments

### Urban Design

The design of the site should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.

- A built form located along the Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along those frontages.
- A step-back and terracing above the 3rd storey for the building along Sarnia Road frontage and at the intersection providing a human-scale along the street(s).
- A significant setback from the property to the South to provide a transition to the existing low-rise buildings.
- Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- Common outdoor amenity space at ground level and using rooftop terraces( Level 4) located at the intersection to protect the privacy of adjacent properties
- Locates majority of the parking behind the building and screened away from the street.
- As this application contemplates a bonus zone, please include the following revisions and improvements consistent with the previous staff and panel comments:
  - Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
  - Include a 1-2m setback from the Sarnia Road frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
  - We acknowledge the ground-floor residential units along Sarnia Road. Provide direct individual or a common walkway that connects the ground floor units to the City sidewalk, to encourage and allow residents and visitor to easily walk to transit and nearby commercial amenities to the North East.
    - Ground floor doors should be lockable 'front door' style to contribute to the appearance of a front-facing residential streetscape and promote walkability and activation of the street, as well as for security.
    - Ground floor private amenity spaces should be designed to extend into the setback as front porches or courtyards. Low height railings( up to 4ft/1.2m) and lockable 'patio gates' can be considered for the ground floor private amenity spaces, if there is a desire to control access.
  - Break-up the horizontal length of the building above 3 stories along Sarnia Road by introducing more variation in the design with a vertical mass or volume, articulation with recesses or balconies, and/or material or colour changes to provide interest and a more human-scale design along the street.

### Urban Design Peer Review Panel

- See Appendix F for comments and applicant replies

### Site Plan

#### Zoning Deficiencies:

- Building height (26.9m)
- Interior side yard setback (10.8m required, 7.6m provided)
- Exterior side yard setback (Sarnia Rd) (11m required, 0.5m provided) – this can be waived provided we take the full road widening and achieve a right-of-way width of 40m
- Parking (162 spaces required, 100 provided)
- Barrier-free parking (6 spaces required, 4 provided)
- Density (150 UPH max., 169 UPH provided)

- Unit size (37m<sup>2</sup> min. required for a bachelor unit, 36.1m<sup>2</sup> provided)
- Landscaped open space to be confirmed – the site design is almost identical to what we saw at SPC but the updated plan shows an increase of over 1000m<sup>2</sup> of landscaped open space

#### Site Plan Comments:

- Provide a drop-off layby at least 3.5m x 12.0m within 15.0m of the main building entrance – required per 6.8.1 of the Site Plan Control By-law;
- Remove the proposed sound walls along Sarnia Road;
- Confirm the proposed height of all accessory structures (pergolas) and dimension them to the property line, ensuring compliance with 4.1 of the Zoning By-law;
- Confirm if barbeques and ping pong table will be permanent fixtures onsite – if they are communal amenities and will be brought inside during the winter, confirm where they will be stored.
- Provide a 1-2m setback from the Sarnia Road frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.;
- Provide direct walkway access from ground floor units to the public sidewalk;
- Screen any surface parking exposed to the public street with enhanced landscaping, particularly along the Sarnia Road frontage.
- Identify the location of the internal bicycle storage space and ensure it meets the standard dimensions per the Site Plan Control By-law.
- Provide curb ramps and identify the barrier-free path of travel to the building entrance from the parking lot.
- Label the fire route on the plan and include the locations of fire route signs and standard details.
- Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.

#### Parks

- 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)

- Setbacks are insufficient along east, south and north property lines to accommodate Site Plan Planting requirements. At a minimum, 1.5m should be provided along interior property lines and 3 m from road allowance. Currently, all required tree planting is shown in Sarnia Rd ROW this practice is not supported by Roadside Operations. Also, the setback provided from the east and south property lines is insufficient to protect offsite tree roots [trees may become structurally compromised] or to provide adequate soil volumes for required Site Plan perimeter plantings.
- Interior drive land can be reduced and planters against south face of building can be removed to help provide for setbacks.

#### Ecology

- 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.

- These lands are not regulated by the UTRCA; no comments

#### Archaeological

- Archaeological conditions can be considered satisfied for this application.

#### Engineering

##### **Transportation**

- Right-of-way dedication of 24.0 m from the centre line be required along Sarnia Road;
- A revised 6.0mx6.0m daylight triangle will be required at Sarnia Road and Chapman Court;
- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines;
- Detailed comments regarding access design and location will be made through the site plan process

We have reviewed the parking reduction justification and have the following comments. The proposed layby adjacent to Sarnia Rd is not acceptable, as per previous Transportation comments the layby is to not to be located adjacent to the road. Note that the parking rates to be used are to be the zoning parking by law or the ITE rates, the proposed reductions are not acceptable. A TIA to be submitted with this application as previously requested.

#### Updated Comments

We appreciate that we applicant looked up the ITE rates as suggested. Regrettably, the ITE rates which were presented on the conference call aren't appropriate for this development. The rates referenced are for a high rise, whereas this site is a mid-rise (less than 10 stories). It's interesting that there is such a difference between the rates for a mid-rise vs high-rise, however the high-rise rates are only based on two studies, vs the mid-rise rate which is based on significantly more studies. We consider the mid-rise rate more reliable.

Since the ITE rates do not justify this reduction, we've gone back through the report in detail again and provide the following comments. Typically, we would require the general comments on the report to be addressed, however we are willing to just accept having the additional TDM measures addressed (those noted as required below)

#### **General comments**

Many of the sites referenced as comparable are in different context, including on-campus housing. It is difficult to determine the actual distance from the housing examples to campus based on the information provided in the report. Figures which more clearly dimension this will be required on future submissions. Many of the sites noted as comparable also have higher order transit options and better headway than 520 Sarnia. The TTS survey is not a good comparison. It is GTHA focused.

The Luxe is the only London example noted as a comparable, with parking utilization noted as having been observed in 2015. Based on a quick look this site appears to have been constructed within the year prior to that and no information is provided in the report about what the occupancy of the building was at the time the parking utilization was observed. The Luxe is also on road which is approved for rapid transit based on an Environmental Assessment.

We acknowledge that subsequent to the report that the applicant provided parking utilization information for another site in London. That study also appears to have

been completed within the year that the building was constructed and no information was provided on the occupancy of that building at the time either.

ZipCar no longer operates in London. Community Carshare was bought out a couple of times. Currently in London, Communauto is operating carshare mostly downtown and in Old South.

An email from Garfield Dales regarding the scope of the “traffic analysis” is noted to be amended to the report – it is not.

**Additional TDM measures required for approval:**

Transportation would like to see the applicant provide the minimum bike parking spaces plus an additional 62 to offset vehicular parking spots. We acknowledge that there are 6+10 outdoor parking spots which are great for visitors but these are not secure for long term use. Providing 62 additional secure bike facilities would result in 159 bike spots (the 97min already being provided + 62) which is just slightly less than the number of beds (163). At a minimum we require at least 32 extra spots for a total of 129 which is equivalent to the number of units.

Please confirm that parking will be unbundled from rent as suggested on page 23.

**Other TDM measures we recommend for consideration:**

- The rack(s) outside the front entrance are well-placed. The rack(s) on the east side of the building are not easily accessed and are hidden from view. Cyclists won't use these. We recommend that these be moved to a more visible location (Outdoor amenity area on the west side).
- Bikeshare: A few residential developments have worked with London Cycle Link to provide bikeshare.
- Assign parking spots to carpools and promote to residents, however we do appreciate that this becomes complex to administer.
- Provide residents with travel planning resources (e.g., one-pager transportation options on move-in, transit schedules in the lobby, bike maps, etc.)

**Sanitary**

The municipal sanitary sewer available is the 200mm diameter sewer on Chapman Crt. The development proposed as a 129unit (8 storey building) on 0.8ha with an approx. population of 207 people. Included with this application is a sanitary servicing and capacity report as submitted and SED will not be requesting it be revised.

To be included as a note as part of the ZBA and/or as part of the SPA process the Applicant is to include all connections to the 200mm diameter sewer to SAMH 107 on Chapman Crt from these lands and the adjacent Commercial property (Shell Gas Station). In addition, it appears there are a number of private easements (33R10235) crossing the subject lands including a sanitary building sewer in favor of an adjacent property 820 Wonderland Road (Shell Gas and car wash). Provide all details and information regarding all easements, all servicing sewers though the subject site, any and all setbacks as required while ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

**Water**

Water is available for the development of this site and can be serviced from the 300mm high level watermain fronting the site on Sarnia Road or from the 300mm high level watermain on Chapman Court.

# Housing Development Corporation

March 2<sup>nd</sup>, 2022

**TO:** **City of London Development Services (via e-mail only)**  
Attention: Mike Corby, Manager, Planning Implementation, Planning and Development  
Alanna Riley, Senior Planner, Planning Implementation, Planning and Development

**REGARDING:** **Bonusing for Affordable Housing**  
520 Sarnia Road ("Subject Lands")

## **Background:**

Housing Development Corporation, London (HDC) was engaged to work with Horizen Developments LP (the "Proponent") and their consultant (Zelinka Priamo Ltd.) to provide a fair recommendation to the Director, City of London Development Services in response to Official Plan and Zoning By-law Amendment applications (City of London Planning File: OZ-9432) for height and density "bonusing" in exchange for the provision of affordable housing. The applications serve to provide for the development of an eight-storey, 129-unit apartment building.

This letter reflects the recommendation of HDC and is provided with the concurrence of the Proponent.

## **RECOMMENDATION:**

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

1. **Two (2) bachelor residential units be dedicated to affordable rental housing in exchange for the granting of increased height and density.**
2. **"Affordability" for the purpose of an agreement be defined as rent not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for units where:**
  - i. AMR is defined at the bachelor rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
  - ii. the identified units will be mixed throughout and not otherwise identifiable within the building; and
  - iii. Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation but not to exceed 80% of the CMHC AMR.
3. **The duration of the affordability period be set at 50 years** calculated from initial occupancy of each unit and for each month thereafter that the unit is occupied. At the conclusion of the agreement period, any sitting tenants within associated affordable units shall retain security of tenure and rental rates until the end of their tenancy. The rights of tenancy and affordability in the dedicated units shall not be allowed to be assigned or sublet during or after the agreement.
4. **The Proponent be required to enter a Tenant Placement Agreement (TPA) with the City of London.** This action aligns the affordable rental housing units with priority populations vetted and referred to the Proponent or their agent by the City. The owner retains final tenant selection in accordance with the *Residential Tenancy Act*, subject to the established eligibility and compliance requirements.
5. **These conditions be secured through an agreement registered on title with associated compliance requirements and remedies.** This recommendation ensures the retained value of each affordable rental housing unit within the Bonus Zone for the 50-year affordability period. Compliance will be monitored in a similar fashion as is conducted with other agreements and shall include conditions related to default and remedy.



Housing Development Corporation, London

520 Wellington St., Unit 7, London, ON N6A 3R2  
P: 519-930-3512 [www.hdclondon.ca](http://www.hdclondon.ca)

The Proponent's application proactively aligned their bonus interests to the City's affordable housing priorities and the associated discussions establishing the above recommendation were achieved with their concurrence.

**Rationale for Affordable Housing Bonus:**

*Guiding Policy:* The London Plan recognizes housing affordability as one of the City's principle planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. The Plan identifies bonusing as a planning tool in support of the provision of affordable rental housing within planning and development proposals.

*Location and Application Considerations:* The Subject Lands are on located on the south side of Sarnia Road west of Wonderland Road North. The lands are proximate to a broad range of residential, community shopping, convenience commercial, neighbourhood facility and office uses. The lands are served by public transit, bicycle and pedestrian infrastructure.

*Alignment to Need:* The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to housing stock, affordability rates, vacancy rates, rental rates, incomes, and other market conditions.

**Conclusion:**

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5<sup>th</sup> in Canada for the highest percentage of households in "Core Housing Need" in major urban centres (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12/PEC, July 25, 2018).

Sincerely,



Brian Turcotte, Development Manager, HDC

- c. Isabel da Rocha, Business and Program Manager, HDC
- Melissa Espinoza, Acting CEO and Program Manager, HDC



## 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, High Density Residential Objectives

##### 3.4 Multi-family, High Density Residential Designation

##### 3.4.1 – Permitted Uses

##### 3.4.2 - Location

##### 3.4.3 – 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

##### 19.4.4 – Bonus Zoning

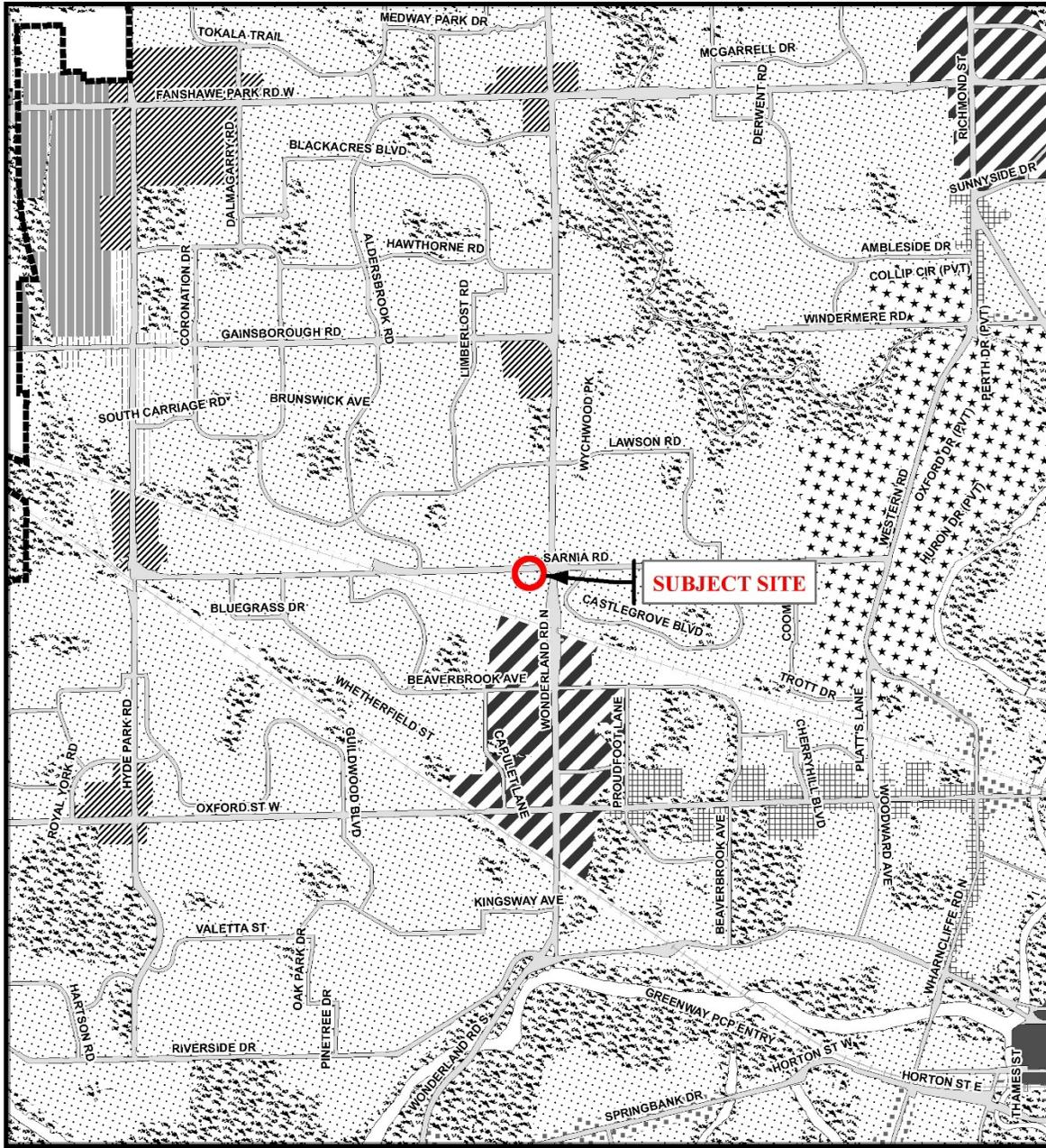
<b>3.7 Planning Impact Analysis</b>	
<b>Criteria</b>	<b>Response</b>
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site concept achieves an intensity that allows for other on-site functions such as guest parking, emergency services and open space.
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 already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located along the bus route which has stops immediately across from the subject site and to the east and west.

<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>The proposed development is in an area in need of affordable housing units and provides for a mix of housing types. two (2) affordable units are proposed as a bonusable feature in return for the increased height and density.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed 8-storey apartment building is mitigated by the proposed interior side yard to the east and parking area to the south, the rear yard setback to the south and exterior setback to the west. The building has been sited with adequate separation between the proposed building and neighbouring residential to the west and south. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>The proposed development provides for adequate space on site for landscaping and screening. Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Transportation 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.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: locating built form along the Sarnia Road frontage; orienting the building to including a principle building entrance as well as ground floor unit entrances; providing for appropriate scale/ rhythm/ materials/ fenestration on that helps create a comfortable, human scaled streetscape; and, locating all of the parking at the rear of the site or within away from the street edge.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>No natural heritage features are present that will be affected by the proposed development.</p>
<p>Compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure</p>

	functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage.
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;	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.

# Appendix E – Relevant Background

## The London Plan – Map 1 – Place Types



### Legend

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

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

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

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



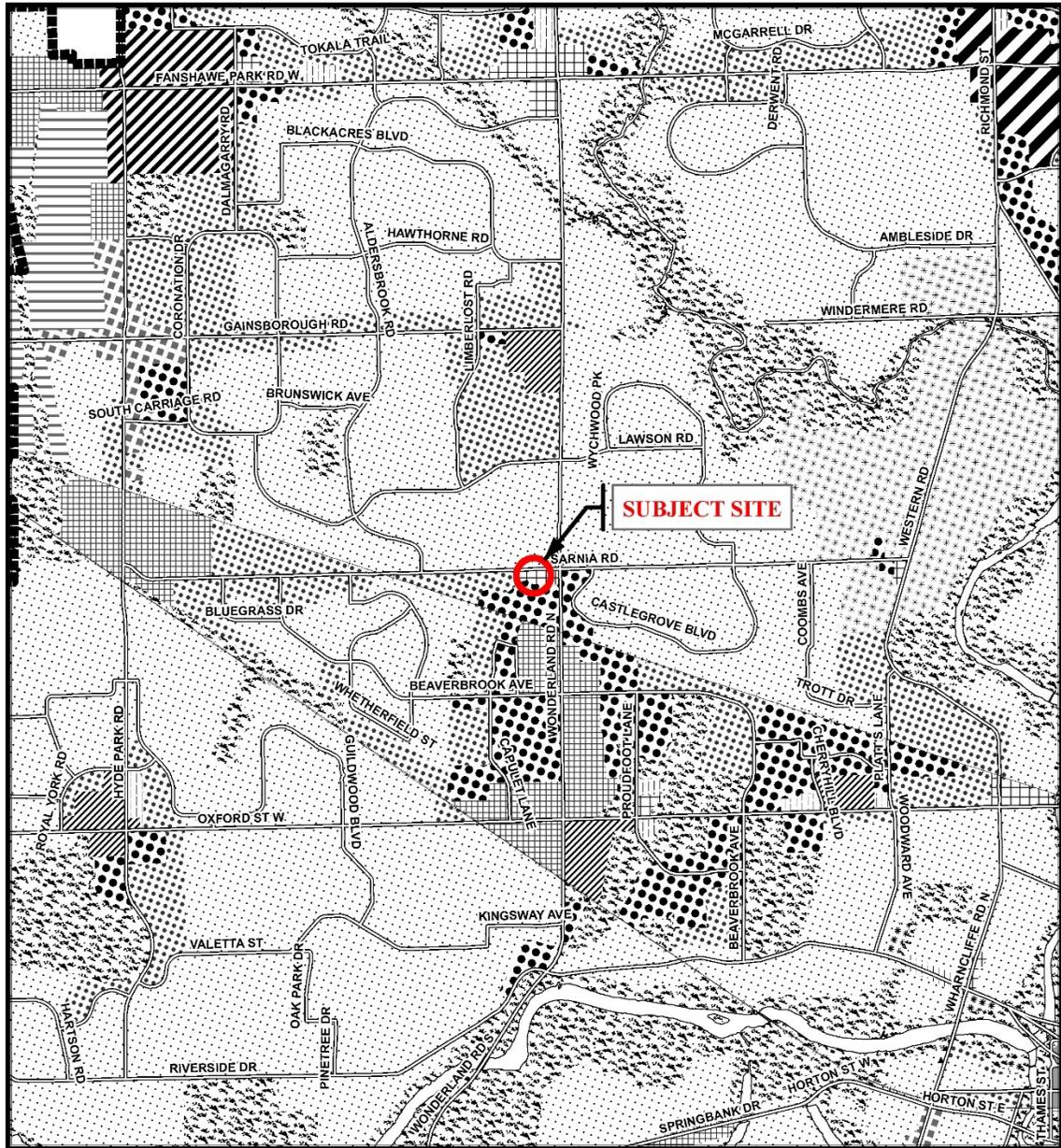
File Number: OZ-9432

Planner: AR

Technician: RC

Date: March 24, 2022

# 1989 Official Plan – Schedule A – Land Use



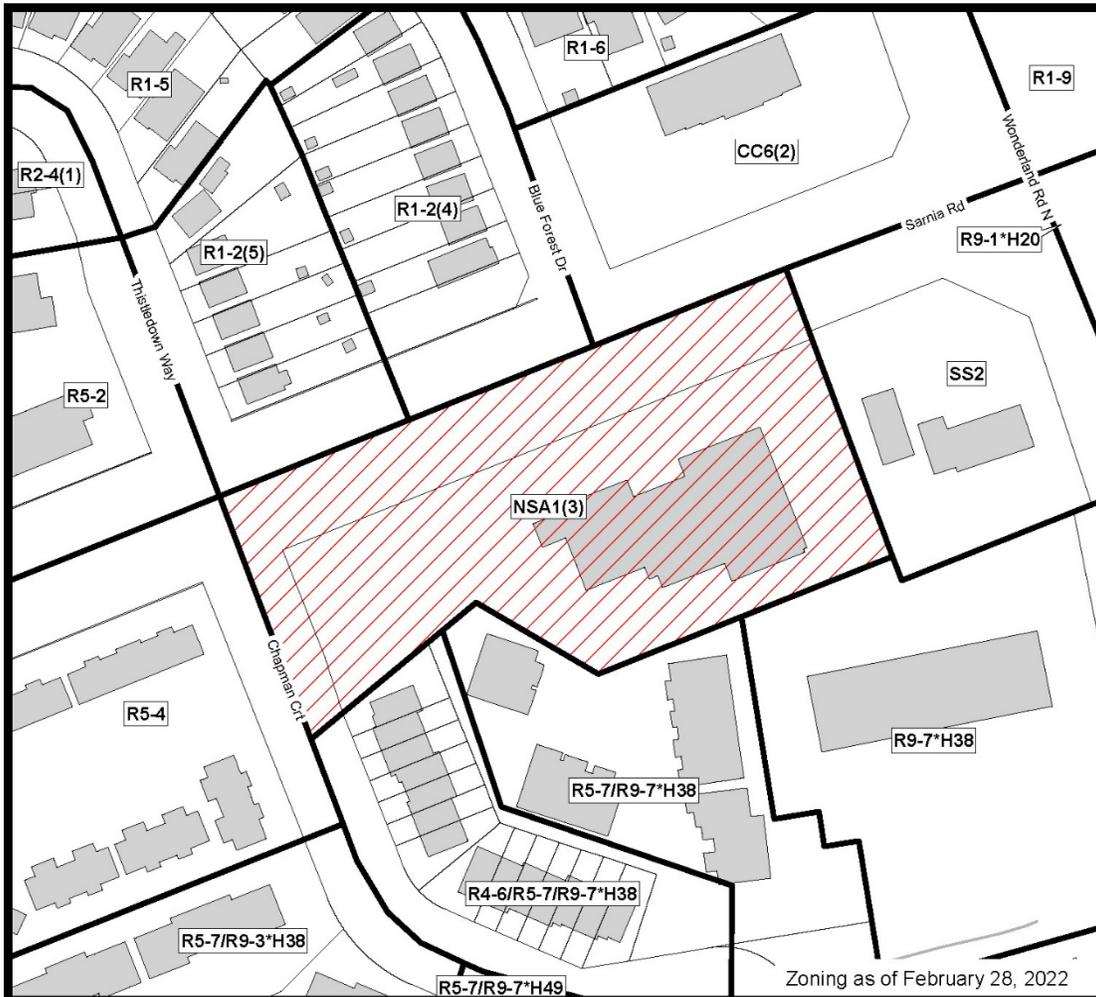
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p align="center"><b>CITY OF LONDON</b></p> <p align="center">Planning Services / Development Services</p> <p align="center">OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p align="center">PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9432</p> <p>PLANNER: AR</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/03/24</p>
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PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consol00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

**Zoning By-law Z.-1 – Zoning Excerpt**



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9432

AR

MAP PREPARED:

2022/03/24

rc

1:1,500

0 5 10 20 30 40

Meters

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

<b>Comment:</b>
The Panel noted that the overall organizing framework for the site is strong, with the built form focused towards Sarnia Road providing a continuous built edge that frames the street and the parking area being sited at the rear, screened from view of the public realm.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel commended the Applicant for the proposed architectural design, noting the high-quality material palette and well-proportioned rhythm of openings vs. voids on the street facing façade.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel appreciates the inclusion of the building step-back above the 3rd Storey which serves to break down the building massing into distinct, more visually appealing volumes.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel suggested that further consideration be given to the planned context immediately east of the site and how the gas station site could redevelop. The landscape and building design may require some revisions to properly account for and relate to that future context.
<b>Applicant Response:</b>
Acknowledged.
<b>Comment:</b>
The Panel recommended modification/realignment of the site access and parking area from Chapman Court in order to consolidate the greenspace north and south of the driveway into a single larger space focused at the intersection of Sarnia Road and Chapman. This consolidated open space should be activated with furniture and/or public art to provide an interesting new gateway feature into the existing neighbourhood south of the site.
<b>Applicant Response:</b>
Acknowledged. Re-alignment of the entrance will be reviewed through the development and Site Plan Approval process

## 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:** Horizen Developments LP  
520 Sarnia Road  
Public Participation Meeting

**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Horizen Developments LP relating to the property located at 520 Sarnia Road:

- (a) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend The London Plan to create a specific area policy in the Neighbourhoods Place Type at 520 Sarnia Road to permit an 8-storey apartment building and by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend the 1989 Official Plan to **ADD** a policy to Section 10.1.3 – “Policies for Specific Areas” that would modify the ‘Community Commercial Node’ designation to permit an eight (8) storey apartment building with a total of 129 residential units at a density of 168 units per hectare without a commercial component on the ground floor, and also align this policy context with The London Plan;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan and The London Plan for the City of London as amended in part (a and b) above), to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone **TO** a Residential R9 Special Provision Bonus (R9-7(\_)\*B-\_) Zone;
- (d) **IT BEING NOTED** that the following site plan and urban design matters were raised during the application review process:
  - i) Provide individual or common walkways that connect to the ground floor units to the City sidewalk, to encourage and allow residents and visitors to easily walk to transit and nearby amenities. Landscape buffering can be provided between the amenity spaces and the walkway to delineate the public from the private realm;
  - ii) Provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to retain existing trees and protect offsite tree roots, and/or provide adequate soil volumes for required perimeter plantings.
  - iii) Include a sufficiently sized landscape buffer along the southern property line to provide space for the retaining wall and planting to screen between the residential uses to the south and the parking area.
  - iv) Include all connections to the sewer on Chapman Court from these lands and the adjacent Commercial property (Shell Gas Station).
  - v) Provide all details and information regarding all easements, all servicing sewers through the subject site, any and all setbacks as required while

ensuring there are no conflicts or encroachments to existing easements and servicing, no buildings or structures are to be constructed over top of existing building sewers crossing this property or removal.

- (e) The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys, 129 dwelling units and a maximum density of 168 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

i. Exceptional Building Design

- A built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
- Treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
- A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
- An adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed building and the existing uses to the northeast;
- A larger than required rear yard setback is proposed between the building and the medium-density and high-density residential uses to the south, southeast and southwest;
- Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;
- A variety of materials, colours and textures break up the massing of the building into smaller sections, both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- Universal accessibility including units that provide the opportunity for any and all demographics, able-bodied or not, to live in the proposed development.

ii. Provision of Affordable Housing

- A total of two(2) bachelor residential units will be provided for affordable housing;
- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

- (f) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-laws as the recommendation implements the same height of eight (8) storeys, and same number of proposed units of 129 for which public notification has been given.

## 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 520 Sarnia Road.

WHEREAS Horizen Developments EP has applied to rezone an area of land located at 520 Sarnia 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 London Plan;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the 1989 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 520 Sarnia Road, as shown on the attached map comprising part of Key Map No. A101, from a Neighbourhood Shopping Area Special Provision (NSA1(3)) Zone to a Residential R9 Special Provision Bonus (R9-7( )\*B- ) Zone;
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B-( ) 520 Sarnia Road

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality residential apartment building, with a maximum height of eight (8) storeys measuring up to 27.1 metres, and a maximum density of 168 units per hectare, a minimum interior side yard depth of 7.5m, a reduced minimum parking requirement of 100 spaces (0.78 spaces per unit), and recognizing Sarnia Road frontage as the front lot line, which substantively implements the Site Plan, Renderings, Elevations and Views, attached as Schedule "1" to the amending by-law and provides for the following:

- 1) Exceptional Building Design
  - i) A built form located along Sarnia Road that establishes a built edge with primary building entrance, street oriented units and active uses along this frontage;
  - ii) Treatment of the first three-storeys of the proposed building contrasts with the remainder of the building above to clearly delineate the attractive, pedestrian-oriented area within the public realm;
  - iii) A contemporary flat roof, with modern cornice lines and canopies for the balconies along the north side of the building, effectively announce the top of the building and help distinguish the building along the corridor;
  - iv) An adequately sized interior side yard setback is provided to allow for ample space for pedestrian connections, bicycle parking and landscaping to transition between the proposed

- v) building and the existing uses to the northeast;  
A larger than required rear yard setback is proposed between the building and the medium-density and high-density residential uses to the south, southeast and southwest;
- vi) Each elevation incorporates vertical portions of the building that are offset to provide for a unique visual variety and texture along the façade;  
A variety of materials, colours and textures break up the massing of the building into smaller sections , both vertically and horizontally, to appropriately frame the street and enhance the streetscape; and
- vii) Universal accessibility including units that provide the opportunity for any and all demographics, able-bodies or not, to live in the proposed development.

2) Provision of Affordable Housing

- i) A total of two (2) bachelor residential units will be provided for affordable housing;
- ii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) The duration of affordability set at 50 years from the point of initial occupancy;
- iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- v) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Permitted Uses

- i) An apartment building with a non-commercial component on the ground floor

b) Regulations

- |   |   |
|---|---|
| i) Density (Maximum)                    | 168 units per hectare,                  |
| ii) Building Height (Maximum)           | 8 storeys up to 29.0 metres (95.2 feet) |
| iii) Interior Side Yard Depth (Minimum) | 7.5 metres (24.6 feet)                  |
| iv) Parking (Minimum)                   | 100 spaces (0.78 spaces per unit)       |

1) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:

) R9-7( ) 520 Sarnia Road

a) Regulations

- |     |                               |  |
|-----|-------------------------------|--|
| i)  | Front Yard Depth<br>(Minimum) | 1.0 metres (3.3 feet)                      |
| ii) | Height<br>(Maximum)           | the lesser of 14.0 metres,<br>or 4 storeys |

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.

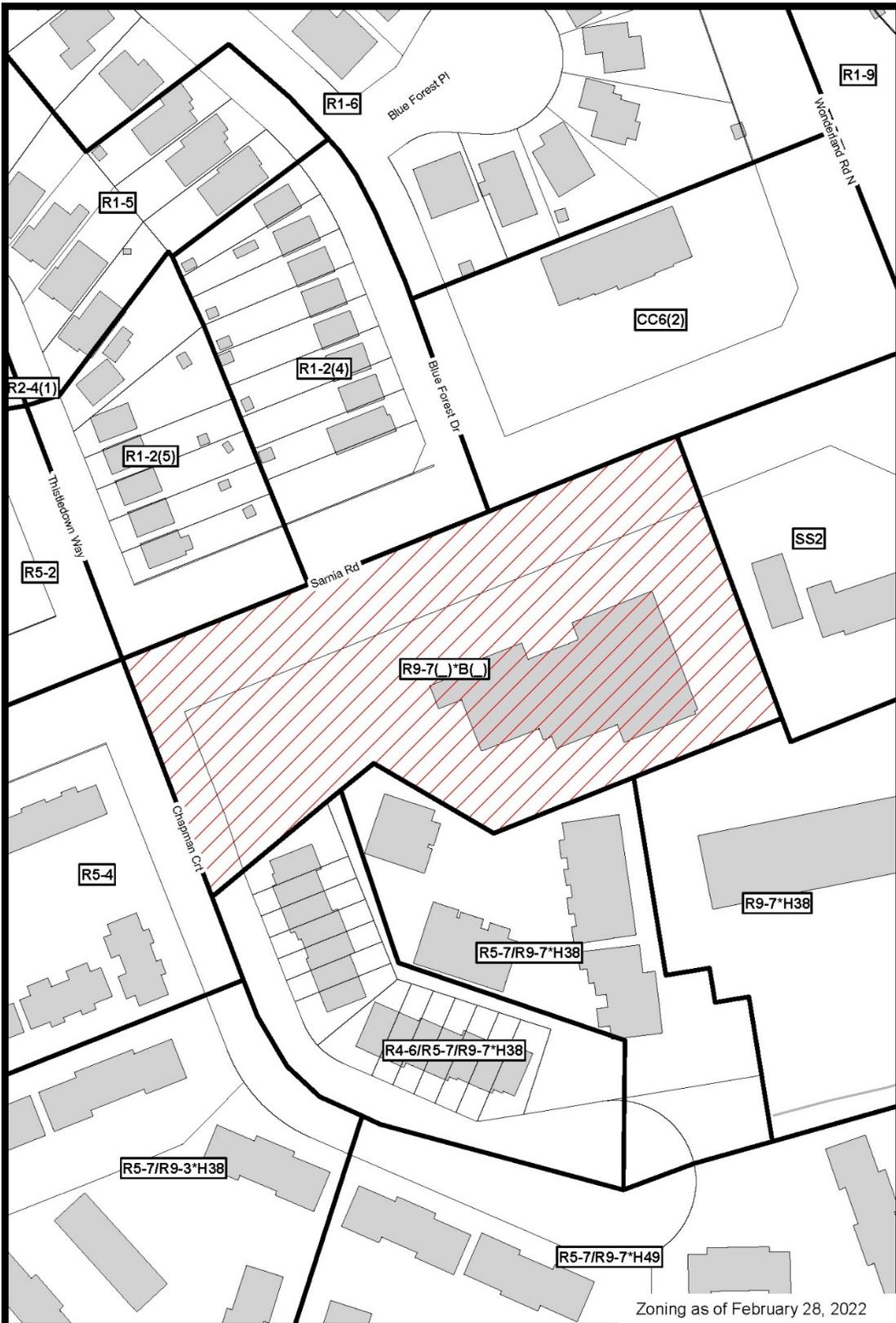
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 32, 2022

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



File Number: OZ-9432  
Planner: AR  
Date Prepared: 2022/03/24  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters





London  
CANADA

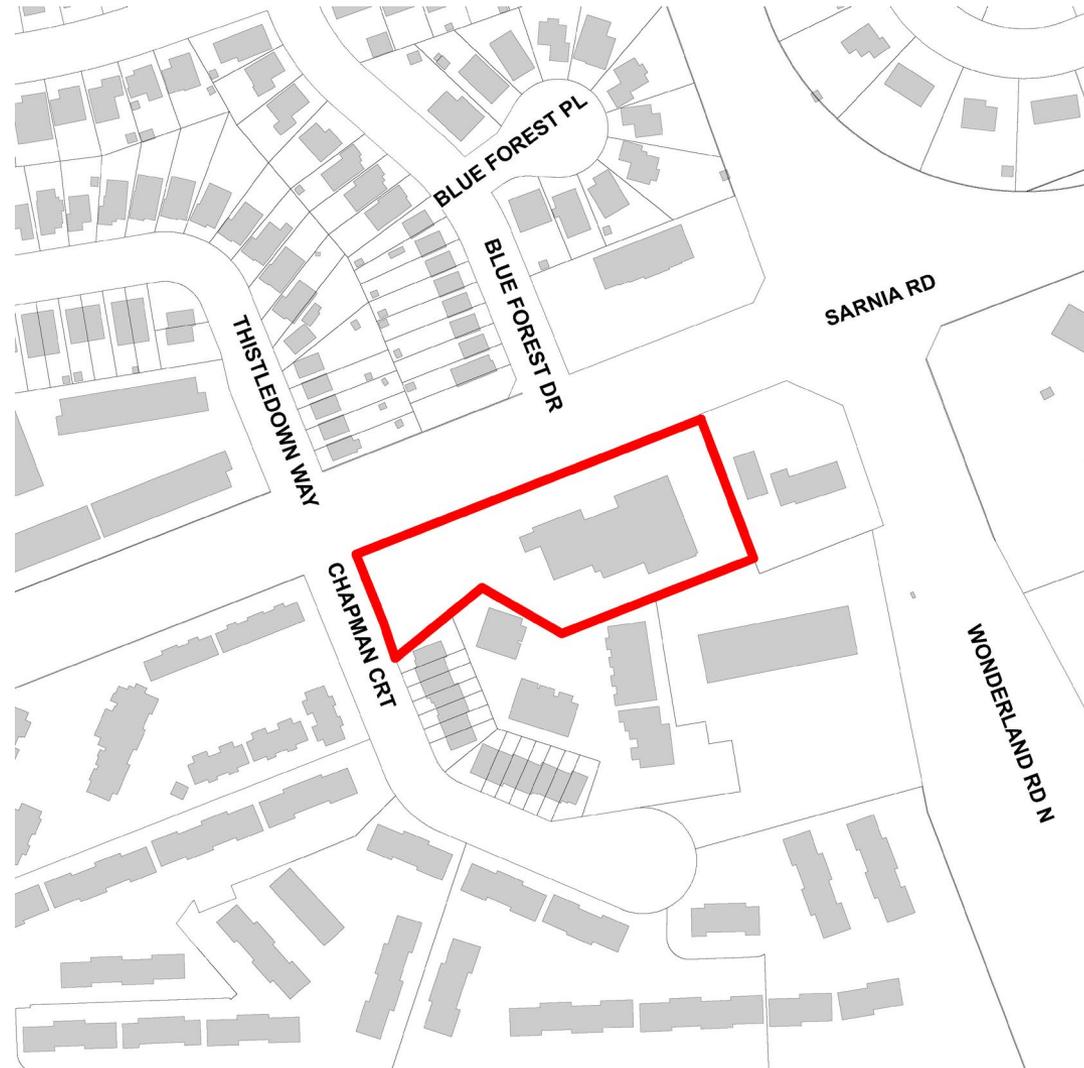
# Slide 1 – OZ-9432: 520 Sarnia Road



City of London  
April 19, 2022



# Slide 2 - Subject Site







# Slide 4 – Proposed Development





# Slide 5 – Policy Context

## ***The London Plan***

- Neighbourhoods Place Type on a Civic Boulevard
- Permits low-rise apartments with a minimum height of 2-storeys and maximum height of 4-storeys
- Bonusing permits up to 6 storeys
- Encourages compact forms of development and infill and intensification to manage outward growth

## ***1989 Official Plan***

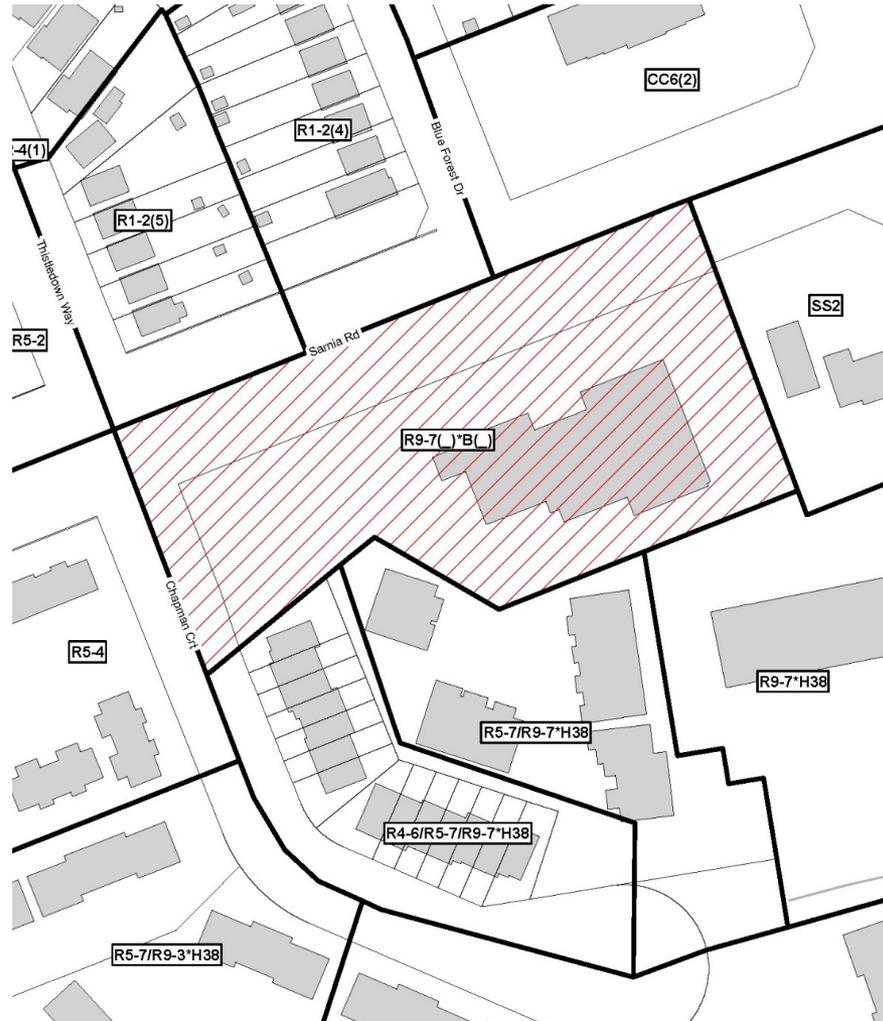
- Current designation - permits Multi-family high density residential uses through a zoning by-law amendment application, concurrent site plan application and consideration of design features which allow integration of the two uses as commercial must be a component on the ground floor.



# Slide 6 – Neighbourhood Concerns

- Height
- Density
- Insufficiency of park facilities to accommodate additional residents
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value

# Slide 7 - Recommendation



## 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:** 551-555 Waterloo Street  
Public Participation Meeting

**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of David Russel relating to the property located at 551-555 Waterloo Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting May 3, 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 R3 Special Provision/Office Conversion/Temporary (R3-2(6)/OC4/T-73) Zone **TO** a Residential R8 Special Provision (R8-4(\_)) 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 and west property boundaries to meet the standards of the Site Plan Control By-law and have screening/privacy qualities.

## Executive Summary

### Summary of Request

The applicant has requested to rezone the subject site to facilitate a 3-storey rear addition to the existing building, increasing the total number of dwelling units from 8 to 10, and to permit home occupations within dwelling units in an apartment building.

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to facilitate the construction of a 3-storey rear addition to the existing building, increasing the total number of dwelling units from 8 to 10, and to permit home occupations within dwelling units in an apartment building. The following special provisions would ensure the site is developed generally in accordance with the site concept plan contemplated through the Zoning By-law Amendment process and identify existing conditions: a minimum northerly interior side yard depth of 0.4 metres (whereas 4.5 metres is required); a minimum southerly interior side yard depth of 4.0 metres (whereas 4.5 metres is required); a minimum front yard depth of 0 metres (whereas 7 metres is required); a maximum building height of 10 metres (whereas 13 metres is permitted); establish a maximum gross floor area of 1,600 square metres (whereas no maximum gross floor area is specified); and home occupations within dwelling units in apartment buildings, restricted to the ground floor and occupy no more than 25% of total floor area of the dwelling unit, up to a maximum of 35 square metres, whichever is less.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020;

2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation;
4. The recommended amendment is consistent with the policies of West Woodfield Heritage Conservation District Plan.
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**

OZ-6898 – Official Plan and Zoning Review By: City of London West Woodfield – Central Avenue Area Zoning Review

Z-8599 – Zoning By-law Amendment Application for Mystery Escape Rooms

#### **1.2 Planning History**

In 2006, through the Official Plan and Zoning By-law Amendment (OZ-6898) application, Section 3.5.4, Woodfield Neighbourhood policies of the 1989 Official Plan was amended by adding policies to permit infill and intensification within the low density residential neighbourhood within the area bounded by Wellington Street, Pall Mall Street, Waterloo Street and Princess Avenue, where development is clearly compatible with the character, scale and intensity of the low density residential neighbourhood in this area. Following an appeal to the Ontario Municipal Board, the lands were zoned Residential R3 Special Provision (R3-2(6)).

In 2016, a Zoning By-law Amendment (Z-8599) application was received to request the use of a Mystery Escape Room on the lands at 551-555 Waterloo Street by adding an Office Conversion (OC4) Zone to the existing Residential R3 Special Provision (R3-2(6)) Zone. The applicant also requested to amend the Zoning By-law Z.-1 to allow a place of entertainment use and a reduction in parking for a temporary period up to one year, which was recommended for refusal by staff. The requested temporary zone was passed by Council to allow for a place of entertainment to not exceed seven (7) months.

#### **1.3 Property Description**

The subject lands are located on the west side of Waterloo Street midblock between Princess Ave and Wolfe Street in the Central London Planning District. The subject lands have a frontage of 30.48 metres on Waterloo Street and an area of 1,398.9 square metres. The lands are currently developed with two converted dwellings and parking at the rear of the site. The converted dwellings are located on the same lot and are structurally attached by a second storey enclosed walkway, which was constructed in 1984. The common parking area is accessed via a City-owned laneway to the immediate south of the property. The buildings currently contain a total of eight (8) residential units and two (2) office conversions.



Figure 1: Subject lands (view from Waterloo Street)

#### **1.4 Current Planning Information (see more detail in Appendix C)**

- The London Plan Place Type – Neighbourhoods Place Type
- Official Plan Designation – Low Density Residential
- Existing Zoning – Residential R3 Special Provision/Office Conversion/Temporary (R3-2(6)/OC4/T-73) Zone

#### **1.5 Site Characteristics**

- Current Land Use – Converted dwellings (containing eight (8) residential units and two (2) office conversions)
- Frontage – 30.48 metres (100 feet)
- Depth – 42.29 metres (137.75 feet)
- Area – 1,398.9 square metres (15,057.63 square feet)
- Shape – Irregular

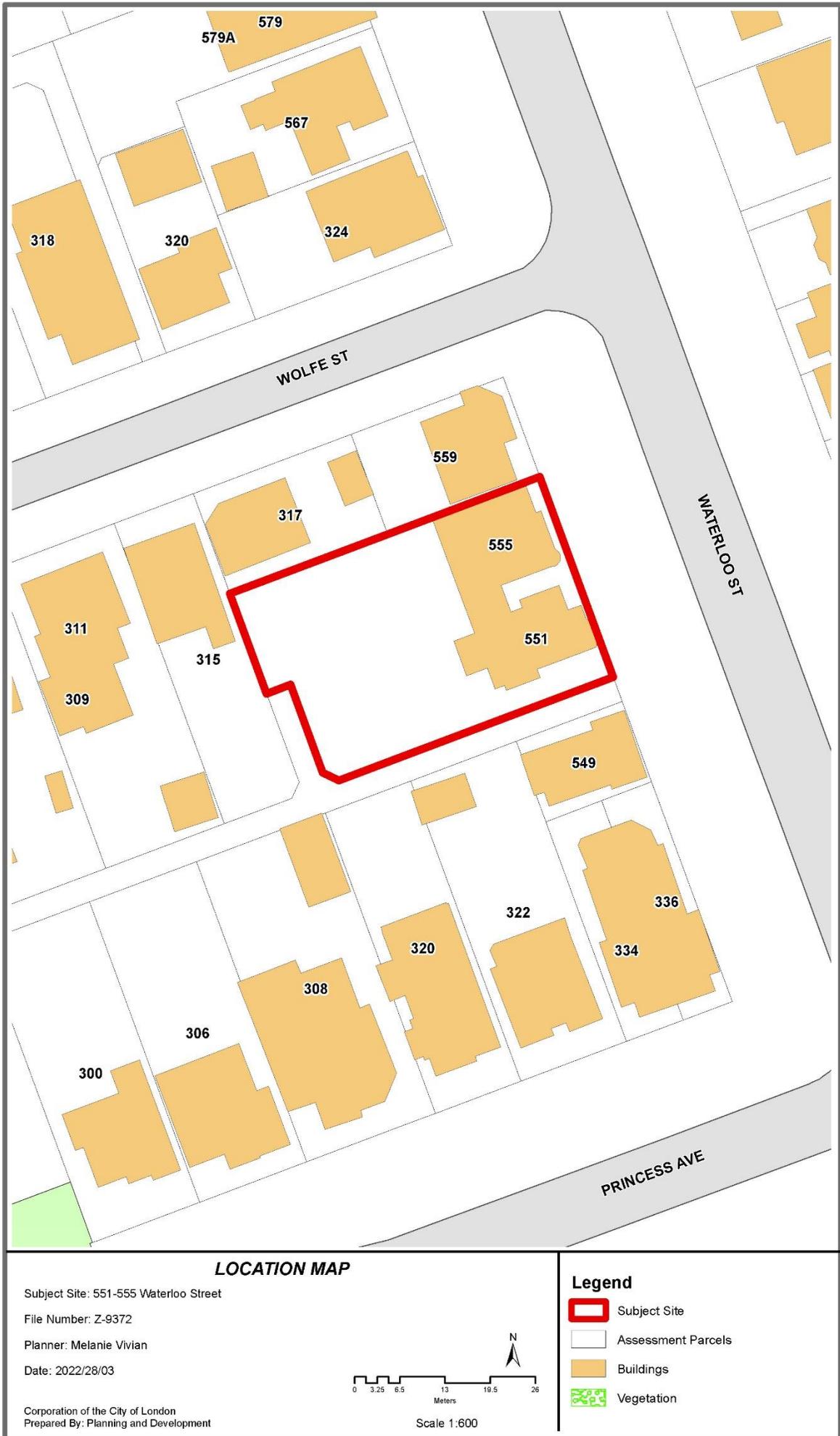
#### **1.6 Surrounding Land Uses**

- North – Office conversion
- East – Single detached dwellings and converted dwellings
- South – Low rise apartments
- West – Single detached dwellings, converted dwellings, and office conversions

#### **1.7 Intensification**

The proposed 10 residential units represent intensification within the Built-area Boundary. The proposed residential units are located inside of the Primary Transit Area.

## 1.8 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The owner has requested to rezone the subject site to facilitate a 3-storey rear addition to the existing buildings, increasing the total number of dwelling units from 8 to 10, and to permit home occupations within dwelling units in an apartment building.

#### Original Concept Plan

The conceptual site plan originally submitted in support of the requested amendment (Figure 2) included a site design with 16 parking stalls with the parking area directly adjacent to the north property boundary. The original concept site plan did not address garbage collection or other matters within the Site Plan Control By-law.

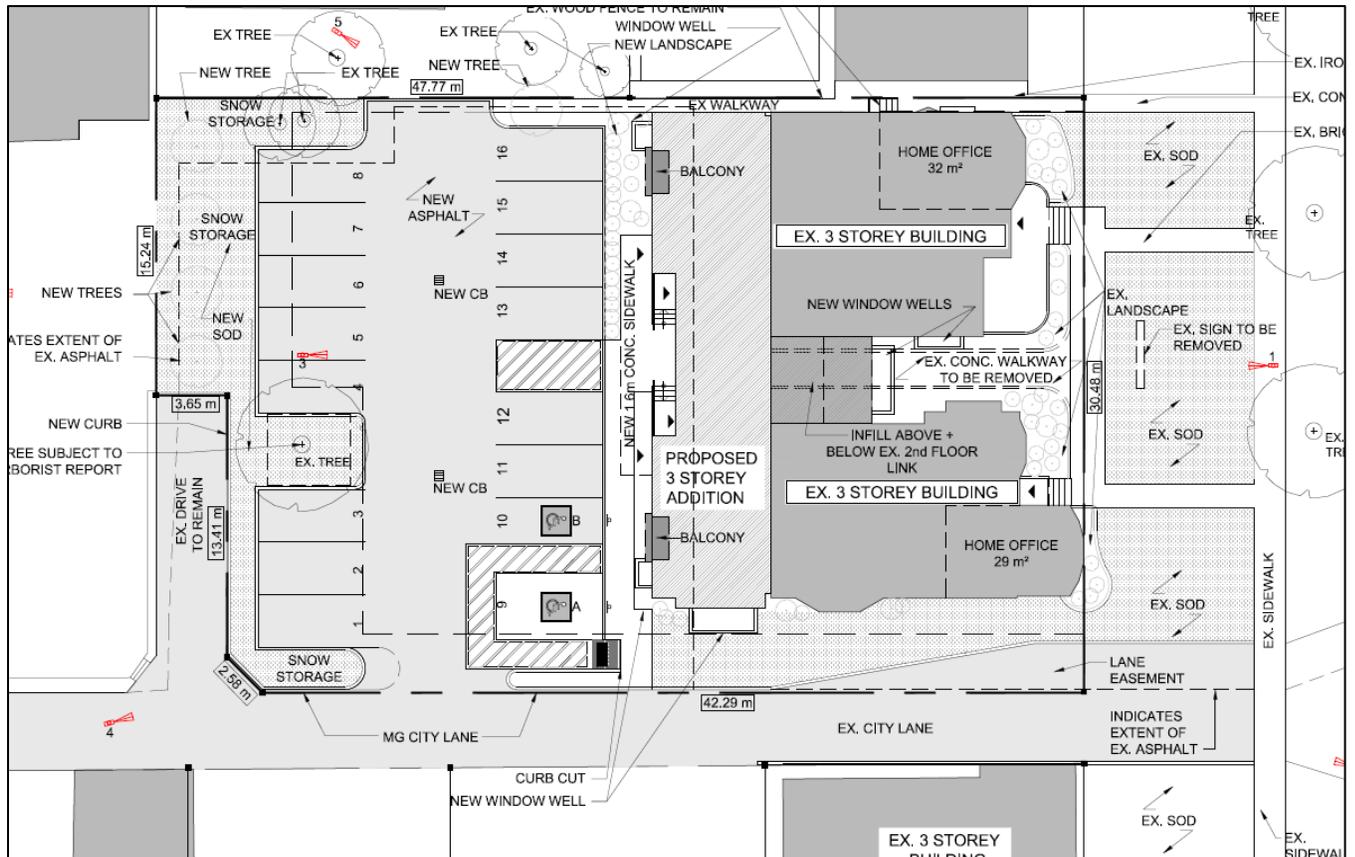


Figure 2: Site concept plan

#### Revised Proposal

On January 11, 2022 staff received a revised conceptual site plan to address site design concerns relating to garbage collection and parking area setbacks.

The updated site plan includes the use of deep well waste systems adjacent to the City lanes for collection, a greater setback from the north property boundary and a reduced number of parking stalls. The proposed setback from the north property boundary of 1.5 metres meets the intent of the Site Plan Control By-law and will provide sufficient space for landscaping to allow for screening. To accommodate the northern property boundary setback, the applicant is proposing 15 parking stalls whereas 16 parking stalls were originally proposed. It is noted that a minimum of 10 parking stalls are required in accordance with the Zoning By-law Z-1.

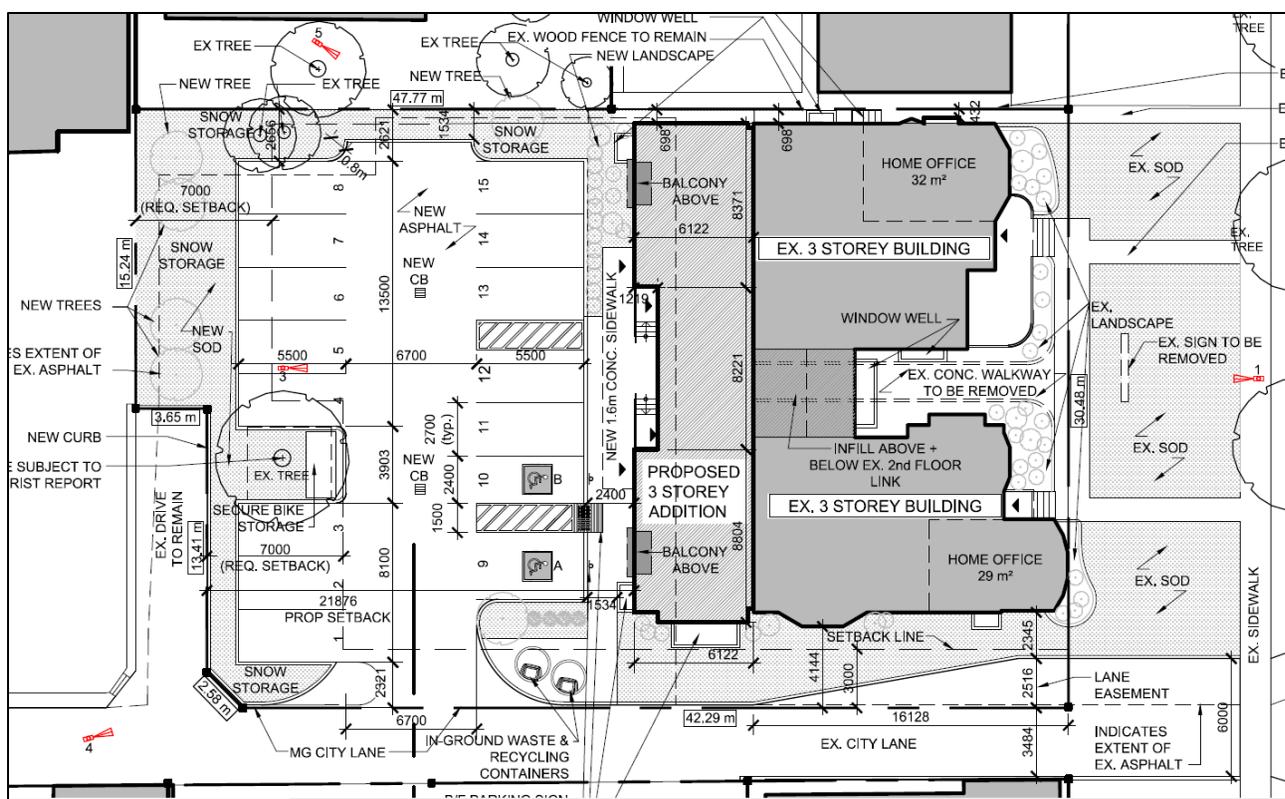


Figure 3: Updated concept site plan

## 2.2 Requested Amendment

The owner has requested to rezone the site to a Residential R8 Special Provision (R8-4(\_)) Zone to facilitate the proposed addition. Special provisions would permit: a minimum northerly interior side yard depth of 0.4 metres (whereas 4.5 metres is required); a minimum southerly interior side yard depth of 4.0 metres (whereas 4.5 metres is required); a minimum front yard depth of 0 metres (whereas 7 metres is required); a maximum building height of 10 metres (whereas 13 metres is permitted); establish a maximum gross floor area of 1,600 square metres (whereas no maximum gross floor area is specified); and home occupations within dwelling units in apartment buildings, restricted to the ground floor and occupy no more than 25% of total floor area of the dwelling unit, up to a maximum of 35 square metres, whichever is less.

## 2.3 Community Engagement (see more detail in Appendix B)

Three written responses were received, citing concerns regarding previous tree removals and existing site conditions related to fencing, garbage, and snow storage.

## 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).

### *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).
- Protecting our cultural heritage resources and neighbourhood character (Key Direction #7, Direction 5)

The London Plan provides direction to make wise planning decisions by:

- Ensuring all planning decisions conform with The London Plan and are consistent with the Provincial Policy Statement (Key Direction #8, Direction 1)
- Ensure new development is a good fit within the context of an existing neighbourhood (Key Direction #8, Direction 9)

The site is in the Neighbourhoods Place Type on a Neighbourhood Connector, 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, including low rise apartments in Central London (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The maximum permitted height is 2.5 storeys, or 4 storeys in Central London with a Bonus Zone (\*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type). The subject lands are also located within a Near-Campus Neighbourhood, as identified on \*Map 7 – Specific Policy Areas of The London Plan and the West Woodfield Heritage Conservation District as identified on Map 9 – Heritage Conservation Districts and Cultural Heritage Landscapes.

#### *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). The subject lands are also located within a Near-Campus Neighbourhood, as identified on Figure 3-1 “Near-Campus Neighbourhoods Area” of the 1989 Official Plan, and subject to specific policies for the Woodfield Neighbourhood (3.5.4).

## *West Woodfield Heritage Conservation District Plan*

The subject property is designated under Part V of the *Ontario Heritage Act* as it is located within the West Woodfield Heritage Conservation District. The West Woodfield Heritage Conservation District is bounded by Richmond Street, Dufferin and Queens Avenue, Pall Mall Street and Central Avenue and the west limit of the East Woodfield Heritage Conservation District. The West Woodfield Heritage Conservation District is intended to help protect and preserve the heritage assets and character that exists in the area (5.1). The West Woodfield Heritage Conservation District outlines a number of goals for the district including avoiding the destruction and/or inappropriate alteration of the existing building stock, materials and details and; maintaining and enhancing the visual, contextual and pedestrian oriented character of West Woodfield's streetscape and public realm (3.1). A further details review of the West Woodfield Heritage Conservation District can be found below in Section 4.4.

### **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)).

As identified above, the subject property is designated under Part V of the *Ontario Heritage Act* as it is located within the West Woodfield Heritage Conservation District. The PPS directs that significant built heritage resources and significant cultural heritage landscapes be conserved (2.6.1). As proposed, the existing building is being maintained with the addition located at the rear allowing for the buildings character to be maintained. Additionally, the PPS notes that planning authorities shall not permit development and site alteration on adjacent lands to protect heritage properties except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage properties will be conserved (2.6.3). The applicant submitted a Heritage Impact Assessment as part of a complete application that has been reviewed by Heritage Planning staff. Heritage Planning staff are satisfied that there will be no adverse impacts to the subject property and adjacent designated properties.

The recommended amendment facilitates infill development at an appropriate location within a settlement area. The proposed 3-storey addition contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents. No new roads or infrastructure are required to service the site, making efficient use of land and existing services. The proposed development represents an appropriate form of intensification through infill redevelopment on a site that is located in an area serviced by existing transit and supports the Province's goal to achieve a more compact, higher density form of development, consistent with the PPS.

#### **4.2 Issue and Consideration #2: Use**

##### *The London Plan and 1989 Official Plan*

The subject lands are within the Neighbourhoods Place Type on a Neighbourhood Connector in The London Plan. The range of permitted uses within the Neighbourhoods Place Type is directly related to the classification of street onto which the property has frontage (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The proposed apartment building use is included in the range of primary permitted uses within the Neighbourhoods Place Type as the subject lands are located within Central London. The recommended amendment proposes to increase the number of residential units through a rear addition to the existing buildings. Further, the recommended amendment facilitates the provision of a mix of housing types within the neighbourhood, consistent with the policies of The London Plan and PPS.

The subject site is located in the Low Density Residential designation in accordance with Schedule 'A' of the 1989 Official Plan. Primary permitted uses in areas designated Low Density Residential include low-rise, low density forms of housing including detached, semi-detached, and duplex dwellings (3.2). Residential Intensification is also contemplated within the designation and is defined as the development of a property, site or area at a higher density than currently exists on the site through the expansion of existing residential buildings to create new residential units (3.2.3.1.v)). The policies of residential intensification include the integration with heritage buildings to preserve and upgrade buildings considered to be of heritage value or interest. The existing buildings on site are designated under the *Ontario Heritage Act* as the lands are located within the West Woodfield Heritage Conservation District. The recommended amendment would preserve the existing heritage buildings as the addition is at the rear of the site.

As identified on Map 7 – Specific Policy Areas and Figure 3-1 “Near Campus Neighbourhoods Area”, the subject lands are located within the Near-Campus Neighbourhoods which contain specific policies regarding intensification and increases in residential intensity in the Neighbourhoods Place Type within Near-Campus Neighbourhoods. Both The London Plan and 1989 Official Plan contain planning goals for the area which include encouraging a balanced mix of residential structure types in appropriate locations while preserving stable residential areas; utilizing zoning and other planning tools to allow for residential intensification and residential intensity which is appropriate in form, size, scale, mass, density and intensity; and, ensuring that intensification projects incorporate urban design qualities that compliment adjacent properties and contribute to the character and functional and aesthetic quality of the

neighbourhood (965\_6, 965\_9 and 965\_10). The proposed use allows for a minor increase in intensity on site going from 8 units to 10 units, without taking away from the character of the existing neighbourhood while providing for a range of housing.

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

#### *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 the existing neighbourhoods (83\_, 937\_, 939\_2 and 5, and 953\_1). The London Plan directs that intensification may occur in all place types that allow for residential uses (84\_).

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

It is noted that Table 11 – Range of Permitted Heights is not in force and effect at this time and is informative rather than determinative for the purpose of this planning application. Notwithstanding the above, the recommended amendment would facilitate the development of a 3-storey rear addition, matching the height of the existing building. The applicant is proposing a height of approximately 10.0 metres; consistent with surrounding parcels. It is noted that the Residential R8 (R8-4) Zone permits a maximum height of 13.0 metres. To ensure the height is compatible with the existing heritage dwellings and surrounding uses, the recommended amendment includes a special provision to regulate a maximum height of 10.0 metres.

#### *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 a low-rise apartment building at a density of approximately 72 units per hectare. It is noted that with the proposed rear addition to the existing building, the density is increasing from 58 units per hectare to 72 units per hectare through the addition of two (2) units. In accordance with Section 3.2.3.2 of the 1989 Official Plan, Zoning By-law provisions can be used 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 land contain a variety of uses from single detached dwellings to triplexes and fourplexes for a range of densities.

The proposed rear addition to the existing building is of a low rise scale with a lot coverage and height that provides little risk of shadow and privacy issues on adjacent lands. The development, as proposed, proposes a lot coverage of 30.1% and a height of 10.0 metres; both under the permitted maximums of the Residential R8 (R8-4) Zone. This allows for adequate space for parking to serve residents and visitors as well as on site landscaping. The recommended amendment also proposes to regulate a maximum gross floor area of 1,600 square metres (whereas no maximum gross floor area is required under the Residential R8 Zone). By establishing a maximum gross floor area, further intensification of the site would not be permitted and would require additional approvals under the *Planning Act*.

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.

#### *West Woodfield Heritage Conservation District Plan*

The West Woodfield Heritage Conservation District Plan outlines policies with respect to land uses and development patterns. Policies include maintaining the residential amenity and human scale by ensuring that the low density residential land use character remains dominant (4.1(a)). Where intensification is proposed, the policies within the Plan, promote adaptive reuse of the existing heritage building (4.1(d)). The recommended amendment would maintain the existing streetscape along Waterloo Street with the addition at the rear. Further, the recommended amendment includes the preservation and adaptive re-use of the existing heritage buildings.

#### **4.4 Issue and Consideration #4: Form**

##### *The London Plan*

The London Plan encourages compact forms of development as a means of planning and managing for growth by growing “inward and upward” to achieve that compact form of development (7\_ , 66\_ , 59\_2 and 79\_). The London Plan also accommodates opportunities for infill and intensification of various types and forms and encouraging infill and intensification in meaningful ways (59\_4 and 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*

The Low Density Residential designation of the 1989 Official Plan contemplates residential intensification in different forms including low rise apartment buildings. The scale and form of infill housing 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. The proposed addition is situated at the rear of the site as to maintain the existing frontage along Waterloo Street. Further, the addition is proposed to match the height of the existing heritage buildings, leaving the heritage buildings as the main site feature.

Parking for the site is located at the rear with access from an existing City-lane immediately south of the subject lands. It is noted that the proposed development provides for the required parking established by the Zoning By-law Z.-1 as 10 parking stalls are required and 15 spaces are proposed. To address any privacy concerns, adequate setbacks along the north and west property boundaries have been provided to allow for landscape planting. Through the site plan application process, staff will ensure the proposed plantings have screening qualities along the north and west property boundaries.

## *West Woodfield Heritage Conservation District Plan*

One of the goals of the West Woodfield Heritage Conservation District is to maintain the low-density residential character of the district as the predominant land use, while recognizing that certain areas of the District already have or are intended for a wider range of uses (3.1). The recommended amendment provides a rear addition to facilitate two (2) additional units on site while maintaining the character of the existing heritage buildings along Waterloo Street. Further guidelines of the Plan include ensuring that infill development is compatible with the heritage character and pedestrian scale of the District and ensuring additions are subordinate to the original structure to allow the original heritage features and built form to take visual precedence on the street (3.1 and 4.2.1(c)). As previously mentioned, the rear addition provides for infill development that is compatible with the heritage character and will not take away from the existing pedestrian scale along Waterloo Street. The recommended amendment is not proposing any exterior modifications to the existing heritage buildings fronting Waterloo Street. This will assist in ensuring the existing streetscape and pedestrian scale along the street frontage is maintained.

### **4.5 Issue and Consideration #5: Zoning**

The recommended amendment would facilitate the rezoning of the subject lands to a Residential R8 Special Provision (R8-4(\_)) Zone to facilitate two (2) additional units on site, increasing the unit count from eight (8) units to ten (10) units. As part of the recommended amendment, reduced setbacks are proposed for the northerly interior side yard, southerly side yard and front yard. It is noted that although reductions are proposed, these are existing conditions being recognized through the rezoning process and the proposed addition is not extending beyond the existing building setbacks. The proposed rear yard setback exceeds the minimum required setback to facilitate landscaped areas and a parking lot at the rear of the building. The Zoning By-law Z.-1 requires one (1) space per unit for an apartment building in parking standard area 2. Currently, 15 parking stalls are proposed on site including two (2) barrier-free parking stalls. Parking on site also provides for the minimum required visitor parking, 1 space for every 10 units, in accordance with the Site Plan Control By-law.

The recommended amendment also seeks to permit home occupations within dwelling units in apartment buildings, restricted to the ground floor and occupy no more than 25% of total floor area of the dwelling unit, up to 35 square metres, whichever is less. As existing, there are two office conversions within the heritage buildings that the proponent is seeking to maintain. A special provision is required as the Zoning By-law Z.-1 does not permit home occupations in apartment buildings and restricts the floor area to a maximum of 25% of total floor area of the dwelling unit and a maximum of 28 square metres. As existing, there are two (2) home occupation (offices) on site as regulated by the existing Office Conversion (OC4) Zone. Given that the home occupation (offices) are currently existing on site and will be integrated into the apartment building use, staff have no concerns regarding their compatibility. By limiting the floor area to 25% of the total floor area of the dwelling unit, up to 35 square metres, whichever is less, ensures the residential component is maintained and will not be fully converted to an office use.

### **4.6 Issue and Consideration #5: Heritage and Archaeology**

#### *The London Plan*

The London Plan contains policies to ensure archaeological and cultural heritage resources are protected. Development and site alteration on properties listed on the Register shall not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties listed on the Register will be conserved (586\_).

#### *1989 Official Plan*

Where heritage buildings are designated under the *Ontario Heritage Act*, no alteration, removal or demolition shall be undertaken which would adversely affect for the reason(s) for designation except in accordance with the *Ontario Heritage Act* (13.2.3.). As noted, the subject property is located within the West Woodfield Heritage Conservation District. Policies within the 1989 Official Plan note that the design of new development, either as infill or as additions to existing buildings should complement the prevailing character of the area (13.3.6.ii)).

The subject site is identified as having archaeological potential in the 2018 Archaeological Master Plan and is designated under Part V of the *Ontario Heritage Act*. As part of a complete application, the applicant was required to submit a Stage 1-2 Archaeological Assessment and a Heritage Impact Assessment (HIA). The Stage 1-2 Archaeological Assessment, prepared by Lincoln Environmental Consultation Corp. dated September 2021 concludes that no archaeological resources were identified during the Stage 2 archaeological assessment and recommends that no further archaeological assessment of the study area is required. An Ontario Ministry of Tourism, Culture and sport archaeological compliance letter, dated February 27, 2022, has also been received. Heritage Planning staff has confirmed that all archaeological conditions have been satisfied for this application.

The HIA has been reviewed by both the London Advisory Committee on Heritage (LACH) and heritage planning staff. In their comments, LACH has advised it is satisfied with the research, assessment and conclusions of the Heritage Impact Assessment and is in support of the development.

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

## **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 Neighbourhoods Place Type. Further, the recommended amendment is in conformity within the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation. The recommended amendment is also consistent with the West Woodfield Heritage Conservation District Plan. The recommended amendment will facilitate the development of an underutilized site with a land use and intensity that is appropriate for the site.

<b>Prepared by:</b>	<b>Melanie Vivian Site Development Planner</b>
<b>Reviewed by:</b>	<b>Mike Corby, MCIP, RPP Manager, Planning Implementation</b>
<b>Recommended by:</b>	<b>Gregg Barrett, AICP Director, Planning and Development</b>
<b>Submitted by:</b>	<b>Scott Mathers MPA, P. Eng Deputy City Manager, Planning and Economic Development</b>

## 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 551-  
555 Waterloo Street

WHEREAS David Russell has applied to rezone an area of land located at 551-555 Waterloo 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 to lands located at 551-555 Waterloo Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R1 (R1-7) Zone to a Holding Residential R5 Special Provision (h-183\*R5-7(\_)) Zone.
- 2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:
  - ) R8-4( ) 551-555 Waterloo Street
    - a) Regulations
      - i) Front Yard Depth (Minimum) 0.0 metres
      - ii) North Interior Side Yard Depth (Minimum) 0.4 metres
      - iii) South Interior Side Yard Depth (Minimum) 4.0 metres
      - iv) Gross Floor Area (Maximum) 1,600 square metres
      - v) Height (Maximum) 10 metres
      - vi) Home occupations shall be permitted within dwellings units in apartment buildings and restricted to the ground floor and occupy no more than 25% of total floor area of the dwelling unit, up to a maximum of 35 square metres, whichever is less. All other provisions of Section 4.10 shall be applied to any home occupation within the dwelling unit of the apartment building

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 May 3, 2022.

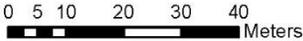
Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

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



<p>File Number: Z-9372                  Planner: MV                  Date Prepared: 2022/03/25                  Technician: rc                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,000</p> <p> Meters</p> <p></p>
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## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On June 16, 2021, Notice of Application was sent to 60 property owners and 45 occupants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 17, 2021. A “Planning Application” sign was also posted on the site.

On March 16, 2022, Notice of Revised Application and Notice of Public Meeting was sent to 60 property owners and 65 occupants 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 March 17, 2022.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a 3-storey rear addition to the existing building, increasing the total number of dwelling units from 8 to 10, and to permit home occupations within dwelling units in an apartment building. Possible change to Zoning By-law Z.-1 **FROM** a Residential R3 Special Provision/Office Conversion/Temporary (R3-2(6)/OC4/T-73) Zone **TO** a Residential R8 Special Provision (R8-4(\_)) Zone. Special provisions would permit: a minimum northerly interior side yard depth of 0.5 metres (whereas 4.5 metres is required); a minimum southerly interior side yard depth of 4 metres (whereas 4.5 metres is required); a minimum front yard depth of 0 metres (whereas 7 metres is required); a maximum building height of 10 metres (whereas 13 metres is permitted); a maximum gross floor area of 1,600 square metres (whereas no maximum gross floor area is specified); a minimum parking requirement of 16 spaces (whereas 10 spaces are required); and home occupations within dwelling units in an apartment building. The proposed home occupations would be restricted to the ground floor and occupy no more than 25% of the total ground floor gross floor area  
File: Z-9372 Planner: C. Maton ext. 5074

The purpose and effect of this zoning change is to permit a 3-storey rear addition to the existing building, increasing the total number of dwelling units from 8 to 10, and to permit home occupations within dwelling units in an apartment building. Possible change to Zoning By-law Z.-1 **FROM** a Residential R3 Special Provision/Office Conversion/Temporary (R3-2(6)/OC4/T-73) Zone **TO** a Residential R8 Special Provision (R8-4(\_)) Zone. Special provisions would permit: a minimum northerly interior side yard depth of 0.4 metres (whereas 4.5 metres is required); a minimum southerly interior side yard depth of 4.0 metres (whereas 4.5 metres is required); a minimum front yard depth of 0.0 metres (whereas 7.0 metres is required); a maximum building height of 10 metres (whereas 13.0 metres is permitted); establish a maximum gross floor area of 1,600 square metres (whereas no maximum gross floor area is specified); and to permit home occupations within dwelling units in apartment buildings, restricted to the ground floor and occupy no more than 25% of total floor area of the dwelling unit, up to a maximum of 35 square metres, whichever is less. File: Z-9372 Planner: M. Vivian

A total of 3 replies were received.

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

**Concern for:**

*Garbage*

*Snow Storage*

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

Telephone	Written
	Larry, Frances & Brittany Coste 315 Wolfe Street London, ON N6B 2C4

	Xu Wang, Changzhi Xu & Qingguo Wang 317 Wolfe Street London, ON N6B 2C4
	ACO London Communications Committee Eleanor J. Rath

**From:** Brittany Coste  
**Sent:** Monday, June 21, 2021 2:04 PM  
**To:** Maton, Catherine <cmaton@london.ca>  
**Cc:** Larry Coste  
**Subject:** [EXTERNAL] File: Z-9372 551-555 Waterloo Street

Good afternoon,

I have been a resident of 315 Wolfe Street since 1978. My property backs onto both 551-555 Waterloo street. The original site plan established in 1977 had 14 mature trees, most of the trees have been removed and there are only 2 trees left. The original parking lot consisted of 16 parking spaces and a 25 foot buffer between my property and theirs. Because of the expansion from the original 1977 plan has already taken place, they have been parking 25-30 cars pre-covid. Please see the attached original development plan.

The site concept map for the development show snow storage along the fence line of 315 & 317 Wolfe, this is currently where they are storing snow that is causing water damage and property damage as they push the snow right up against the fence line. The fence has been pushed over 2-3 times with only temporary repairs being made.

The current garbage situation is unacceptable. Please see the attached photos.

Best regards,

Larry, Frances & Brittany Coste  
315 Wolfe Street

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**From:** Xu Wang  
**Sent:** Monday, June 21, 2021 12:42 PM  
**To:** Maton, Catherine <cmaton@london.ca>  
**Subject:** [EXTERNAL] 551-555 Waterloo St planning application Z-9372

Hello Catherine,

My name is Xu, I am writing this on behalf of my parents, Changzhi Xu and Qingguo Wang, owners of 317 Wolfe.

We are very against David Russells plans for 551-555 Waterloo st. For years, the property has pushed snow and stacked garbage against the fence where it caused enough damage to collapse. Even though it is not our fence, we still had to do repairs because David Russell would not. Increasing the capacity of the parking lot is just going to increased damage to the fence. I do not believe they will follow their plans to plow snow because they have even more room right now and still decided to push the snow against the fence. This is not an isolated thing, its been happening since we moved here in 2014.

We are in the real estate business and asked around about him. I am always weary of things I read on the internet but the stories are honest about the slumlord practises. The rot, the bugs, the pests, the poor quality living are not isolated events in his career.

It is not just about the snow, it is about the way they operate and how they choose to ignore the small things. It's the way they let their buildings rot and deteriorate because

you can't profit off pest or mold control. If they cannot do the basic things correctly I do not believe they cannot do the bigger stuff correctly either.

We would be disappointed should the plans go ahead.

Xu

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**From:** ACO London  
**Sent:** Monday, March 21, 2022 12:48 PM  
**To:** Vivian, Melanie <mvivian@london.ca>  
**Subject:** [EXTERNAL] 551-555 Waterloo Street

Hi Melanie:

I am reviewing the Notice of REVISED Application for the above noted property.

I am noticing some date differences in the reports provided on the City website when compared to the documents made available at the time of the Notice of Application. For example,

**Site Plan and Architectural Drawings**

Notice of Application - site plan on second page dated 2021-04-14

Notice of Revised Application - site plan on first page dated 2020-11-03

**Planning Justification Report**

Notice of Application - Cover letter dated February 26, 2021 and document of 41 pages

Notice of Revised Application - Cover letter dated February 2, 2021 and document of 23 pages

**Heritage Impact Assessment**

Notice of Application - HIA dated February 26, 2021 - 51 pages

Notice of Revised Application - HIA dated January 8, 2021 - 51 pages

**HIA Appendices** - appears to be same document for both

**Roof Diagram** - appears to be same document for both

**Service Feasibility Study** - appears to be same document for both

**Shadow Study** - appears to be the same document for both

It seemed a bit odd that the "revised" submission all had dates further back in time. Can you please confirm that this is correct?

Is there a summary of the differences between the original application (at the time of Notice) and the Revised Application heading to Public Meeting?

Thanks

Eleanor J. Rath

ACO London Communications Committee

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Architectural Conservancy Ontario - London Region

***Celebrating & advocating for London's architectural heritage since 1966***

[twitter.com/ACOLondonOnt](https://twitter.com/ACOLondonOnt)

[facebook.com/ACOLondon](https://facebook.com/ACOLondon)

[instagram.com/aco\\_london](https://instagram.com/aco_london)

[acolondon.ca](https://acolondon.ca)

## **Agency/Departmental Comments**

### Engineering Comments:

We have reviewed the Servicing Feasibility Report and have no further comments related to the re-zoning application.

### Water Engineering Comments:

Water Engineering has no comments for the zoning by-law amendment noted above.

### Urban Design Comments:

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 building and site design that incorporates the following design features: a rear addition that is sensitive to its context with the massing, material selection and usage and location of the addition having regard for neighbouring properties that appear to minimize shadows impacts and loss of privacy.

### Site Plan Comments:

I have reviewed the submitted concept plan and can offer the following:

1. For accessibility purposes, a ramp is required to be included on the site plan. This is also a requirement of the Ontario Building Code. I would advise having the applicant reach out to Building directly to determine the number of ramps required.
2. Relocate the curb ramp to be between the two barrier-free stalls and remove the access aisle from behind the Type A space.
3. A setback of 1.5m is required from the property line to the parking areas to provide for landscape screening. This would include the proposed hammer head at the end.
4. The location of garbage collection should also be located on the site plan. As this is an apartment building, garbage is to be stored internal to the building until collection day.
5. Bicycle storage is also to be internal to the building with its location identified on the site plan.

### Building Comments:

No ramp is required as per the sections quoted in the code by Nick.

### Heritage Comments:

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 heritage impact assessment requirements for (Z-9372):

- A+LiNK Architecture Inc. (2021, February 26). *Heritage Impact Assessment, 551-555 Waterloo Street, London, ON.*

Please be advised that heritage planning staff recognizes the summary of mitigation approaches outlined on pages 39-42 of the heritage impact assessment (HIA). Mitigating factors noted in the HIA primarily reference compatibility of design with regards to the rear addition by:

- retaining the existing residences on the properties;

- having the addition located at the rear of the existing residences;
- having the proposed height, massing and form similar to that of the existing residences;
- the use of gable-pitched rooflines to 'highlight' existing and adjacent residences;
- having the proposed addition both subordinate to, and discernible from, the existing residences;
- having parking located at the rear lot, with access from the south side of the property along the sidewalk and existing service laneway; and
- not negatively affecting the views, vistas or other heritage elements of nearby and adjacent properties. (HIA, p1)

Heritage staff further acknowledges the submission of an added requirement for a roof diagram which has adequately depicted the interfaces between the slopes of the existing and new roofs.

Heritage staff recommends that buffering and protection measures (i.e. site plan controls) be put in place in order to prevent potential negative indirect impacts caused by construction. The site plan control methods shall be determined in advance of construction and noted on construction drawings.

Based on the review of the heritage impact assessment (HIA), heritage staff is satisfied that there will be no adverse impacts to the designated property at 551-555 Waterloo Street and adjacent designated properties as a result of the proposed development at the rear of 551-555 Waterloo Street. It has been demonstrated that the proposed development sufficiently complies with the principles, goals & objectives, policies and guidelines of the West Woodfield Heritage Conservation District (specifically Sections 4.2.1, 8.2.1, 8.2.2 and 8.2.6) and that significant heritage attributes will be conserved. The HIA can be accepted to meet heritage requirements for (Z-9372). Note that heritage alteration permit (HAP) will be required prior to the issuance of a building permit.

#### Parks Planning and Design Comments:

Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

#### Enbridge Gas Inc. Comments:

Thank you for your correspondence with regard to the proposed Site Plan Application. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuild or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

We trust the foregoing is satisfactory.

#### London Hydro Comments:

This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances

from L.H. infrastructure is mandatory. **Note:** Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

### Appendix C – Policy Context

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

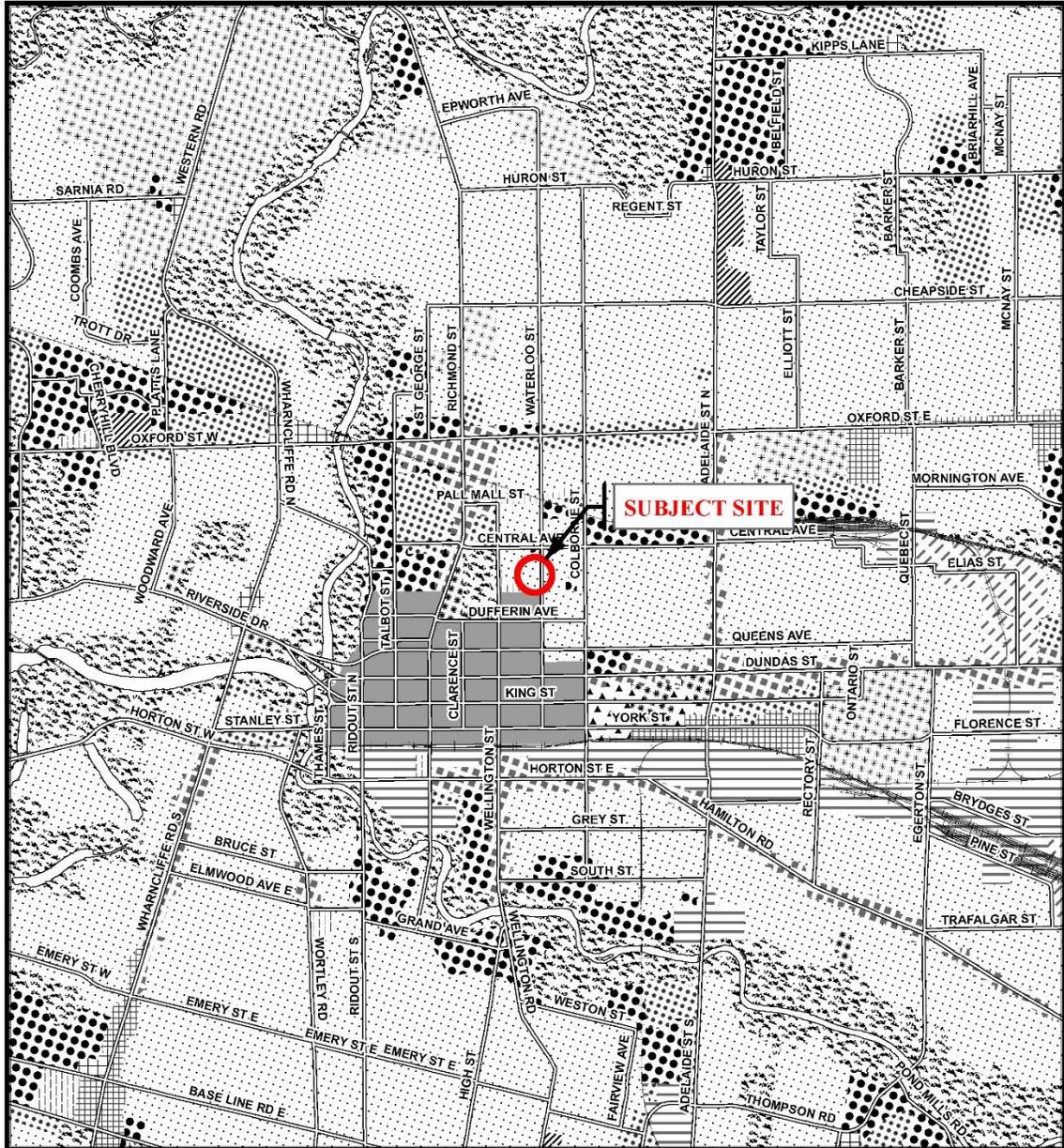
<b>3.7 Planning Impact Analysis</b>	
<b>Criteria</b>	<b>Response</b>
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The proposed land use is contemplated use in the Official Plan and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The revised site concept achieves an intensity that allows for other on-site functions such as guest parking, open space and adequate space for landscape buffering.
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 already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.	The site is located in Central London, close to public open spaces (Victoria Park), transit services and is within walking distance to the downtown core.
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;	<p>The scale/height of the proposed rear yard addition is in keeping with the height of the existing building. The front yard depth of the development is existing and not proposed to change. At the rear of the site, appropriate buffering is being provided from the rear lot line to the proposed development while the interior side yard is consistent with the existing buildings.</p> <p>Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage for any proposed light standards.</p>

<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>The proposed development provides for the retention of a mature tree within the parking area. As part of the proposal, the applicant is seeking to add additional plantings on site that have the opportunity to provide screening. These additional plantings will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties</p>	<p>The site is proposed to be accessed through an existing lane. Transportation Planning and Design have no concerns with the proposed site access.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>Urban Design staff commend the applicant for providing a building and site design that incorporates design features such as a rear addition that is sensitive to its context with the massing, material selection and usage and location of the addition having regard for neighbouring properties that appear to minimize shadow impacts and loss of privacy.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>The existing buildings are designated under Part V of the Ontario Heritage Act as they are located in the West Woodfield Heritage Conservation District. The applicant submitted a Heritage Impact Assessment and Heritage Planning have no concerns about the proposed addition.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>N/A</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the 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.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>As discussed above, tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have a negligible impact</p>

	on the transportation system and provide a more transit-supportive form of development.
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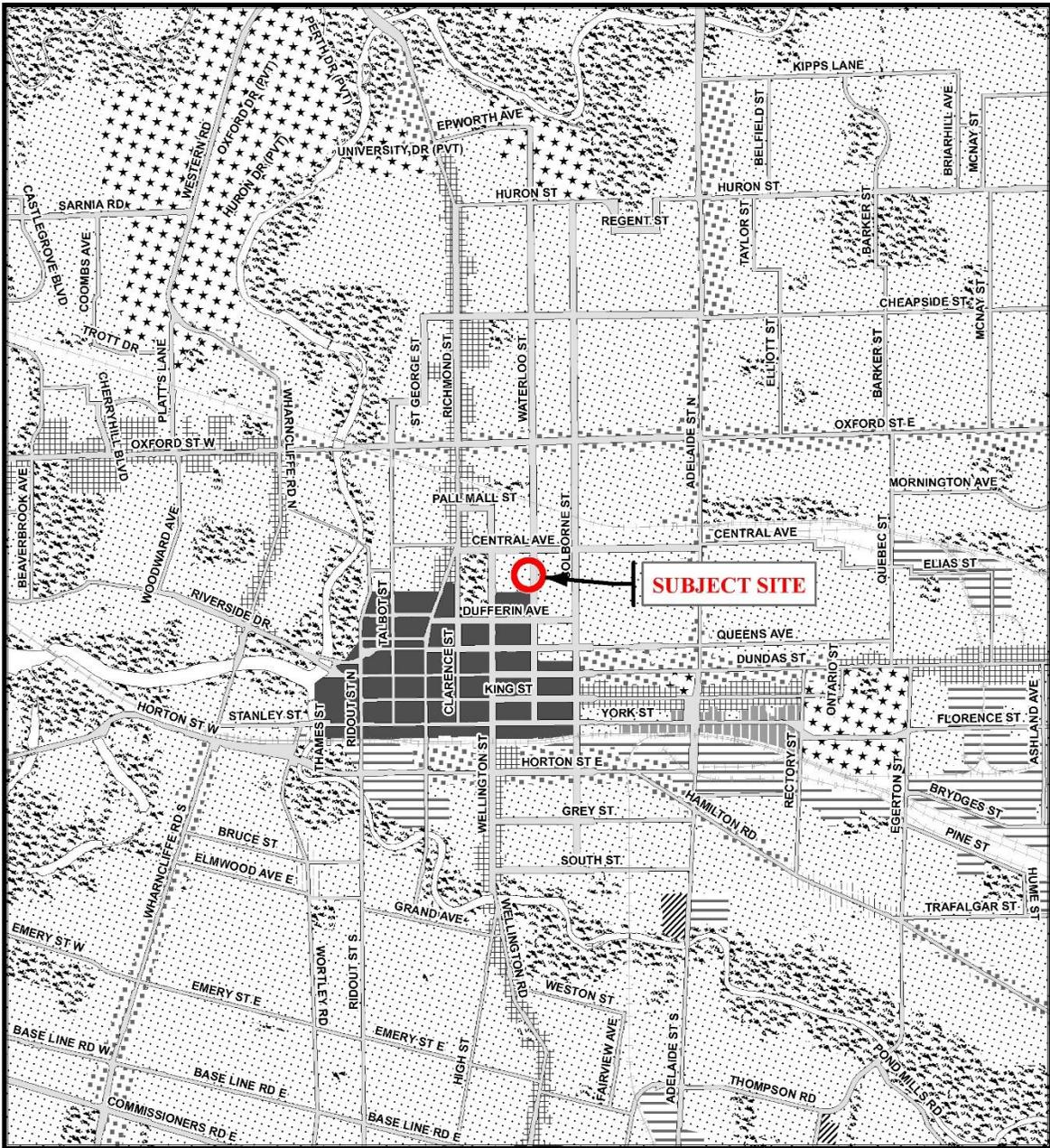
# Appendix D – Relevant Background

## 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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -                  PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 157 314 628 1256 1884 Meters	<p>FILE NUMBER: Z-9372                  PLANNER: MV                  TECHNICIAN: RC                  DATE: 2022/03/25</p>
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**Legend**

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

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

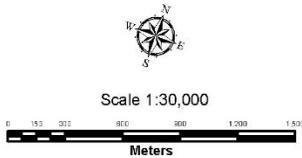
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

**CITY OF LONDON**

Planning Services /  
Development Services

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

PREPARED BY: Planning Services



**File Number:** Z-9372

**Planner:** MV

**Technician:** RC

**Date:** March 25, 2022



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:  
**Z-9372** **MV**

MAP PREPARED:  
**2022/03/25** **rc**



## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee  
**From:** Scott Mathers, MPA, P.Eng  
Deputy City Manager, Planning and Economic  
Development  
**Subject:** Tow Truck/Impound Yard Zoning By-law Review  
**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the zoning review initiated by the Corporation of the City of London relating to all lands within the City of London:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend Zoning By-law No. Z.-1, in conformity with the London Plan for the City of London, to make zoning text changes to Sections 2 (Definitions), Section 28 (Restricted Service Commercial Zone), Section 40 (Light Industrial Zone), Section 41 (General Industrial Zone) and Section 42 (Heavy Industrial Zone) to address tow truck business and impounding yard land uses.

## Executive Summary

This zoning review was initiated by the City of London to implement the London Plan's Industrial Place Type policies and address zoning issues identified through the Business License review process. Zoning changes are required to permit tow truck businesses and impound yards in specific zones, and change some regulations to implement the London Plan policies.

## Linkage to the Corporate Strategic Plan

This zoning by-law review addresses two strategic areas of focus, as presented in Council's Strategic Plan 2019-2023. These are;

1. Strengthening Our Community; and,
2. Growing Our Economy.

## Analysis

### 1.0 Why is this Zoning Review Occurring?

#### 1.1 Background Information

In March 2021 two new categories of licensing were established for tow truck and impound yard uses, *Tow Truck Business* and *Impound Yard Storage*. There were two existing categories of licensing for these uses established in 2017, *Unsolicited Motor Vehicle Storage* and *Unsolicited Motor Vehicle Towing*. As new license applications were submitted and reviewed, it was quickly discovered that many of the existing locations were not properly zoned for either a tow truck business or an impound yard in Zoning By-law Z-1.

Prior to the introduction of these four licensing categories in 2017 and 2021, there was no business license required for tow truck and/or impound yard businesses. Before 2017 there were issues raised about the regulation of towing services and the location of impound yards and licensing categories for those uses were developed. Part of the

process for obtaining a business license is a zoning by-law check to make sure that the use is permitted. Since a license wasn't required, and there was no associated zoning check, these types of uses prior to 2017 located in various Official Plan designations (1989 Official Plan)/Place Types (The London Plan) and various zones. The majority of the existing tow truck and impound yard businesses located in Light Industrial Place Types and Zones.

The nature of these uses is that they normally comprise a large amount of outdoor storage of vehicles which can be unsightly in some industrial areas. In Light Industrial areas and some commercial areas, current policies and zoning by-law regulations limit the amount of outdoor storage and some of these existing uses do not meet the intent of the London Plan Place Types and Zoning By-law Zones and do not comply.

Instead of asking each individual existing business to apply for a rezoning (at a current application fee of \$12,000 per zoning by-law application), the City issued conditional business licenses, pending a larger City-wide review of the zoning regulations and their conformity with the licensing regulations. The City's Licensing By-law has separate definitions for these uses which are different from those in the City's Zoning By-law Z-1.

In addition, the London Plan policies were Council approved June 23, 2016 and the Ministry of Municipal Affairs approved on December 28, 2016 and the Industrial Place Type policies are now in full force and effect. In the London Plan there are now three Industrial categories; Heavy Industrial, Light Industrial and Commercial Industrial. Light Industrial is the most restrictive with regard to the amount of open storage allowed. Prior to 2017 before business licenses were required, most of the existing business (11 out of 18) located in Light Industrial Place Types.

## 1.2 The Nature of Impound Yard and Tow Truck Uses

Impound Yards have the following characteristics;

1. They normally have outdoor storage of vehicles, trucks and automobiles, which generally occupies more than 50% of the lot area;
2. There is overnight parking of vehicles, including daily, weekly and often longer;
3. Normally there are few buildings associated with these uses, except for a small office, unless there is indoor storage;
4. They normally have a fenced in area comprised of a tall chain linked fence sometimes with barbed wire at the top; and,
5. Tow trucks move in and out of the fenced area frequently.

See below example.



Tow truck businesses are different. Some tow truck businesses are combined with impound yards and have tow trucks and vehicles parked in them. Some larger tow truck businesses with multiple tow trucks have a separate place of business. Lastly, some operators have a single tow truck which can be parked in their residential driveway, much like a contractor's truck. Any impacts on neighbouring uses result due to the scale (eg. Number of tow trucks, land area, presence of buffering etc.) of the tow truck business.

### 1.3 Existing Situation

Currently there are eighteen (18) individual sites which have at least one of the four types of licenses; Tow Truck Business, Towing Business, Impound Yard Storage Business, or Motor Vehicle Storage Business. Some sites have more than one type of license. Of the total, eleven (11) are within the Light Industrial Place Type, the others in Heavy Industrial (4), Commercial/Industrial (1), Neighbourhood (1) and Rapid Transit Corridor (1) Place Types.

As indicated above, most of the existing tow truck/impound yard uses are located in Light Industrial Place Types which is inconsistent with the Light Industrial Place Type policies which state;

- Policy 1110            *"...separate these uses from heavier industrial users, to avoid land use conflicts and to allow for positive industrial environments."*
- Policy 1113 (1)      *" Separate heavy and light industrial uses to avoid land use conflicts."*
- Policy 1113 (9)      *"...improve the aesthetic quality and character of the Highway 401 and 402 corridors...introducing enhanced landscaping in rear yards...screening open storage areas.....enhances London's image through site layout ..."*
- Policy 1115 (2)      *"Industrial uses with large amounts of outdoor storage may not be permitted in the Light Industrial Place Type,..."*
- Policy 1125 (2)      *"...present a positive image of London to the high volume of people travelling along the Highway 401/402 corridor..."*
- Policy 1125 (5)      *" Large open storage areas will be screened with fencing and landscaping that is appropriate within the surrounding context and view corridors."*

In addition, the Light Industrial (LI) Zone in Zoning By-law Z-1, which implements the Light Industrial Place Type in the London Plan, has a maximum outdoor storage regulation of 15% and minimum landscaped open space requirement of 10% to implement these policies. Some of the existing impound yard uses in the Light Industrial Place Type have more than 15% open storage and little landscaped open space.

### 1.4 Where Impound Yards and Towing Businesses Should Be Located

Based on the London Plan policies these uses should be located in less visible areas, "out-of-sight", preferably in a Heavy Industrial Place Type or in the rear portions of Commercial Industrial Place Type. There are also specific policies in the London Plan which preclude these uses from the Highway 401, Highway 402 and Veteran's Memorial Parkway corridors.

In the **Heavy Industrial Place Type** the following policies support the inclusion of impound yards and towing businesses;

- 1109                  *"...unsightly outdoor storage will be permitted....physically separated from other uses....without regular complaints...."*
- 1114 (2)            *"Uses that have large amounts of outdoor storage."*
- 1114 (4)            *"...large storage facilities, contractors yards, transportation terminals..."*

In addition, both the Heavy Industrial (HI) and General Industrial (GI) in Zoning By-law Z-1, which implement the Heavy Industrial Place Type, both have a maximum open storage/coverage regulation of 75% and minimum landscaped open space requirement of 5% to implement these policies.

In the **Commercial Industrial Place Type** the following policies support the inclusion of impound yards and towing businesses;

- 1112            *“...will be located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes.*
- 1118            *“...tend to have a quasi-industrial character, whereby they may be designed with large outdoor storage areas, impound areas with high fences...”*
- 1119            *“The following uses may be permitted in the Commercial Industrial Place Type:*
- 1. Commercial uses that do not fit well within the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area, and Main Street Place Types due to their planning impacts may be permitted. Such impacts may stem from:*
- a. Large outdoor storage areas.*
- b. Impound areas.*
- d. Storage, display, or parking of heavy equipment.*
- f. Large volumes of regular truck traffic...”*

Until the New Zoning By-law is completed, the Restricted Service Commercial (RSC5) Zone in Zoning By-law Z-1 is the only zone which approximates the intent of the Commercial Industrial Place Type. However, the maximum open storage in that zone is currently 15% and the minimum landscaped open space requirement is 15% which may limit the application of that zone.

### **1.5 Licensing By-law Definitions/Current Interpretation of Tow Truck and Impound Yard Uses in Zoning By-law Z-1**

As indicated above there are four different licensing categories for tow truck and impound yard uses;

- 1) **“Motor Vehicle Storage Business”** (lots for cars towed from a parking lot without the owners consent”- Schedule 19 of Licensing By-law).

Currently defined by Zoning Officers as a “*Salvage Yard*” which is only permitted in a Heavy Industrial (HI3) Zone. In Zoning By-law Z-1 **“SALVAGE YARD”** means a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials and vehicles and parts thereof.

This definition is much broader and includes uses which have more of a physical and aesthetic impact on adjacent uses than a towing business.

- 2) **“Impound Yard Storage Business”** (lots for vehicles towed from an accident scene -Schedule 20 of Licensing By-law)

Currently defined by Zoning Officers as an “*Impounding Yard*” which is also only permitted in the Heavy Industrial (HI3) Zone. In Zoning By-law Z-1 **“IMPOUNDING YARD”** means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored

*temporarily until reclaimed, but does not include an automobile service station, gas bar, or salvage yard.*

This definition is appropriate to recognize this licensing category.

The last two licensing categories are;

- 3) “**Towing Business**” (means the “unsolicited” towing of vehicles from parking lots) and
- 4) “**Tow Truck Business**” (means the towing of vehicles from an accident scene)

Both of these are currently defined by Zoning Officers as “*Terminal Centres*” which is a permitted use in Light Industrial (LI6), General Industrial (GI1) and Heavy Industrial (HI1) Zones. In Zoning By-law Z-1 a “**TERMINAL CENTRE**” means an area of land, a building or a structure or part thereof used by rail and transit terminals; airport terminals; broadcasting and communication terminals; power transmission and control centres; pipeline, pumping and control stations; transport terminals; toxic dispatch centres; and other similar uses.

The range of uses included under this definition is quite broad, permitting such uses as transport terminals, airport terminals and toxic dispatch centres. Tow truck businesses, when not associated with an impound yard, have limited impacts on neighbouring uses compared to other uses allowed in the definition.

In summary, there are very few general zones where towing businesses and impound yards are currently permitted as-of-right. Any proposed location outside of these three zones requires a zoning by-law amendment application which involves costs and extra time to process. In addition, some of the existing definitions in Zoning By-law Z-1 are too broad to adequately regulate tow truck businesses and impound yard uses so new or revised definitions are needed.

There is some consistency in terminology between the zoning by-law and licensing by-law and it is not envisioned that changes to the Licensing By-law are required at this time.

## **2.0 Amendments to Zoning By-law Z-1 needed to implement the London Plan Policies**

Zoning By-law changes need to be done to implement the approved London Plan policies, broadening the range of zones which permit towing and impound yard uses and adding new definitions and amending existing definitions in Zoning By-law Z-1 to better reflect the nature and intensity of these uses.

### **2.1 Add a New Definition of “Tow Truck Business”**

Currently, tow truck businesses are being interpreted by Zoning Officers as a “terminal centre” because that definition best fits the description of the use. However, the “terminal centre” definition is much too broad in scope and allows more intensive uses (eg, transport terminal, airport terminals, toxic dispatch centres) than a towing business. Towing businesses simply allow the parking of tow trucks, and possibly include an administrative office, and are similar to a building and contracting establishment.

**Recommendation** – Add a new definition of “Tow Truck Business”.

### **2.2 Amend Existing Definition of “Impounding Yard”**

The existing definition states:

*“IMPOUNDING YARD” means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored temporarily until reclaimed but does not include an automobile service station, gas bar, or salvage yard.*

A review of existing business sites indicates that most impound yards have tow trucks parked within the compound. Since vehicles (trucks and automobiles) are already parked there it reasonable to also allow tow trucks, associated with the impound yard, to be also parked there.

However, the reverse, ie.) allow an impound yard as part of a tow truck business, should not be allowed. Impound yards are a more intensive use and have characteristics (ie. Outdoor storage, high fences) that generally don't conform to the London Plan Place Types in Light Industrial Place Types. As indicated above, impound yards are not permitted in conjunction with a tow truck business unless a site is zoned for both uses.

**Recommendation** – Add the phrase *“and may include a tow truck business”* to the existing definition of Impound Yard.

### **2.3 Amend Existing Definition of “Outdoor Storage”**

The current definition is;

*“OPEN STORAGE” means the storage of raw materials, equipment, vehicles or other materials in an area not enclosed within a building or structure but this shall not include an automobile parking lot, the outside display for sale or lease of goods and materials in conjunction with a permitted commercial or industrial use, resource extraction operations, a transport terminal, a salvage yard, or a storage depot.*

There a number of land uses excluded from the definition of open storage because they are almost entirely comprised of outdoor storage. An impounding yard is similar in nature to an automobile parking lot or a transport terminal and should be added to the definition as an excluded use and not be subject to the outdoor storage regulations of Zoning By-law Z-1.

**Recommendation** – Amend the existing definition of “outdoor storage” to exclude impounding yards.

### **2.4 Add Tow Truck Business as a Permitted Use in the Restricted Service Commercial (RSC1) Zones**

Currently, there are no existing zones in Zoning By-law Z-1 which implement the Commercial/Industrial Place Types in the London Plan and allow tow truck business (formerly interpreted as terminal centre amended above) as a permitted use. Tow truck businesses are lower impact uses and should be permitted in zones which allow the parking of trucks and some outdoor storage. The RSC1 Zone already allows auto rental, auto sales and taxi establishments so tow truck business is consistent with the nature of those uses.

**Recommendation** – Add Tow Truck Business as a permitted use in the RSC1 and RSC4 Zones.

### **2.5 Add Tow Truck Business and Impounding Yard as Permitted Uses in the Restricted Service Commercial (RSC5) Zone**

Until the new Zoning By-law is in place, the RSC5 Zone will be the primary zone for including industrial-type uses in the Commercial Industrial Place Type and implementing the London Plan. It already contains uses which have some outdoor storage of vehicles (eg. Building and contracting establishments, building supply outlets etc.). The current maximum amount of outdoor storage allowed in the zone is 15% but through the

proposed amendment changes impounding yards will be excluded by definition from being regulated by the open storage regulations because the use is comprised entirely of open storage. The landscaped open space requirement will ensure the entire lot will not be covered by vehicles.

Adding tow truck business, to allow tow trucks, and impound yards is consistent with the nature of the uses permitted in the zone.

**Recommendation** – Add tow truck business and impounding yard as permitted uses to the RSC5 Zone in Section 28.2 (Restricted Service Commercial/Permitted Uses) in Zoning By-law Z-1.

## **2.6 Open Storage Setbacks in the RSC1 and RSC5 Zones.**

Sites for impounding yards should not include those that are visible from the street edge or in close proximity to sensitive land uses (ie. Residential). Open storage associated with these uses should not be visible from the street, therefore it also should not be located in the front yard or exterior side yard.

There are existing regulations for self storage establishments in the By-law for setbacks from sensitive land uses which should be amended to include tow truck businesses and impounding yards. That section includes setback regulations next to sensitive land uses which also should apply to tow truck businesses and impounding yards. Landscaping, fencing and setbacks can also be used to minimize visual and physical impacts.

**Recommendations** – Amend Section 28.3 (Regulations) to change the title to “Self-Storage Establishments, Tow Truck Business, and Impounding Yards”, prohibit outdoor storage in the front and exterior side yards and apply setback regulations next to sensitive land uses.

## **2.7 Amend Light Industrial LI1 and LI7 Zones to allow Tow Truck Businesses**

Terminal centres (which is how tow truck businesses are currently defined) are currently allowed only in the LI6 Zone subject to a maximum open storage regulation of 15%. However, there are six existing licences for towing businesses in the LI7 Zone. These uses located here prior to the establishment of the current licensing process and before the London Plan policies were adopted by Council. Reviewing the current range of permitted uses in the LI7 Zone, some are similar in nature to towing businesses, the parking of vehicles as open storage (e.g building and contracting establishments, service trades, truck sales and service). Adding this use to the LI1 Zone is also consistent and would result in it being also allowed in the LI2, LI4 and LI6 Zones as well. The LI8 Zone allows “existing industrial use” to recognize existing tow truck businesses and impound yards not currently permitted by zoning.

**Recommendation** – Add tow truck business as a permitted use in the LI1 and LI7 Zones.

## **2.8 Increase the Amount of Open Storage allowed in Light Industrial (LI) Zone**

The London Plan Light Industrial Place Type limits the amount of outdoor storage for permitted uses but the current maximum of 15% may be too low. Self storage establishments in the LI10 Zone are allowed to have 40% outdoor storage and there are a number of uses permitted in the other Light Industrial zones (eg. Service trades, building and contracting establishments, storage depots, terminal centres, transport terminals and truck sales and service which would also exceed the 15% outdoor storage. By increasing the maximum by 10% may provide some flexibility while maintaining the intent of the Light Industrial Place Type policies.

**Recommendation** – Increase the maximum open storage from 15% to 25% in the LI1 to LI7 Zones.

## **2.9 Amend General Industrial (GI1 and GI2) Zones to allow Impounding Yards and Tow Truck Business**

The General Industrial (GI) and Heavy Industrial (HI) Zones are intended to implement the Heavy Industrial Place Type in the London Plan. These zones are where tow truck businesses and impound yards should be because most of these zones are applied away from sensitive land uses. The Zones specifically allow “*considerable outdoor storage*.” Most of these zones are also not applied along major transportation corridors where they are visible from the street. If they are, there are interior side yard and rear yard setback regulations in the zones to address this.

The GI1 Zone already permits terminal centres (the current interpretation for tow truck business) as a permitted use but not the GI2. Tow Truck Businesses are the less intensive and are similar to other permitted uses in that zone and should be permitted. Adding these uses to those zones will increase locational flexibility for business owners in zones where they should be located.

Impounding Yards should also be added to both zones because they are similar in nature to other permitted uses and consistent with the Heavy Industrial Place Type policies in the London Plan.

**Recommendation** – Add impound yards as a permitted use in the GI1 and GI2 Zones and add tow truck business as a permitted use to the GI Zone.

## **2.10 Increase the amount of Outdoor Storage allowed in the General Industrial (GI) and Heavy Industrial (HI) Zones**

The current zoning regulations allow a maximum of 75% combined lot coverage and open storage, ie. if you have a building with 10% lot coverage you can have 65% open storage etc. As indicated before, any buildings on the property tend to be small unless combined with another use. The building tends to be used as an office. Allowing a higher open storage component may assist these uses with more location options. The landscaped open space requirement is 5% so the remainder could be either building coverage or open storage. Setback requirements, landscaped open space and fencing requirements would still need to be met.

**Recommendation** – Amend Table 41.3 (General Industrial Zone) and Table 42.3 (Heavy Industrial Zone) to permit a lot coverage and open storage combined maximum of 95% of the lot.

## **2.11 Add Impounding Yard and Tow Truck Business as Additional Permitted Uses in the HI1 and HI2 Zones and add Tow Truck Business as an Additional Permitted use in the HI3 Zone**

The Heavy Industrial (HI) Zone includes the widest range of uses which may have environmental, aesthetic and traffic impacts compared to all the other industrial zones. Salvage yards are a permitted use which are more intensive than the subject uses. Both impounding yards and tow truck businesses should be included in the range of uses for both zones.

Setback regulations next to sensitive land uses still have to be met as well as a 5% landscaped open space requirement.

**Recommendation** – Add Impounding Yard and Tow Truck Businesses as additional permitted uses in the HI1 and HI2 Zones and add Tow Truck Business to the HI3 Zone.

The purpose of the above text changes is to provide for a broader range of future locational options for towing businesses and impounding yard uses. The Heavy Industrial and Commercial/Industrial London Plan Place Types are the preferred locations for these uses. The Heavy Industrial (HI1, HI2 and HI3), General Industrial

(GI1 and GI2) and Restricted Service Commercial (RSC1, RSC2 and RSC5) Zones, which implement the above, are the preferred zones.

The Light Industrial Place Type and Light Industrial (LI1, LI2, LI4, LI6, LI7 and LI8) Zones can permit these uses but the amount of open storage may be limited to 25%. Existing uses which exceed the 25% could be recognized by the LI8 Zone.

Under the previous zoning by-law regulations terminal centres (tow truck business interpretation) were permitted in three zones, impound yards and salvage yards in one zone each. After the above recommended amendments, tow truck businesses are now permitted in fourteen (14) zones and impound yards in seven (7) zones. This increase in locational options addresses a concern of the industry raised at the business owner meeting on February 24, 2022.

### 3.0 Site Specific Zoning By-law Changes

After the above text changes are made, towing businesses and impound yards will be permitted as follows;

London Plan Place Type	Zoning By-law Z-1 Zones
Heavy Industrial	Heavy Industrial (HI1, HI2 and HI3) and General Industrial (GI1, GI2) with 95% lot coverage/open storage excluding impounding yards.
Light Industrial	Light Industrial (LI1, LI2, LI4, LI6, LI7 and LI8) limited to maximum 25% outdoor storage excluding impounding yards.
Commercial Industrial	Restricted Service Commercial (RSC1, RSC2 and RSC5).

However, after the above amendments are made, four of the businesses (out of eighteen) will still not conform to zoning and/or the London Plan Place Type. A review of existing tow truck businesses and impound yard locations indicates that only two existing locations will not comply with the zoning by-law text changes; 2680 Dundas Street (Light Industrial Special Provision (LI1(11) Zone) and 2080 Jetstream Road (Light Industrial (LI2)).

There are two additional business site locations which would be properly zoned but would not meet the long term intent of the London Plan Place Type; 19 Clarke Road (Neighbourhood Place Type) and 441 Nightingale Avenue (Rapid Transit Corridor Place Type).

A brief description and analysis of each site is provided below with a recommendation on the proposed zoning approach.

#### 3.1 2680 Dundas Street (east of Kostis Avenue)

**London Plan Place Type** – Light Industrial

**Zoning By-law Z-1** – Holding Light Industrial Special Provision (h-17.LI1(11))

## Air Photo:



## Background

In 2010 an official plan/zoning by-law amendment application (OZ-7778/Hamilton-Croft-Quittkat) was submitted requesting a change from Low Density Residential/R1-10 to Light Industrial to retain some of the uses previously permitted in the West Nissouri Official Plan and Zoning By-law. The application went to PEC on September 13, 2010 and the Official Plan and zoning were changed to allow automobile repair garage, automobile supply store, builder's yard, bulk sales establishment, manufacturing and assembly industry, ancillary retail store, service and repair establishment, transport terminal and warehouse establishment. Neither terminal centre or impounding yard were permitted uses in that approved zoning.

The property currently has licenses for Impound Yard Storage Business, Tow Truck Business and Unsolicited Motor Vehicle Towing but is not zoned to allow either terminal centre or impound yard, the current interpretation for those uses. The former West Nissouri zoning also did not permit those uses.

The site's location on a major entryway into the City is not in inconformity with London Plan policies which discourages open storage as part of an impound yard along a major transportation corridor. Even though it has a license, it should not be zoned to allow an impound yard which is not currently permitted.

The recommended addition of tow truck business to the LI1 Zone would allow a tow truck business on the property and accommodate two of the existing licenses but not an impound yard to recognize the Impound Yard Storage Business License. From the airphoto there does not appear to be an impound yard on the property.

## Recommendation

No change to the existing Holding Light Industrial Special Provision (h-17.LI1(11) Zone zoning, the tow truck business would be allowed in the LI1 Zone (after the recommended text amendments) and not permit an impounding yard which was not permitted by previous zoning.

### 3.2 2080-2084 Jetstream Road (South of Veterans Memorial Parkway)

**London Plan Place Type** – Light Industrial  
**Zoning By-law Z-1** – Light Industrial (LI2)

## Air Photo:



## Background

The site is currently used as an impounding yard. It has licenses for a tow truck business and impounding yard but is not zoned for either a terminal centre (tow truck business) or impounding yard. The tow truck business use is not an issue because it only includes the parking of tow truck(s). The addition of tow truck business as a permitted use in the LI2 Zone would recognize that use.

The existing impounding yard should not be recognized in zoning. London Plan policies speak to improving the aesthetics along major transportation corridors like Highway 401 and 402 and Veterans Memorial Parkway (Policies 1113 (10) and 1125(4-5)).

1125 *4. Industrial sites along the Veterans Memorial Parkway will be developed with high-quality design and enhanced landscaping with an abundance of tree planting to contribute to the iconic parkway image as a monument to Canada's war veterans.*

*5. Large open storage areas will be screened with fencing and landscaping that is appropriate within the surrounding context and view corridors."*

Given these policies, there are two options for the impound yard use; recognize with the application of the Light Industrial (LI8) Zone or treat as legal non-conforming. The LI8 Zone permits an;

**"EXISTING DEFINED INDUSTRIAL USE"** means the legally existing use on the effective date of this By-law and any other use included within the same definition as defined in Section 2.0 (Definitions) of this By-law. For example, lands containing an existing printers shop, which is defined as a service trade, would permit any uses that conform to the service trade definition. (Z.-1-94260). The effective date of Zoning By-law Z-1 is July 1, 1993 so any use which have to be in existence before that date.

In this instance, anything defined as an impounding yard would permit any uses that conform to these definitions.

Legal Non-Conforming Uses are similar but are not recognized in the Zoning By-law by a specific zone, only through the General Provisions in Sections 1.3 and 4.16. Similar to the above, they have to exist before July 1, 1993. It is unclear when this use was established, no records have been provided to determine whether it existed before that date or not.

## Recommendation

Do not recognize the impound yard in zoning but continue to treat as a legal non-conforming use under the zoning by-law. Through the licensing process encourage that landscaping and fencing be improved along the Veterans Memorial Parkway corridor.

### 3.3 19 Clarke Road (west side, north of Hamilton Road)

**London Plan Place Type** – Neighbourhood

**Zoning By-law Z-1** – Restricted Service Commercial (RSC5)

**Air Photo:**



## Background

The site is at the interface between a developing residential area to the east and older commercial/industrial uses along Clarke Road which have been here for a long time. The site has both Tow Truck and Impound Yard Storage Business licenses. There is a religious institution to the north and a community centre to the south and some remnant residential uses nearby. A site to the north is zoned for future residential development. The London Plan Place Type envisions this site being part of a residential focused community but clearly this corridor is in transition. The Restricted Service Commercial (RSC5) Zone was applied to recognize the existing use and recommended amendments add impound yard as a permitted use. Because it abuts an existing residential area the treatment of the interface between the two is important until the site redevelops.

## Recommendation

The zoning should remain Restricted Service Commercial (RSC5). After the recommended amendments, adding tow truck business and impound yards to the RSC5 Zone, the existing licensed uses will be permitted. As indicated in the London Plan, the long term plan for this area is for this site to be part of a residential community. This use can remain on a temporary basis until redevelopment occurs but should not be intensified. Through the licensing process some landscaping, fencing etc. should be required in the interim.

### 3.4 441 Nightingale (north of Dundas Street in the McCormick Area)

**London Plan Place Type** – Rapid Transit Corridor

**Zoning By-law Z-1** – General Industrial (GI1)

## Air Photo:



## Background

The site has current licenses for tow truck business and impound yard storage business. The site is currently zoned General Industrial (GI1) which allows terminal centres (towing business) and, as recommended, impound yards. In the short term this use can remain.

However, in the longer term, the London Plan recognizes this site as a Rapid Transit Corridor Place Type. This site is designated Mixed Use/Main Street in the McCormick Area Plan which was adopted by Council May 2017. Both plans propose a higher intensity residential/commercial corridor along Dundas Street which would not be consistent with the current use.

## Recommendation

As indicated in the London Plan, the long term plan for this area is for this site to be part of a higher intensity residential community. This use can remain on a temporary basis until redevelopment occurs but should not be intensified.

## How to Address Site Plan Issues

Commercial/Industrial and Light Industrial, and sometimes Heavy Industrial, Place Types abut other sensitive land uses such as residential uses. In addition, there are policies in the London Plan which address the design of land uses along the Highways 401 and 402 and Veterans Memorial Parkway and along other major entryways into the City. Issues such as the location of open storage, fencing and landscaped open space are all typically dealt through the site plan approval process. However, through the use of the Licensing By-law Administrative Regulations, conditions can be administratively added or amended addressing site plan matters. This would save time and fees for those sites that abut sensitive land uses. Through the licensing process this option should be utilized.

## **Conclusion**

This zoning review was initiated by the City of London to implement the London Plan Place Type Industrial policies and address zoning issues identified through the Business License review process. Zoning changes were required to tow truck businesses and impound yards in specific zones which implement the policies. The amendments also provide for a broader range of possible locations for those uses to address on of the industries concerns.

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

## Appendix A

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

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to make general zoning changes related to Tow Truck and Impound Yard uses and make site-specific zoning changes at various locations in the City of London.

WHEREAS the City of London has initiated a zoning by-law review to make general changes and site-specific changes related to tow truck and impound yard businesses, as shown on the maps attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Section 2 (Definitions) is amended by adding the following new definition:

*“TOW TRUCK BUSINESS” means a business that tows any motor vehicle and/or provides towing services but does not include an impound yard.*

- 2) Section 2 (Definitions) is amended by deleting the existing definition and replacing it with the following new definition;

*“IMPOUNDING YARD” means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored temporarily until reclaimed and may include a tow truck business but does not include an automobile service station, gas bar, or salvage yard.*

- 3) Section 2 (Definitions) is amended by deleting the existing definition and replacing it with the following new definition;

*“OPEN STORAGE” means the storage of raw materials, equipment, vehicles or other materials in an area not enclosed within a building or structure but this shall not include an automobile parking lot, the outside display for sale or lease of goods and materials in conjunction with a permitted commercial or industrial use, resource extraction operations, a transport terminal, a salvage yard, impounding yards or a storage depot.*

- 4) Section 28.2 (Restricted Service Commercial Zone/Permitted Uses) is amended by adding the following additional permitted uses to the RSC1 Zone;

\_ ) Tow Truck Business

- 5) Section 28.2 (Restricted Service Commercial Zone/Permitted Uses) is amended by adding the following additional permitted uses to the RSC5 Zone;

\_ ) Tow Truck Business

\_ ) Impounding yard

- 6) Section 28.3 (Restricted Service Commercial Zone/Regulations) is amended by deleting the title in 6 a) and replacing it with “Self-storage Establishments, Tow Truck Business and Impounding Yards”

- 7) Section 40.2 (Light Industrial/Permitted Uses) is amended by adding “Tow Truck Business“ as an additional permitted use to the LI1 and LI7 Zones.
- 8) Table 40.3 (Light Industrial Zone) Columns B to J, Line 12 is deleted and replaced with “25”.
- 9) Section 41.2 (General Industrial/Permitted Uses) is amended by adding “Impounding Yard” and “Tow Truck Business” as additional permitted uses to the GI1 and GI2 Zones.
- 10) Table 41.3 (General Industrial Zone) Columns B to D , Line 10 is deleted and replaced with “95”.
- 11) Section 42.2 (Heavy Industrial Zone/Permitted Uses) is amended by adding “Impounding Yard” and “Tow Truck Business” as an additional permitted use to the HI1 and HI2 Zones and “Tow Truck Business” to the HI3 Zone.
- 12) Table 42.3 (Heavy Industrial Zone) Columns B to E Line 12 is deleted and replaced with “95”.

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 May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On January 10, 2022, Notice of Application was sent to nineteen (19) towing truck/impound yard business owners in the City. Notice of the Zoning Review was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 16, 2021.

A meeting with the business owners was also held virtually on Thursday, February 24, 2022. About 50% of the business owners were involved

Eleven (11) replies were received

### Nature of Liaison:

The purpose and effect of these possible zoning changes through this City-initiated zoning review is to review the existing definitions and application of zones for these uses and ensure consistency between the City's Zoning By-law and the City's Business Licensing By-law. Possible changes include revised or new definitions, pre-zoning more sites for these uses, removal of these uses from some zones etc. to ensure consistency with the Industrial Places Type policies in the London Plan.

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

### Concern for:

- 1. Very few sites are pre-zoned for tow truck business and impound yard uses without the need for a Zoning By-law amendment.**
- 2. Some larger companies have a monopoly on pre-zoned sites which hinders smaller operators.**
- 3. Light Industrial maximum of 15% outdoor storage doesn't recognize existing situations.**
- 4. "Grandfathering" of existing uses, how long do we have?**
- 5. How long will this non-conforming situation last, some businesses have 2 year leases?**
- 6. No issues have been raised yet with the existing amount of outdoor storage so why is the City concerned about it?**
- 7. Possibility of City Impound Lot for Smaller Operators.**

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

No responses to date

### Agency/Departmental Comments

No relevant agency comments

## 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:

### 1) PROVINCIAL POLICY STATEMENT (In effect May 1, 2020)

The relevant sections of the PPS to this zoning review include;

#### Part I: Preamble

*Zoning and development permit by-laws are also important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.*

#### 1.2.6 Land Use Compatibility

*1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:*

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*

#### 1.3 Employment

*1.3.1 Planning authorities shall promote economic development and competitiveness by:*

- b) 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;*

### 2) COUNCIL'S STRATEGIC PLAN -2019-2023

There are two strategic areas of focus which apply to this review and include;

#### Strengthening Our Community

*“Ensure that new development fits within and enhances it's surrounding community”- Prepare and implement urban design guidelines.*

## Growing Our Economy

*“Increase efficiency and consistency for administrative and regulatory processes”-  
Improve administrative and regulatory processes and by-law requirements to enhance  
London’s competitiveness.”*

### 3) THE LONDON PLAN

(Council approved June 23, 2019, Ministry approved December 28, 2016,  
September 2021 consolidation)

The relevant policies are (with specific references highlighted);

**22\_** It is also important to build our city so that it offers the foundations for a strong economy and commerce including reliable, efficient and smart forms of infrastructure, easy access to major markets for the movement of information, goods and services, **growth and development opportunities for businesses and industries of all types**, support for our agricultural hinterland, a strong educational infrastructure, outstanding health care, affordable energy, and an assortment of opportunities for innovation and creativity. Long-term job growth and economic prosperity are absolutely fundamental to the success of The London Plan.

#### **55\_ Direction #1 Plan strategically for a prosperous city**

1. Plan for and promote strong and consistent growth and a vibrant business environment that offers a **wide range of economic opportunities**.
9. Identify and strategically **support existing and emerging industrial sectors**.

#### **58\_ Direction #4 Become one of the greenest cities in Canada**

14. Pursue opportunities to **remediate and redevelop brownfield sites**.

#### **62\_ Direction #8 Make wise planning decisions**

2. Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions.
3. Think “big picture” and long-term when making planning decisions – consider the implications of a short-term and/ or site-specific planning decision within the context of this broader view.
8. Avoid current and future land use conflicts – mitigate conflicts where they cannot be avoided.

## EMPLOYMENT LANDS

**136\_** Figure 17 shows employment lands including the majority of existing and planned industrial land in the city. These lands are primarily clustered around the Veterans Memorial Parkway and Highway 401 corridors, which are important connections to the London International Airport and the North American free trade routes. These corridors support the majority of London’s employment areas as defined by the Provincial Policy Statement. They include heavy and light industrial uses, commercial industrial uses, as well as a range of innovation parks and research facilities. Industrial lands can be seen on Map 1 - Place Types of this Plan.

**137\_** Adequate land is included within the Urban Growth Boundary to ensure there is an ample supply of strategically-sized and located sites for **attracting industrial businesses of various kinds**.

**154\_** Through our urban regeneration efforts we will:

7. Support the remediation of brownfield sites to create new opportunities for the useful redevelopment of these lands within urban neighbourhoods.

10. **Reduce long-standing land-use conflicts** in urban neighbourhoods

253\_ Site layout should be designed to minimize and mitigate impacts on adjacent properties.

269\_ Buildings should be sited to minimize the visual exposure of parking areas to the street.

789\_8. **The Industrial Place Type allows for a wide range of industrial uses, located in areas where they are unlikely to cause land use planning impacts on adjacent lands and where they meet the locational requirements of such uses.**

### HEAVY INDUSTRIAL PLACE TYPE

1109\_ The Heavy Industrial Place Type is where those industries that generate significant planning impacts, such as noise, vibration, air emissions, hazardous materials, and **unsightly outdoor storage**, will be permitted. These uses will be **physically separated from other uses to avoid land use conflicts** and to allow them to operate effectively **without regular complaints from adjacent uses**. Appropriate attention will be placed on the stormwater management and sanitary sewer discharge of these uses.

### LIGHT INDUSTRIAL PLACE TYPE

1110\_ The Light Industrial Place Type is where industries generating more minimal planning impacts will be permitted. It is appropriate to **separate these uses from heavier industrial users, to avoid land use conflicts and to allow for positive industrial environments**. It may also be necessary to separate some uses within the Light Industrial Place Type from sensitive land uses on adjacent lands.

### COMMERCIAL INDUSTRIAL PLACE TYPE

1112\_ The Commercial Industrial Place Type is where commercial uses will be directed that do not fit well within our commercial and mixed-use place types, due to the planning impacts that they may generate. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. The Commercial Industrial Place Type will be located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes.

### HOW WILL WE REALIZE OUR VISION?

1113\_ We will realize our vision for the Industrial Place Types by implementing the following in all the planning we do and the public works we undertake:

1. **Separate heavy and light industrial uses to avoid land use conflicts.**

9. In accordance with the Ministry of Transportation's applicable regulations and guidelines, **improve the aesthetic quality and character** of the Highway 401 and 402 corridors by establishing a plan for theming segments of the corridor, introducing **enhanced landscaping in rear yards**, and establishing public monuments and public realm enhancements, **screening open storage areas** and ensuring that future development along these corridors enhances London's image through site layout and building design.

15. Keep the majority of commercial uses out of our Heavy and Light Industrial Place Types.
16. Direct commercial uses that do not fit well within our commercial and mixed-use place types to identified Commercial Industrial areas.

#### **PERMITTED USES IN HEAVY INDUSTRIAL PLACE TYPE**

**1114\_** The following uses may be permitted in the Heavy Industrial Place Type:

1. A broad range of industrial uses that may impose impacts on surrounding land uses due to their emissions such as noise, odour, particulates, and vibration, may be permitted.
2. Uses that have **large amounts of outdoor storage**.
4. Service trades, public and private utilities and related facilities, **large storage facilities, contractors yards, transportation terminals** and heavy equipment sales and services, and residential and other source recycling facilities may be permitted provided they will not detract from the industrial operations of the heavy industrial area.

#### **PERMITTED USES IN LIGHT INDUSTRIAL PLACE TYPE**

**1115\_** The following uses may be permitted in the Light Industrial Place Type:

2. Industrial uses **with large amounts of outdoor storage may not be permitted** in the Light Industrial Place Type, dependent upon the character of the surrounding industrial area, specific policies at the end of this chapter, or any applicable guideline documents

#### **PERMITTED USES IN COMMERCIAL INDUSTRIAL PLACE TYPE**

**1118\_** The Commercial Industrial Place Type will accommodate commercial uses that do not fit well within the context of our commercial and mixed-use place types. These commercial uses tend to have a quasi-industrial character, whereby they may be designed **with large outdoor storage areas, impound areas with high fences**, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods. They may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial or mixed-use type.

**1119\_** The following uses may be permitted in the Commercial Industrial Place Type:

1. Commercial uses that do not fit well within the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area, and Main Street Place Types due to their planning impacts may be permitted. Such impacts may stem from:
  - a. Large outdoor storage areas.**
  - b. Impound areas.**
  - d. Storage, display, or parking of heavy equipment.
  - f. Large volumes of regular truck traffic.**
4. Commercial uses that are sensitive to noise, vibration, emissions, the visual impact of outdoor storage and the other potential impacts that may be generated by uses in this place type will not be permitted.

7. A limited range of light industrial uses may be permitted that are compatible with the commercial uses permitted in this Place Type.
8. The Provinces *D-series Guidelines* will be implemented to ensure that the uses permitted in this place type and sensitive land uses are not located inappropriately close to one another.
9. The full range of uses described above will not necessarily be permitted on all sites within the Commercial Industrial Place Type.

#### **TRANSITION FROM INDUSTRIAL USES**

**1121\_** Remnant industrial parcels may exist within residential neighbourhoods, in locations where they are no longer compatible with surrounding land uses. On such parcels we will support the relocation of any remaining industrial land uses and the repurposing of these parcels for land uses that are compatible with the neighbourhood context.

**1122\_** A review of these areas may be initiated based on a planning application, a comprehensive review, or a City Council direction to initiate a community improvement plan or secondary plan, subject to the policies of the Provincial Policy Statement.

**1123\_** The Province's D-series Guidelines will be implemented to ensure that industrial uses and sensitive land uses are not located inappropriately close to one another

**1124\_** The following intensity policies apply within all Industrial Place Types:

3.Height within the Commercial Industrial Place Type will ***not exceed two storeys.***

#### **FORM POLICIES FOR ALL INDUSTRIAL PLACE TYPES**

**1125\_** The following form policies apply to all Industrial Place Types:

2. It is an important goal of this Plan to present a positive image of London to the high volume of people travelling along the Highway 401/402 corridor.

***Development adjacent to these corridors will present a high quality of design and enhanced landscaping and tree planting will be required.***

3. Enhanced landscaping and improvements to the visual quality of existing industrial development adjacent to Highways 401 and 402 will be encouraged. City Council may establish incentives to induce these improvements.

4. Industrial sites along the Veterans Memorial Parkway will be developed with high-quality design and enhanced landscaping with an abundance of tree planting to contribute to the iconic parkway image as a monument to Canada's war veterans.

5. ***Large open storage areas will be screened with fencing and landscaping*** that is appropriate within the surrounding context and view corridors.

### **4) ZONING BY-LAW Z-1** (Council approved July 1, 1993)

The following zoning by-law regulations are relevant to this zoning by-law review;

#### **SECTION 1 ADMINISTRATION/ENFORCEMENT AND INTERPRETATION**

##### **1.3 NON-CONFORMING USES**

- a) Nothing in this by-law applies to prevent the use of any land, building or structure for any purpose prohibited by the zoning by-law if such land, building or structure was lawfully used for such purposes on the day of the passing of this zoning by-law, so long as it continues to be used for that purpose; or
- b) Nothing in this by-law applies to prevent the erection or use for a purpose prohibited by the by-law of any building or structure for which a permit has been issued under subsection 8(1) of the Building Code Act, 1992, prior to the day of the passing of the by-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8(10) of the Building Code Act, 1992. (Z.-1-95377)(Z.-1-162522) (O.M.B. File #R910387 - Appeal #9003-7, 9006-2, 9007-10, 9009-22 (June 4, 1993)

## SECTION 2 DEFINITIONS

**"EXISTING"** means legally existing on the effective date of this By-Law.

**"EXISTING DEFINED INDUSTRIAL USE"** means the legally existing use on the effective date of this By-law and any other use included within the same definition as defined in Section 2.0 (Definitions) of this By-law. For example, lands containing an existing printers shop, which is defined as a service trade, would permit any uses that conform to the service trade definition. (Z.-1-94260)

**"HOME OCCUPATION"** means an occupation or business conducted for gain or profit within a dwelling unit by any permanent resident of that dwelling unit. Where the use of the dwelling unit by a permanent resident is for a professional or service office which does not involve external signage, client visitations, and employees such office shall be considered as an accessory use. (Z.-1-97466)

**"IMPOUNDING YARD"** means a place to which disabled motor vehicles, and motor vehicles or other mobile equipment impounded for a breach of the law, may be taken or towed and stored temporarily until reclaimed, but does not include an automobile service station, gas bar, or salvage yard.

**"NON-CONFORMING"** means a use, building, structure or any part thereof which was lawfully occupied and/or existed at the date of passing of this By-Law, which does not conform or comply with the permitted uses and/or regulations of the zone in which it is now located.

**"OPEN STORAGE"** means the storage of raw materials, equipment, vehicles or other materials in an area not enclosed within a building or structure but this shall not include an automobile parking lot, the outside display for sale or lease of goods and materials in conjunction with a permitted commercial or industrial use, resource extraction operations, a transport terminal, a salvage yard, or a storage depot.

**"PARKING AREA"** means an area or areas of land or a building or structure or part thereof which is provided and maintained for the purpose of temporary parking or storing of motor vehicles accessory to a permitted use. For the purposes of this By-law, for residential uses the calculation of Parking Area Coverage will include all the areas used for Access Driveways, Aisles, Driveways, and Parking Spaces but shall exclude Private Garages. (Z.-1-122125, OMB Order PL121003, July 22, 2013)(Z.-1-132232)

**"SALVAGE YARD"** means a lot, building or structure used for wrecking, dismantling, storing or selling used goods, wares or materials including, but not so as to limit the generality of the foregoing, rags, bones, bottles, metals, clothing, furniture, paper, machinery, building materials and vehicles and parts thereof.

**"STORAGE DEPOT"** means an area including reservoir, silo and tank storage; hangers; open air parking; and open air storage. Storage depots exclude salvage yards, resource extraction operations, and wayside pits.

**"TAXI ESTABLISHMENT"** means a property, site or building used as a dispatch office or an area, site or location intended for the parking of taxis and/or limousines when not engaged in transporting persons or goods.

**"TERMINAL CENTRE"** means an area of land, a building or a structure or part thereof used by rail and transit terminals; airport terminals; broadcasting and communication terminals; power transmission and control centres; pipeline, pumping and control stations; transport terminals; toxic dispatch centres; and other similar uses.

**"TRANSPORT TERMINAL"** means a premises used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks, and secondarily, involving the storing, parking, servicing and dispatching of freight-carrying trucks. (Z.-1-93209)

**"VEHICLE"** means an automobile, truck or other motor vehicle, including motorized construction equipment or farm equipment, a motor home, a motorcycle, a snowmobile, a boat, recreational vehicles, and also including a trailer or farm implement or any other device which is capable of being driven, propelled or drawn by any kind of power, but does not include a bicycle or any other device powered solely by means of human effort.

## **SECTION 3 ZONES AND ZONE SYMBOLS**

### **1.12 INTERPRETATION OF USE**

Where a use is listed in a zone, the interpretation of that use shall not include any other use specifically referred to or otherwise defined in this By-law. (O.M.B. File # R910387 - Appeal #9006-3, 9009-2, 9009-7 June 4, 1993)

## **SECTION 4 GENERAL PROVISIONS**

### **4.1 ACCESSORY USES**

#### **1) ACCESSORY USES PERMITTED IN ALL ZONES**

Where this By-Law permits a lot to be used or a building or structure to be erected or used for a purpose, that purpose shall include any building, structure or use accessory thereto, except that no home occupation, open storage or accessory dwelling unit shall be permitted in any zone other than a zone in which such a use is specifically listed as a permitted use...

#### **4.10 HOME OCCUPATION**

For home occupations the character of the dwelling as a private residence shall not change and a nuisance such as noise, fumes, dust, odour, traffic or parking shall not be created which would interfere with the enjoyment of the residential amenities of the neighbourhood. Home occupations are permitted in any dwelling unit within a single detached dwelling, semi-detached dwelling, duplex dwelling, converted dwelling, triplex dwelling, fourplex dwelling, townhouse dwelling and accessory farm dwellings subject to the following provisions: (Z.-1- 94293) (Z.-1-051390)

- 1) The home occupation shall be clearly ancillary to the use of the dwelling unit and carried out by a resident of the unit. (O.M.B. File #R 910387 - Appeal #9002 June 4, 1993)
- 3) In no case shall any outdoor use or outdoor storage be permitted. (Z.-1-97466)
- 4) The home occupation shall not involve the use or employment within the dwelling unit of more than one person who does not reside in the dwelling unit. The

function of such non-resident person shall be restricted to a secretarial, accounting, clerical or support role.

- 5) The home occupation shall not involve the use of the premises as a base of operations for persons who are employed by or associated with the home occupation, nor shall the premises be used to assemble or rally such persons for transportation to a work site.
- 13) No additional commercial vehicles shall be permitted in connection with a home occupation. (Z.-1-97466)

#### **4.16 EXISTING USES CONTINUED**

- 1) Nothing in this By-law shall prevent the rebuilding or repair of a building or structure lawfully used on the 26th day of June, 2005 for a purpose that, were it not for Section 1.3 (Non-Conforming Uses), is prohibited by this By-law, except where,
  - a) the dimensions of the building or structure are not increased and the yards appurtenant thereto are not reduced except in accordance with the provisions of this By-law; and,
  - b) the building or structure is used for a use which is contained in the list of permitted uses for the zone in which the building or structure is located. (Z.-1-051390)
- 2) Nothing in this By-law shall prevent an extension of or addition to a building or structure lawfully used on the 26th day of June, 2005 for a purpose that, were it not for Section 1.3, is prohibited by the By-law, except where,
  - a) the extension or addition and any existing floor area devoted to the same purpose complies with the regulations of this By-law, pertaining to the zone in which the use is located and any other applicable regulations of this By-law; and,
  - b) the minimum yard or setback required for the extension or addition shall be equal to the minimum yard or setback prescribed in the regulations of this By-law; and,
  - c) the building or structure is used for a use which is contained in the list of permitted uses for the zone in which the building or structure is located. (Z.-1-051390)
- 4) Where the development of any land is approved under Section 41 of the Planning Act and, pursuant to a consent subsequently given under Section 53 of the Act or pursuant to an approval or exemption subsequently given under Section 50 of the Condominium Act, any part of the land is conveyed or otherwise dealt with, the regulations of this By-law are hereby deemed to apply to the land as a whole and to any building or structure thereon in the same manner and to the same extent as if the consent, approval or exemption was not given, so long as the land and any building or structure thereon are used and continue to be used for the purpose for which the development was approved. (Z.-1-95377)

#### **4.17 OPEN STORAGE**

##### **1) OPEN STORAGE REGULATIONS**

Except as otherwise provided in Clause (2) of this Subsection, no open storage shall be permitted on any lot in any zone, except in accordance with the following provisions: (Z.-1-051390)

- a) No open storage area shall be permitted in any front or exterior side yard, except for the outside display and sales area for goods and materials that are in conjunction with a permitted commercial or industrial use.
- b) No open storage area shall be visible from any street or from any adjacent lot, where such adjacent lot is located in a zone other than a Commercial Zone or an Industrial Zone, and to this end any open storage area shall be screened, wherever necessary in order to comply with this provision, by a planting strip containing an opaque fence, wall or other opaque barrier not less than 2.0 metres (6.6 ft.) in height. (Z-1-051390)
- c) Any open storage area shall be maintained as landscaped open space or provided and maintained with a stable surface, treated so as to prevent the raising of dust or loose particles and drained in accordance with the requirements of the Corporation.
- d) Notwithstanding Paragraph (c) of this Clause, no open storage area shall be considered part of any required landscaped open space.
- e) No parking spaces or loading spaces required by this By-Law shall be used for open storage purposes

#### 4.19 PARKING

##### 11) OTHER PARKING REGULATIONS

- c) No commercial vehicle or motorized construction equipment shall be parked or stored on any part of a lot in a Residential Zone, except for one commercial vehicle which:
  - i) is owned or operated by the occupant of the said lot; and
  - ii) has dimensions not greater than 2.4 metres (7.9 feet) of width, 2.4 metres (7.9 feet) of height above ground, nor 6.0 metres (20.0 feet) of length; and, 85
  - iii) is parked or stored within a building or carport or on a permitted driveway or parking area or within a yard other than a front yard, or exterior side yard; or (Z.-1-97542) ...
- e) No person shall park or store, or permit to be parked or stored, a vehicle on any part of a lot in a residential zone, for the purpose of providing a transfer location, where a person or persons travel to the said lot from another location, to remove or return a vehicle, from or to the said lot. (Z.-1-97542)

#### SECTION 28- RESTRICTED SERVICE COMMERCIAL (RSC) ZONE

##### 28.1 GENERAL PURPOSE OF THE RSC ZONE

The Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may **require significant amounts of land for outdoor storage** or interior building space and a location on major streets. (Z.-1- 202871)

##### 28.2 PERMITTED USES

RSC1

RSC5

TABLE 28.3- Column B and C, Row 13- Open Storage (%) Maximum

## SECTION 40- LIGHT INDUSTRIAL (LI) ZONE

### 40.2 PERMITTED USES

- 6)LI6
- 7)LI7

TABLE 40.3- Columns G and H, Row 12

## SECTION 41- GENERAL INDUSTRIAL (GI) ZONE

### 41.1 GENERAL PURPOSE OF THE GI ZONE

This Zone provides for and regulates a broad range of industrial activities which are appropriate in **large industrial areas, or areas not adjacent to sensitive land uses**. The GI1 Zone variation includes the standard range of industrial uses, uses which generally impact adjacent uses. The GI2 Zone variation permits a limited range of auto-type **industrial uses which involve considerable outside storage**. (Z-1-051390)

### 41.2 PERMITTED USES

- G11
- G12

TABLE 41.3-Columns B and C, Row 10

## SECTION 42 \* HEAVY INDUSTRIAL (HI) ZONE

### 42.1 GENERAL PURPOSE OF THE HI ZONE

This Zone provides for and regulates industrial uses which are noxious and which should be separated from sensitive land uses. More general industrial uses will not be permitted in this Zone.

### 42.2 PERMITTED USES

- HI1
- HI2
- HI3

TABLE 42.3-Columns B, C and D, Row 12

## 5) CITY OF LONDON BUSINESS LICENSING BY-LAW

(came into force and effect April 3, 2018, on March 23, 2021 Council passed two new categories of business licensing, Tow Truck Business and Impound Yard Storage)

**“Motor Vehicle Storage Business”** (for cars towed from a parking lot without the owners consent”- Schedule 19).

**“Impound Yard Storage Business”** (for vehicles towed from an accident scene lots- Schedule 20)

**“Towing Business”** (means the “unsolicited” towing of vehicles from parking lots)

**“Tow Truck Business** (means the towing of vehicles from an accident scene)

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS the Municipal Council for The Corporation of the City of London considers it necessary and desirable for the public to exercise its licensing powers for the purposes of:

- a) Health and safety including health and safety of service providers and consumers and patrons; and/or
- b) Nuisance control; and/or
- c) Consumer protection; and/or
- d) Suppressing conditions conducive to crime;

## SCHEDULE 19

### UNSOLICITED MOTOR VEHICLE TOWING AND STORAGE

#### 1.1 1.0 DEFINITIONS

1.1 In this Schedule:

**“Motor Vehicle Storage Business”** means a business that stores any motor vehicle towed from a Parking Lot without the consent of the owner or operator of such motor vehicle;

**“Parking Lot”** means any parking area, structure or building intended for the use of parking motor vehicles;

**“storage of a motor vehicle”** means the storage of any motor vehicle towed from a Parking Lot without the consent of the owner or operator of such motor vehicle;

**“tow”** means to tow or remove a motor vehicle without the consent of the owner or operator of the motor vehicle and “towing” has a corresponding meaning; and

**“Towing Business”** means a business that tows any motor vehicle without the prior consent of the owner or operator of such vehicle from a Parking Lot.

1.2 For the purpose of interpreting the phrase **“without the consent of the owner or operator”** in reference to a motor vehicle in this Schedule:

1. the consent to the towing of a motor vehicle is given in any circumstance where the consent of the owner or operator is given in either oral or written form directly to the towing company or its employee prior to the towing of the motor vehicle;
2. in any circumstance other than mentioned in paragraph (a) above, the owner or operator shall be taken not to consent to the towing of the motor vehicle; and
3. without restricting the generality of paragraph (b) above, the circumstance mentioned in paragraph (a) does not include any circumstance where a consent

to towing is attributed to or is deemed to be given by the owner or operator of the motor vehicle as a condition or consequence of the motor vehicle being admitted to or being parked in the Parking Lot or where a consent to towing is given by the owner or operator of the Parking Lot as agent of the owner or operator of the motor vehicle.

## 1.2 **2.0 APPLICATION OF THIS SCHEDULE**

2.1 This Schedule does not apply to the towing of a motor vehicle from a lane located on private property where the lane is used or intended for the purpose of gaining access by a motor vehicle to all or some portion of the property and where signs are posted on the lane prohibiting the parking of motor vehicles on the lane.

## 1.3 **3.0 LICENCE CATEGORIES:**

3.1 The following categories of licences are established:

1. Towing Business; and
2. Motor Vehicle Storage Business.

## 1.4 **4.0 POWERS OF THE LICENCE MANAGER**

4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

1. prescribing signage that must be posted in a Parking Lot as a condition precedent for towing a motor vehicle under subsection 6.3(a) of this Schedule including without limitation, the manner, form, size, location and content of such signage;
2. prescribing the information that a Towing Business licence holder must provide to the London Police Service under section 6.1 of this Schedule prior to towing a motor vehicle from a Parking Lot; and
3. prescribing the form, content, media and information for the log book that a Towing Business licence holder must maintain under section 6.2 of this Schedule.

## 1.5 **5.0 PROHIBITIONS**

5.1 No person shall operate a Towing Business without a current valid licence issued under this By-law.

5.2 No person shall operate a Motor Vehicle Storage Business without a current valid licence issued under this By-law.

## 1.6 **6.0 REGULATIONS**

6.1 Every holder of a Towing Business licence shall, immediately prior to towing a motor vehicle from a Parking Lot, provide the London Police Service with all of the information prescribed by the Licence Manager.

6.2 Every holder of a Towing Business licence shall maintain a log book in the form and containing the content and information prescribed by the Licence Manager of all motor vehicles towed by them from a Parking Lot.

6.3 No holder of a Towing Business licence shall:

1. tow any motor vehicle from a Parking Lot which is not posted with one or more signs prescribed by the Licence Manager;
2. charge or accept from any person any amount for the towing of a motor vehicle from a Parking Lot other than the amount set out in Schedule 19A of this By-law;

3. charge any amount, whether fixed or calculated at a rate based on any unit of time, for waiting in respect of the towing of a motor from a Parking Lot;
4. charge or accept from any person any amount for a service not mentioned in Schedule 19A of this By-law in respect of the towing of a motor vehicle from a Parking Lot.

6.4 No holder of a Motor Vehicle Storage Business licence shall:

1. charge or accept from any person any amount for the storage of a motor vehicle other than the amount set out in Schedule 19A of this By-law;
2. charge any amount, whether fixed or calculated at a rate based on any unit of time, for waiting in respect of the storage of a motor vehicle;
3. charge or accept from any person any amount for a service not mentioned in Schedule 19A of this By-law in respect of the care or storage of a motor vehicle;
4. close the premises used for the storage of a motor vehicle during any time the premises is required to remain open in accordance with Schedule 19B of this By-law for the purpose of enabling an owner or operator to recover possession of their motor vehicle.

6.5 Despite the *Repair and Storage Liens Act*, no person who tows a motor vehicle from a Parking Lot and no person who stores that motor vehicle shall be entitled to retain possession of the motor vehicle or to a lien for the costs and charges of the removal, towing, care or storage of the motor vehicle:

1. unless immediately before being towed the motor vehicle was parked in the Parking Lot for a continuous period of 24 hours or more; or
2. unless the motor vehicle is stored for a continuous period of 7 days or more.

## SCHEDULE 19A

### MAXIMUM TOWING AND STORING RATES

1. The charge for the cost of towing and storage of a motor vehicle towed from a Parking Lot without the consent of the owner or operator of the vehicle shall be:

SERVICE	MAXIMUM CHARGE
<b>Towing</b>	\$75.00 plus H.S.T.
<b>Daily Storage</b>	\$10/day plus H.S.T.
<b>Maximum Storage Fee</b>	\$70 plus H.S.T.

## SCHEDULE 19B

### STORAGE LOCATION OPERATING HOURS

DAY	HOURS
<b>Monday through Sunday, unless the day is observed as a holiday</b>	9 am to 10 pm

In this Schedule, “holiday” means New Year’s Day, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day and Boxing Day.

## Schedule '20'

# TOW TRUCK BUSINESS & IMPOUND YARD STORAGE BUSINESS

### 1.0 DEFINITIONS

1.1 In this Schedule:

**"Accident Scene"**: means the general location or place where an incident or accident occurred involving a Motor Vehicle(s).

**"Highway"**: means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

**"Highway Traffic Act"**: means the Highway Traffic Act, R.S.O. 1990, as amended.

**"Impound"**: means to restrain or immobilize a motor vehicle.

**"Impound Yard Storage Business"**: means the business of storing vehicles once they are towed from an Accident Scene.

**"Local Road"**: means roads contained within the boundaries of the Municipality of the City of London.

**"Motor Vehicle"**: means a motor vehicle as defined in the Highway Traffic Act.

**"Tow Truck Business"**: means the business of providing Towing Services at an Accident Scene.

**"Tow Truck Operator"**: means a person who operates a Tow Truck offering Towing Services.

**"Towing Services"**: mean the provision or use of a tow truck including the assistance of the owner, operator, driver, or any passenger of a vehicle through the use of the equipment on or used in conjunction with the tow truck for the pulling, towing, carrying, or lifting of a motor vehicle at a place located within the City of London.

**"Tow Truck"**: means a Motor Vehicle that is designed, modified or used for pulling, towing, carrying or lifting of other Motor Vehicles with or without the assistance of lifts, winches, dollies, trailers or any like equipment.

**"Vehicle"**: means vehicle as defined in the Highway Traffic Act.

### 2.0 LICENCE CATEGORIES:

2.1 The following categories of licenses are established:

- (a) Tow Truck Business; and
- (b) Impound Yard Storage Business

### 3.0 PROHIBITIONS:

3.1 No person shall operate a Tow Truck Business without a current valid licence issued under this By-law.

3.2 No person shall operate an Impound Yard Storage Business without a current valid licence issued under this By-law.

3.3 No holder of a Tow Truck Business Licence shall permit a Tow Truck to safely park, stop, stand, make or convey an offer of Towing Services, within two hundred (200) metres of an Accident Scene unless directed by a police officer, a firefighter, or person involved in the accident, or if there is not a sufficient number of tow trucks already at the Accident Scene to deal with all vehicles that apparently require the services of a Tow Truck.

3.4 No Tow Truck Operator parked, stopped or standing within two hundred (200) metres of an Accident Scene shall fail to immediately follow the direction of any police officer, firefighter or emergency medical services (EMS) including, but not limited to moving the Tow Truck two-hundred (200) metres from the Accident Scene.

3.5 No holder of a Tow Truck Business Licence shall charge or accept from any person any amount for Towing Services in contravention of the prescribed administrative regulations.

3.6 Every holder of a Tow Truck Business Licence shall provide Towing Services associated with a licenced Impound Yard Storage Business within the boundaries of the City of London.

3.7 No holder of an Impound Yard Storage Business Licence shall charge or accept from any person any amount for storage services at an Impound Yard in contravention of the prescribed administrative regulations.

#### **4.0 POWERS OF LICENCE MANAGER**

4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- (a) prescribing signage that must be posted in an Impound Yard Storage Business as a condition for storing a Motor Vehicle including without limitation, the manner, form, size, location and content of such signage;
- (b) prescribing Towing fees;
- (c) prescribing Impound Yard Storage fees;
- (d) prescribing hours of operation of Impound Yards Storage Business;
- (e) prescribing the content of a registry for Tow Truck Business.



London  
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# Tow Truck/Impound Yard Zoning By-law Review

Z-9428/City of London

Planning and Environment Committee – April 19, 2022

[london.ca](http://london.ca)



# Why this Zoning Review is Occurring

- **Two reasons**

- 1) New London Plan Place Type policies
- 2) Recent introduction of Business Licenses for these uses

- Tow Truck Business and Impound Yard Storage licenses added in 2021.
- Unsolicited Motor Vehicle Storage and Unsolicited Motor Vehicle Towing licenses added in 2017.
- Submission and review of business license application includes a zoning by-law check.
- Most sites were not zoned to allow a towing business (currently interpreted as a terminal centre) or impound yard.



# Why City of London?

- Instead of asking each operator to submit a zoning by-law amendment application (current \$12,000 fee) the City is doing the review to make sure there are no zoning issues with existing businesses.
- City issued conditional business licenses in the interim until the review is complete.



# New London Plan Place Types and Zoning By-law Regulations

London Plan 1) Heavy Industrial

2) Light Industrial

3) Commercial/Industrial

- Uses differentiated on the basis of the impact of the use and amount of outdoor storage.
- Hwy's 401 and 402 have policies which limit outdoor storage along them for aesthetic reasons.



# Current Zoning By-law Regulations

- New Zoning By-law being developed
- In the interim current zoning by-law regulations apply;
  - Heavy Industrial and General Industrial Zones- 75% open storage and lot coverage combined
  - Light Industrial and Restricted Service Commercial Zones- maximum 15% outdoor storage
  - Setbacks from residential and other sensitive land uses already included.



London  
CANADA

# Zoning By-law Changes

1. Add new definition of tow truck business.
2. Amend existing definition of “Impounding Yard” to include a tow truck business.
3. Amend definition of “outdoor storage” to exclude impounding yards.
4. Add “tow truck business” as a permitted use in RSC1, RSC5, LI1, LI7, GI1, GI2, HI1, HI2 and HI3.
5. Add “impounding yard” as a permitted use in RSC5, GI1, GI2, HI1 and HI2.
6. Amend general section to preclude outdoor storage in front and exterior side yards and apply setback regulations from sensitive land uses.
7. Increase the amount of open storage permitted in Light Industrial Zones from 15% to 25%.
8. Increase the amount of open storage allowed in General Industrial and Heavy Industrial Zones from 75% to 95%.



## **Where the London Plan policies and Zoning By-law regulations could support these uses**

1. Heavy Industrial Areas (HI1, HI2, HI3, GI1, GI2)
2. Light Industrial Areas (LI1, LI2, LI4, LI6, LI7 and LI8)
3. Commercial/Industrial Areas (RSC1, RSC2, and RSC5)
  - in rear yard and screened from view
  - number of zones permitted increased from four to fourteen
  - Not our intent to put anyone out of business or have to move immediately
  - Over time existing uses may have to move to comply
  - New uses would be directed to sites that do comply
  - Three sites do not comply with London Plan policies or [london.ca](http://london.ca) zoning by-law regulations.

## Report to Planning and Environment Committee

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

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

**Subject:** Application by Auburn Developments Inc.  
1521 Sunningdale Road West and 2631 Hyde Park Road  
Public Participation Meeting

**Date:** April 19, 2022

## Recommendation

That, further to the direction from Municipal Council on October 5, 2021 to amend the Official Plan to change the designation of the subject lands **FROM** an Open Space designation **TO** a Low Density Residential and Environmental Review designation and to amend The London Plan to change the Place Type of the subject lands **FROM** a Green Space place type **TO** a Neighbourhoods Place Type and Environmental Review Place Type to be considered at a future public participation meeting of the Planning and Environment Committee, the following actions be taken with respect to the application of Auburn Developments Inc. relating to the lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to amend the Official Plan to change the designation of the subject lands **FROM** an Open Space designation, **TO** a Multi-Family, Medium Density Residential designation, Low Density Residential designation and Open Space designation;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2022 to:
  - i) Amend The London Plan to change the Place Type of the subject lands **FROM** a Green Space Place Type, **TO** a Neighbourhoods Place Type and a Green Space Place Type; and,
  - ii) Amend The London Plan to change the Street Classifications of the subject lands to add Street A and Street B as a Neighbourhood Connector to Map 3 – Street Classifications.
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting May 3, 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 Open Space (h-5-h-21-OS3) Zone, **TO** a Holding Residential R1 (h-h-100-h-149-h-\_-R1-3) Zone; a Holding Residential R1/Residential R4 Special Provision (h-h-2-h-100-h-110-h-149-h-\_-R1-3/R4-6(\*)) Zone; a Holding Residential R1 (h-h-100-h-149- h-\_-R1-10) Zone; a Holding Residential R1/Residential R4 Special Provision (h-h-110-h-149-h-\_-R1-3/R4-6(\*)) Zone; a Holding Residential R4/Residential R5/ Residential R6 Special Provision (h-h-5-h-53-h-100-h-110-h-149- h-\_-R4-6(\*)/R5-5(\*)/R6-5(\*)) Zone; a Holding Residential R4/ Residential R5/ Residential R6/ Residential R7/ Residential R8, Restricted Office Special Provision (h-h-5-h-53-h-100-h-110-h-149-h-\_-R4-6(\*)/R5-5(\*)/R6-5(\*)/R7-H13-D75(\*)/R8-4-H13-D75(\*)/RO1(\*)/RO2(\*) Zone; a Holding Open Space, Residential R4/ Residential R5/ Residential R6 Special Provision (h-h-5-h-53-h-100-h-110-h-149-h-\_-OS1//R4-6(\*)/R5-5(\*)/R6-5(\*)) Zone; an Open Space (OS1) Zone; an Open Space (h-222-OS1) Zone; and an Open Space (h-222-OS5) Zone.
- (d) the Approval Authority **BE ADVISED** of the issues, if any, raised at the public

meeting with respect to the application for Draft Plan of Subdivision submitted by Auburn Developments Inc. relating to the lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road; and,

- (e) the Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed Plan of Subdivision as submitted by Auburn Developments Inc., prepared by Stantec (Project No. 161413708), certified by Jeremy C.E. Mathews O.L.S., dated March 17, 2022, which shows a total of thirteen (13) low density residential blocks (Blocks 1-13), two (2) medium density residential blocks (Blocks 14-15), one (1) park block (Block 16), one (1) stormwater management facility/medium density residential block (Block 17), three (3) future road blocks (Blocks 18-20), four (4) road widening blocks (Blocks 21-24), three (3) road reserve blocks (Blocks 25-27), one (1) stormwater management facility/open space block (Block 28), and one (1) open space block (Block 29), serviced by five (5) new local streets, **SUBJECT TO** the conditions contained in the attached Appendix “D”.

## Executive Summary

### Summary of Request

Further to the direction from Municipal Council on October 5, 2021, a report is being brought forward for consideration of the development proposal that has been submitted by Auburn Developments Inc. The request is for approval of a Draft Plan of Subdivision consisting of thirteen (13) low density residential blocks, two (2) medium density residential blocks, one (1) park block, one (1) stormwater management facility/medium density block, three (3) future road blocks, four (4) road widening blocks, three (3) road reserve blocks, one (1) stormwater management facility/open space block, one open space block, serviced by five (5) new local streets; and for approval of official plan and zoning by-law amendments associated with blocks with the proposed Plan of Subdivision.

### Purpose and Effect of the Recommended Action

The purpose and effect of the recommended action is to implement the Municipal Council direction of October 5<sup>th</sup>, 2021 to approve the recommended Official Plan and Zoning By-law Amendments, as well as recommend that the Approval Authority for the City of London issues Draft Approval of the proposed Plan of Subdivision to permit a mix of low density and medium housing types including office uses to be incorporated within the ground floor of residential buildings, consistent with the Neighbourhood Place Type, subject to conditions.

### Rationale of Recommended Action

1. The proposed and recommended amendments are consistent with the *Provincial Policy Statement 2020*, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents.
2. The proposed Draft Plan of Subdivision and zoning conforms to the in-force policies of *The London Plan*, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The proposed and recommended amendments conform to the in-force policies of the *1989 Official Plan*, including but not limited to the Multi-Family, Medium Density Residential designation, Low Density Residential designation and the Open Space designation.

4. The proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to *The London Plan, and the 1989 Official Plan*.
5. The recommended Draft Plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, low-rise apartments along the Sunningdale Road West and Hyde Park Road. The Draft Plan has been designed to support these uses and to achieve a visually pleasing development that is pedestrian friendly, transit supportive and accessible to the surrounding community.

## Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by increasing affordable and quality housing options, and protecting and enhancing waterways, wetlands, and natural areas.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

**May 10, 2021** – Report to Planning and Environment Committee – 2631 Hyde Park Road and 1521 Sunningdale Road West Application for Approval Official Plan Amendment – Auburn Developments Inc. (File No. O-9190).

**February 28, 2022** – Report to Planning and Environment Committee – 2631 Hyde Park Road and 1521 Sunningdale Road West - Request to Remove Property from the Register of Cultural Heritage Resources.

#### 1.2 Previous Council Direction Related to this Matter

At the 14<sup>th</sup> meeting of the Planning and Environment Committee on September 27<sup>th</sup>, 2021, Deputy Mayor Morgan presented an Item for Direction regarding a location for a new public elementary school in the northwest. The submission outlined that the Thames Valley District School Board had funding for a new school but could not find a viable location, and in addition, the existing school facility that serves this area, Sir Arthur Currie Elementary School, is operating above capacity such that 22 portables are required to accommodate students. Auburn Developments Inc., the Applicant had also suggested as part of this submission, through their solicitor, that a school site could be located in the Kent Subdivision, south of Sunningdale Road West, that would provide for immediate access to services and an expedited construction and delivery process for the School Board. This would require a Zoning By-law Amendment (ZBA) at the chosen location and would result in the loss of potential housing stock south of Sunningdale Road. Auburn Developments Inc. further suggested that this loss could be addressed by advancing and approving the requested Official Plan Amendment (OPA) for the lands subject to this application so that Staff would coordinate servicing requirements and consider forth coming applications.

The following motion was requested for consideration by the Deputy Mayor:

That the following updated instructions be given to Civic Administration

- a) That staff work with the Applicant to facilitate the necessary zoning by-law amendment(s) within the Kent Subdivision to allow for a new elementary school.
- b) That, notwithstanding the recommendation of the Director, Development Services, with respect to the application of Auburn Developments Inc. relating to the property located at 2631 Hyde Park Road and 1521 Sunningdale Road West, staff BE DIRECTED to bring back a proposed by-law to amend the Official Plan to change the designation of the subject lands FROM an Open Space designation TO a Low Density Residential and Environmental Review

designation and to amend The London Plan to change the Place Type of the subject lands FROM a Green Space place type TO a Neighbourhoods place type and Environmental Review place type to be considered at a future public participation meeting of the Planning and Environment Committee,

IT BEING NOTED THAT the future development of the lands shall fully comply with the policies of the Neighbourhoods Place Type of The London Plan, and IT BEING FURTHER NOTED THAT the costs of any temporary servicing required for these lands shall be at the full cost of the property owner.

After the passing of these motions, the Applicant submitted this application for Draft Plan of Subdivision and associated ZBA on October 30, 2021, and they were accepted as a complete application on December 2, 2021. Staff have received and reviewed this report based on the direction from Municipal Council, which would permit residential land uses on the subject lands, and despite previous staff recommendations that development would be pre-mature and should not proceed until comprehensive studies have been completed through the secondary plan process.

### **1.3 Property Description**

The subject lands are located in the northwest quadrant of the City at the intersection of Sunningdale Road West and Hyde Park Road, and are on the edge of the Urban Growth Boundary. The site is approximately 20.5 hectares in size and are currently used for agricultural purposes. It is important to note that there is an unevaluated wetland in the northwest corner of the lands. There are six (6) rural residential lots that abut the subject lands, resulting in an irregular parcel shape along the Sunningdale Road West and Hyde Park Road frontages.

The lands are surrounded by residential and agricultural land uses. Directly to the south, the lands are designated for residential uses and there is an approved Draft Plan of Subdivision with three (3) registered phases. Lands to the north, east and west are located outside of the Urban Growth Boundary and are currently zoned, designated and used for agricultural purposes.

### **1.4 Current Planning Information (see more detail Appendix F)**

- The London Plan Place Type – Green Space
- (1989) Official Plan Designation – Open Space
- Zoning – Holding Open Space (h-5\*h-21\*OS3) Zone

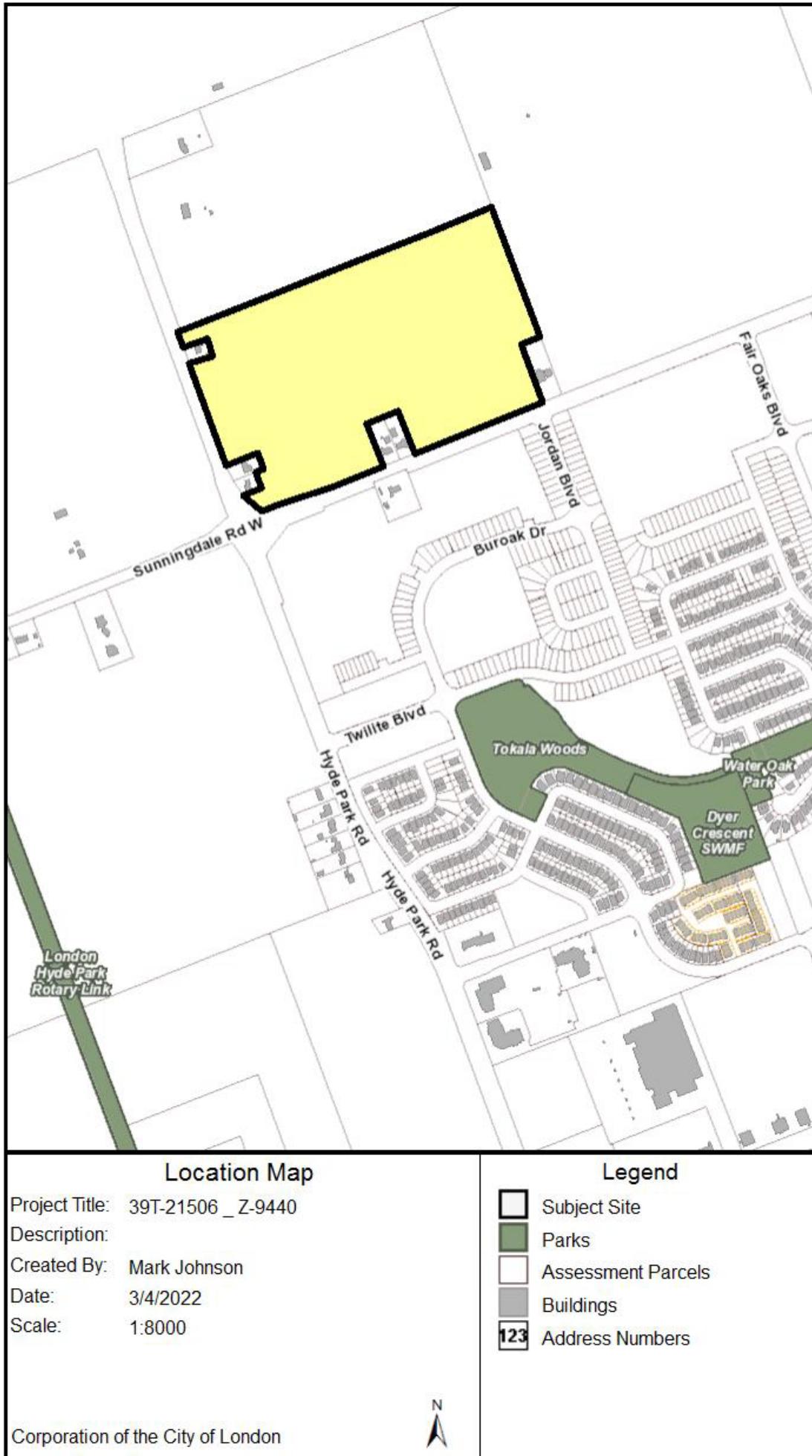
### **1.5 Site Characteristics**

- Current Land Use – agricultural
- Frontage – approx. 512 metres (1680ft) on Sunningdale Road West and 269 metres (883ft) on Hyde Park Road
- Depth – approx. 400 metres (north to south)
- Area – 20.5 hectares (50.7 acres)
- Shape – irregular

### **1.6 Surrounding Land Uses**

- North – agricultural/farm dwelling
- East – agricultural
- South – future residential
- West – agricultural

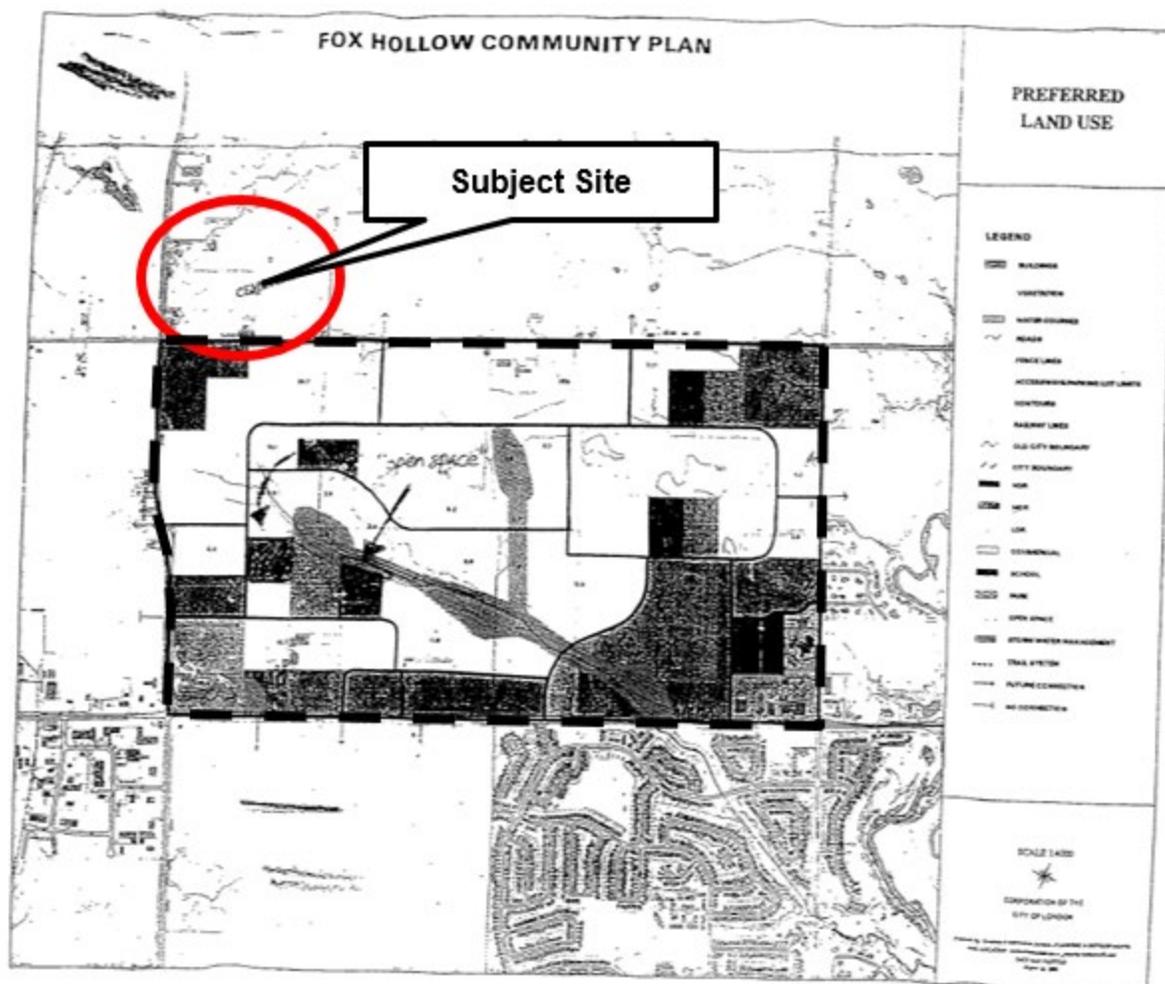
## 1.7 Location Map



## 1.8 Planning History

In 1993, the City of London annexed a large area of land surrounding the City, including the subject lands, which were incorporated into the *1989 Official Plan* through the Municipal Council initiated Vision 96. Vision 96 involved an extensive public process that resulted in the approval of Official Plan Amendment (OPA) 88, establishing the Urban Growth Boundary (UGB) and Community Plan Areas. The Fox Hollow Community Plan review was initiated in 1996 for the lands south of Sunningdale Road West, and did not include the lands subject to this application. A land use plan for the Fox Hollow Community Plan was presented to the community as a part of the community engagement process on October 15, 1998.

Figure 1: Fox Hollow Community Plan Preferred Land Use and Subject Lands



At this time, the subject lands were owned by the Mount Pleasant Cemetery, and they appealed OPA 88 seeking inclusion of their lands within the UGB. A verbal decision was provided by the Ontario Municipal Board (OMB) on December 11, 1998, on this appeal and placed the subject lands within the UGB. This decision also identified that the site shall remain within the Community Growth Designation until the Fox Hollow Community Plan was completed. The Fox Hollow Community Plan was nearing completion and the lands had not been considered or studied as part of the comprehensive reviews when the decision was provided by the OMB. As a result, the lands were identified within the Open Space land use designation to meet the needs of the owner. The Preferred Land Use Plan for Fox Hollow was presented to Planning Committee on February 8, 1999, and subsequently approved by Council in March of 1999.

Recently, the lands were reviewed through *The London Plan* process, which determined that the lands were not required for development purposes and the Greenspace Place Type was the appropriate designation. This was approved by Council and by the Province with no appeal or requests to apply the Neighbourhoods Place Type to the subject lands. The policies for the Greenspace Place Type were brought into full force and effect on April 15, 2021, through a verbal decision provided by the Local Planning Appeals Tribunal (LPAT).

An Internal Proposal Review (IPR) was submitted by the Applicant in October of 2018 for a Draft Plan Subdivision and associated Official Plan and Zoning By-law Amendments for the subject lands. City Staff identified through this process that the development of these lands would be pre-mature, pending the completion of a comprehensive Secondary Plan and associated OPA, that would include the subject lands and those to the north and east. A Secondary Plan and OPA may have additional implications on the timing of the provision of servicing and the location of the UGB. A letter was issued to the applicant outlining the concerns listed below:

- Current agricultural land use;
- The lands were considered in the UGB to permit the cemetery use;
- The subject lands were not included in the inventory of developable land supply that was reviewed as part of the comprehensive lands need background study that was prepared for *The London Plan*;
- The lands were incorporated in the Fox Hollow Area Plan with the Open Space designation to permit the cemetery use; and,
- Servicing this property was not considered as part of the comprehensive development strategy for the south side of Sunningdale Road West.

An application for an OPA was submitted by the applicant to address the concerns noted above. During the review of this application, and a second IPR was submitted in September 2020 for an OPA that sought the Low-Density Residential land use designation in place of the Open Space designation. Staff's review and comments of the submitted IPR were consistent with those issued in 2018, and identified the need for a comprehensive review of the area prior to any submission of a plan of subdivision. In the submitted OPA, the applicant requested to change the *1989 Official Plan* designation from Open Space to Low Density Residential and *The London Plan* designation from the Green Space Place Type to the Neighbourhoods Place Type.

At the Planning and Environment Committee meeting on May 10<sup>th</sup>, 2021, Staff provided a report that recommended refusal of these requests, and recommended approval of an alternate OPA that would change the *1989 Official Plan* designation from Open Space to Urban Reserve Community Growth and *The London Plan* designation from the Green Space Place Type to the Future Growth and Environmental Review Place Types. However, Council at its meeting on May 25<sup>th</sup>, 2021, provided referred the matter back to Staff and provided direction as follows:

That the application from Auburn Developments Inc, relating to the property located at 2631 Hyde Park Road and 1521 Sunningdale Road West BE REFERRED back to the Civic Administration in order to provide an opportunity for discussions to be held with the Thames Valley District School Board to receive details on the Board's requirements for and the timing of the construction of a future school on the subject land, with consideration also being given to the timing of the development of a future plan of subdivision and the possible future servicing on the subject land and report back to a future meeting of the Planning and Environment Committee on the results of those discussions.

## **2.0 Discussion and Considerations**

### **2.1 Current Development Proposal**

The Applicant has modified the original proposal that was submitted as part of their application to the City of London. The revised Draft Plan consists of thirteen (13) low density residential blocks (Blocks 1-13); two (2) medium density residential blocks (Blocks 14-15); one (1) park block (Block 16); one (1) stormwater management facility/medium density residential block (Block 17); three (3) future road blocks (Blocks 18-20); four (4) road widening blocks (Blocks 21-24); three (3) road reserve blocks (Blocks 25-27); one (1) stormwater management facility/open space block (Block 28); and one (1) open space block (Block 29), serviced by five (5) new local streets; and for the

approval of official plan and zoning by-law amendments associated with the blocks with the proposed plan of subdivision.

The Draft Plan incorporates the following key features:

- low density housing planned to be compatible with existing and planned low density residential development in the Foxhollow community and to provide a broad mix of housing opportunities and lot types for future residents
- higher density residential buildings (e.g., low-rise apartments) located along the Sunningdale Road West and Hyde Park Road frontages to provide a more intensive scale of development that supports a compact urban form and future transit services
- incorporation of office uses within the ground floor of residential buildings to facilitate a mixed-use development
- moderate density residential dwellings (e.g. townhouses) are planned to complement the apartment buildings and low density housing planned for internal locations
- neighbourhood park is planned for the northwest area of the site and is intended to provide amenity space for residents within the neighbourhood
- protection and enhancement of existing natural features and wetlands that exist on the subject lands
- Jordan Boulevard, a neighbourhood connector, shall be extended north and westwards through the subdivision to eventually connect across to Hyde Park Road West which is located on the western edge of the site
- an internal street pattern designed to support community connectivity, as well as efficient and safe traffic movement
- further detail on the application can be found in the “Requested Amendment” section of the report





## 2.4 Requested Amendment

Request for consideration of a proposed Draft Plan of Subdivision consisting of thirteen (13) low density residential blocks (Blocks 1-13); two (2) medium density residential blocks (Blocks 14-15); one (1) park block (Block 16); one (1) stormwater management facility/medium density residential block (Block 17); three (3) future road blocks (Blocks 18-20); four (4) road widening blocks (Blocks 21-24); three (3) road reserve blocks (Blocks 25-27); one (1) stormwater management facility/open space block (Block 28); and one (1) open space block (Block 29), serviced by five (5) new local streets.

Request to amend to the zoning by-law to change the zoning from a Holding Open Space (h-5•h-21•OS3) Zone to the following zones:

- **Residential R1 (R1-3) Zone (Blocks 7, 8, 10, 13)** to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres;
- **Residential R1/Residential R4 (R1-3/R4-6) Zone (Blocks 2-6, 9, 11, 12)** to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; and street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit;
- **Residential R1 (R1-10) Zone (Block 1)** to permit single detached dwellings on lots with a minimum lot area of 925 square metres and minimum lot frontage of 22 metres;
- **Residential R4/ Residential R5/ Residential R6 (R4-6/R5-5/R6-5) Zone (Block 14)** to permit street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres;
- **Residential R4/ Residential R5/ Residential R6/ Residential R7/ Residential R8, Restricted Office (R4-6/R5-5/R6-5/R7•H13•D75/R8-4•H13•D75/RO1/RO2) Zone (Blocks 15)** to permit street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments up to a maximum density of 75 units per hectare and maximum height of 13 metres; apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities up to a maximum density of 75 units per hectare and maximum height of 13 metres; medical/dental offices and offices; and clinics, medical/dental offices, medical/dental laboratories, and offices;
- **Open Space, Residential R4/Residential R5/ Residential R6 (OS1/R4-6/R5-5/R6-5) Zone (Block 17)** to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse

dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres;

- **Open Space (OS1) Zone (Block 16 and 28)** to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; and
- **Open Space (OS5) Zone (Block 29)** to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

## 2.5 Community Engagement (see more detail in Appendix E)

There were five (5) e-mail responses and one (1) telephone call received from the community. Comments/concerns received are summarized as follows:

- Access to subdivision, increased traffic and noise levels;
- Impact on well water, grading of development and existing land uses;
- Compatibility of proposed development with existing land uses;
- Feedback on technical reports and studies submitted in support of the Application; and,
- Alignment of proposed development with *Provincial Policy Statement (PPS), (1989) Official Plan, and The London Plan.*

## 2.6 Policy Context (see more detail in Appendix F)

### Planning Act

The *Ontario Planning Act* delegates and assigns much of the authority and responsibility to municipalities to undertake land use planning within their jurisdictions, as well as establishing the rules and legislation the municipalities must conform to or be consistent with when making planning decisions. The *Act* identifies twenty (20) matters of Provincial Interest in Section 2 that all planning authorities shall have regard for when carrying out their responsibilities. Section 51, subsections 24 and 25 set out further criteria and conditions when considering draft plans of subdivision. Planning and Development Staff have reviewed this criterion, and the proposed Draft Plan of Subdivision has regard for health, safety, accessibility for persons with disabilities, and the welfare of the present and future inhabitants of this Municipality. It should be noted that Matter of Provincial Interest (p) “the appropriate location of growth, as well as criteria (b) “whether the proposed subdivision is premature or in the public interest” and (d) “the suitability of the land for the purposes or which it is to be subdivided” have not been satisfied, as per Staff’s previous recommendation that development would be premature without a comprehensive study to determine the appropriateness of it.

### Provincial Policy Statement (PPS), 2020

The *Provincial Policy Statement (PPS)* provides policy direction on matters of Provincial Interest as identified in Section 2 of the *Planning Act*. In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies: Building Strong Healthy Communities; Wise Use and Management of Resources; and, Protecting Public Health and Safety. The *PPS* is to be read in its entirety. The development application has been reviewed for consistency with the Provincial Policy Statement. Policy objectives of import are highlighted below, and a full analysis can be found in Appendix F.

Policies within the *PPS* promote efficient land use and development patterns through the accommodation of appropriate affordable and market-based range and mix of residential, employment, institutional, recreation, park and open space, and other uses

to meet long-term needs (Section 1.1). Planning authorities shall provide for an appropriate range and mix of housing needs for current and future residents, which shall be directed towards locations where appropriate levels of infrastructure and public service facilities are, or will be, available to support current and projected needs (Sections 1.4 and 1.4.3 c)). The density of new housing should efficiently use the land, resources, infrastructure and public service facilities, and that healthy and active communities should include planned public streets, spaces and facilities that are safe and meet the needs of pedestrians (Sections 1.4.3 d) and 1.5.1 a)). A coordinated, integrated, and comprehensive approach when dealing with planning matters is promoted in the *PPS*, and specifically when managing or promoting growth and development that is integrated with infrastructure planning (Sections 1.2 and 1.2.1.a)). The *PPS* also seeks to protect natural features, significant built heritage resources and significant cultural heritage and requires that adjacent development should be evaluated to ensure it does not have negative impacts on these resources (Sections 2.1.1 2.1.8, 2.6.1 and 2.6.3).

### **The London Plan**

*The London Plan* is the new Official Plan for the City of London (Council adopted approved by the Ministry with modifications, and the majority of which is in force and effect. *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170700) and policies that are not in force and effect are indicated with an asterisk (\*). Policies under appeal are included in this report for informational purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

*The London Plan* includes criteria for evaluation plans of subdivision through policy 1688\* and required consideration of the following sections:

- Our Strategy
- Our City
- City Building policies
- Applicable Place Type policies
- Our Tools

The subject lands are currently designated with the Green Space Place Type, however, Civic Administration has been directed by Municipal Council to amend this Place Type to include the Neighbourhoods and Environmental Review Place Types. This Place Type at the intersection of two Civic Boulevards permits a range of residential uses, including: single detached, semi-detached, duplex, triplexes, low-rise apartments, and mixed-use buildings (Table 10). A minimum height of two (2) storeys and maximum of four (4) storeys is permitted at this location (Table 11\*).

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

The subject lands are currently designated Open Space, however, Civic Administration has been directed by Municipal Council to amend this place type to the Low-Density Residential and Environmental Review land use designations. The permitted uses in the Low-Density Residential designation include single-detached, semi-detached and duplex dwellings (Section 3.2.1). As noted above, notwithstanding the direction from Council, Staff are recommending the Open Space designation be applied to the lands intended for open and park space, which is in keeping with the permitted uses, and it would also afford more protection to the natural heritage feature until further evaluation is undertaken to accurately identify and delineate the feature/significant wildlife habitat and appropriate buffers within the subject lands.

Staff are recommending that a portion the site be redesignated to Multi-Family, Medium Density Residential to facilitate the medium density residential uses that are proposed for the Draft Plan of Subdivision (Blocks, 14, 15 and 17), and also to implement the broader range of residential uses and increased intensity of development that is permitted by the Neighbourhoods Place Type. Multi-Family, Medium Density Residential (MFMDR) permits: row houses or cluster houses; low-rise apartment buildings; rooming

and boarding house; emergency care facilities; converted dwellings; and, small-scale nursing homes, rest homes, and homes for the aged (3.3.1 Permitted Uses). A number of these permitted uses are not contemplated as a part of this Application, and will be limited through the zoning applied to these Blocks.

The proposed Draft Plan of Subdivision and recommended zoning have been reviewed in the context of the Official Plan, and are generally consistent with and conform to the 1989 Official Plan.

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

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These lands are currently zoned Holding Open Space (h-5\*h-21\*OS3). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix G.

## **3.0 Financial Impact/Considerations**

The growth servicing strategy for this area has not been considered within the current DC planning horizon and will require review through future Master Plans and DC Background Study to determine the ultimate permanent servicing solution. The only DC eligible works that would be considered at this time would be limited to the oversizing subsidy for permanent infrastructure determined at the engineering design review stage and in accordance with the current DC By-law and Background Study. The owner is responsible for all costs related to temporary works including studies, design, construction, startup, operation, maintenance, and removal of temporary infrastructure when permanent municipal servicing becomes available.

## **4.0 Key Issues and Considerations**

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

This proposal consists of a mix of low and medium density housing types consisting of single detached dwellings, but also permits various forms of cluster housing, townhouses, and low rise apartment buildings to establish a neighbourhood that offers a diversity of housing choices allowing for affordability and is supportive of aging in place. The proposed Draft Plan will establish a neighbourhood that is a standalone development to serve the needs of the residents, but also acknowledges the surrounding context of the area as possible future lands to be possibly considered as part of a future UGB review, and if applicable, the subsequent secondary planning process. Inclusion of a publicly-owned park and open space within the subject lands will enhance the neighbourhood character and provide a gathering place to serve the residents of the neighbourhood. Opportunities are also provided by the proposal for office, and service uses to be incorporated into the future development that is planned for block located at the corner of Sunningdale and Hyde Park to meet the daily needs of neighbourhood residents and provide live-work opportunities. The proposed draft plan will create a connected neighbourhood to allow residents opportunities to enjoy amenities that are close by, while also providing access to community amenities south of Sunningdale Road in the Fox Hollow community, such as schools and additional parks and open spaces that are nearby. In addition, the proposed Subdivision acknowledges the possible inclusion of lands into the UGB and provides future road extensions from Street B and C.

### **4.2. Issue and Consideration #2 - Intensity**

The proposed zoning for the site allows for density that is consistent with the MFMDR designation and is consistent with the zoning south of Sunningdale Road and within the Fox Hollow Plan area. The proposal consists of a mix of low and medium density housing types consisting of single detached dwellings, various forms of cluster housing, townhouses, street townhouses and low rise apartments within the Draft Plan of subdivision. The proposed subdivision's transitions from medium density housing forms

along the southerly edge facing Sunningdale Road West (Block 14) and at the intersection of Sunningdale Road West and Hyde Park Road, to the single detached, low-density housing forms in the interior of the development. The proposed medium density housing forms include cluster townhouses, townhouses and low rise apartments up to four (4) storeys along Sunningdale Road West and Hyde Park Road, and a 4-storey seniors apartment and retirement home housing forms at the intersection of Sunningdale and Hyde Park. The blocks fronting onto Street A, Street B, Street C, and Street D, in the interior of the development, are proposed for single detached dwelling units or street townhouses (Blocks 2-12). The existing dwelling located at 1445 Sunningdale Road is proposed to be adjacent to Street A and single detached dwelling block immediately to the north (Block 5). The applicant has provided a conceptual plan to the City to demonstrate it can provide for appropriate form of housing and that it's consistent with the Fox Hollow Urban Design Guidelines. The two existing residential lots (2535 and 2545 Hyde Park Road) currently have a row of trees wrapping the perimeter of the lots and will be retained by measures contained in the Tree Preservation Plan (draft condition 26) to provide a buffer between low density residential uses and medium density uses that are proposed for Block 14. The siting of the proposed stormwater management pond immediately adjacent the two existing residential lots (1535 and 1545 Sunningdale Road West) and the wrapping of the lands that will be used, in conjunction with the stormwater pond, will provide a buffer between the medium density uses proposed along Sunningdale Road West. In addition, a small block containing single detached dwellings is proposed directly to the north of the two existing residential lots on Sunningdale Road.

It is also noted City staff worked with the Applicant to address the context of the existing six (6) residential dwellings that have are located along the frontages of Sunningdale Road and Hyde Park, as well as to acknowledge the low and medium density character of the Fox Hollow Community that is currently being developed to the south of Sunningdale Road. In acknowledgement of this existing neighbourhood character and the character of the Fox Hollow Community to the south of the site, revisions were made to the previously submitted Draft Plan and zoning for the lands to decrease the allowable building height for medium density blocks (Block 15) from a height of 20 metres and density of 100 units per hectare to a height of 13 metres and a density of 75 units per hectare. In addition, it is recommended by Staff that a holding symbol (h-5) be added to medium density blocks (Blocks 14, 15 and 17) to ensure the future development takes a compatible form with adjacent single detached dwellings that currently exist along Sunningdale Road and Hyde Park Road.

### **4.3. Issue and Consideration #3 - Form**

The subdivision plan establishes a modified grid pattern and provides connections to Sunningdale Road and Hyde Park, as well as opportunities for possible connections to the lands to the east if they are brought into the Urban Growth Boundary and part of the comprehensive review of the City's long term land needs. The planned street network and block pattern creates a subdivision layout that provides a safe environment for pedestrians, cyclists and motorists. The neighbourhood park and open space is planned to be a standalone amenity for the residents of the neighbourhood, but could be integrated with a larger neighbourhood to the north if the lands are part of a future secondary planning process associated with the possible addition of lands to the Urban Growth Boundary. The neighbourhood park is also connected by the sidewalk along to the stormwater management pond, located along the frontage of Sunningdale Road, to provide additional passive amenity space for the residents of the neighbourhood and the potential to provide a pedestrian connection to Sunningdale Road through the block. The medium density blocks are located at the intersection of two (2) Civic Boulevards. A holding provision (h-53) is recommended for the medium density blocks to ensure orientation to the street, park, or open-space frontages. Buildings should be oriented to the higher-order street and be supportive of future public transit where possible.

#### **4.4. Issue and Consideration #4 - Natural Heritage**

An Environmental Impact Study (EIS) and Hydrogeological Assessment were submitted and reviewed by the City and UTRCA as part of the application review process. The City and the Conservation Authority have provided technical comments to the Applicant and both have identified that the EIS and Hydrogeological Assessment are currently incomplete and will need to be updated to address outstanding comments in final reports as a condition of draft approval and completed prior to the submission of Focused Design Studies. Further evaluation of the natural areas on the site is required to accurately identify and delineate the feature/significant wildlife habitat and appropriate buffers within the subject lands. A holding provision (h-2) requiring additional environmental studies has been applied to the proposed single family block to the east of the natural areas. Prior to the submission of Focused Design Studies the Applicant will have to complete an EIS to determine if an additional buffer is required between the feature and the low density residential block. The completion of the EIS the City would initiate an Official Plan Amendment and Zoning By-law Amendment to adjust the boundary line. The feature is also contiguous with a woodland that is immediately to the north of the property boundary, and the adjacent woodland overlaps the unevaluated wetland mapped in *The London Plan Map 5 – Natural Heritage*. It should be noted that the outcome of the studies may result in the redlining of the Draft Plan to address the recommendations of the revised studies, such as larger buffers or setbacks to protect the wetland and natural heritage features.

A portion of the site contains two small wetlands, and as such, the City has no objection to these being removed from their current locations, provided the Applicant compensates for the loss of the wetlands. Staff have worked with the Applicant to establish an appropriate location on site, adjacent to the wetlands within the northwestern area of the subject lands.

It is being recommended that the parkland proposed for the Subdivision is of sufficient size to support a small play area. It will be co-located beside the natural features in the northwestern area of the site, which is supported from a natural heritage perspective. The parkland and open space land will be accepted as a portion of the required parkland dedication at a rate consistent with By-law CP-9.

#### **4.5. Issue and Consideration #5 - Servicing**

The subject lands were brought into UGB as part of 1998 OMB decision and identified that the lands should remain as Urban Reserve Community Growth until the Fox Hollow Community Plan was completed. The Lands were not considered/studied for development in the comprehensive reviews as part of Fox Hollow planning, as such, servicing was not contemplated for the lands. Recently the subject site was reviewed through The London Plan process which determined that the subject lands were not required for development purposes and that the existing Open Space designation in the (1989) Official Plan (now identified as a Greenspace Place Type in The London Plan) would remain.

##### Sanitary Servicing

The ultimate sanitary outlet for the subject lands is the future extension of an oversized sanitary sewer on Tokala Trail north to Sunningdale Road as part of future phase(s) of the Creekview Subdivision, which is anticipated to be constructed in advance of this proposed development. Without a secondary plan addressing the needs for the lands north of Sunningdale Road, the ultimate alignment and sanitary servicing strategy has yet to be determined and there are currently no plans for extending any oversized gravity sewers along Sunningdale Road to service the subject lands. Furthermore, while the subject site is located within the UGB, it was originally contemplated as an Open Space designation (now a Green Space Place Type) and would not have been considered for development.

Sanitary servicing for the subject lands will be considered local servicing and connection

to the future extension of the oversized sanitary sewer within the Creekview Subdivision (i.e., beyond the boundary of the subject lands) will be considered temporary servicing and will be installed by the applicant at their cost.

The City is amenable to entering into a cost sharing agreement with the Applicant to construct the site's temporary sanitary servicing outlets in conjunction with the City led Sunningdale Road works project in 2025.

### Stormwater Servicing

The subject site is located within the overall drainage area for the existing Fox Hollow #1 North Cell stormwater management (SWM) facility. The minor system is to be serviced by the future extension of a trunk storm sewer along Jordan Boulevard north to Sunningdale Road as part of the Foxwood Subdivision; a further extension of the trunk storm sewer is planned to be established in conjunction with the City led Sunningdale Road works project (2025).

The major overland flows for the subject lands were originally contemplated to cross Sunningdale Road to reach the existing SWM facility. To alleviate issues that may arise from this configuration and to attenuate the increased runoff from the proposed development – intensifying beyond the rate originally contemplated – a SWM dry pond has been proposed on the subject lands. As the existing SWM facility was intended to service the subject lands north of Sunningdale Road, there are no future facilities identified within the current (2021) Development Charges Background Study for this location. The proposed dry pond north of Sunningdale Road will require an amendment to the existing Fox Hollow Development Area Municipal Class EA and subsequent review through future master planning and Development Charge studies to establish the source of funding.

### Water Servicing

To distribute water to the City's customers at the required pressures, the City operates high-level and low-level systems. The high-level zone within the northwest area of the City of London uses the Hyde Park Pumping Station (HPPS), which was designed in 2002 and commissioned in 2004. The pumping station was originally designed based on the capacity required to meet initial population demands and the subject lands are beyond the area originally contemplated to be serviced by the HPPS. As growth has continued in this area of the city, the need for upgrades at the pumping station are being assessed through a City led project.

To provide adequate water servicing and fire protection for the subject lands, a connection will be required to the high-level system and sufficient capacity will be required within the pumping station. The development is proposed to connect to the high-level system via Jordan Boulevard within the Foxwood Subdivision to the south, along with a secondary connection to the existing low-level system along Sunningdale Road.

### Transportation

Road connections to the subject lands will be provided via proposed Neighbourhood Connectors located at the northwest limit of the site (Hyde Park Road) and at the southeast limit (Sunningdale Road) to be aligned with Jordan Boulevard established through the Foxwood subdivision to the south.

Sunningdale Road West in its current configuration is a rural cross-section (ditch drainage) and is planned for urbanization (installation of curb, gutters, storm sewers, etc.) through the planned 2025 two-lane arterial road upgrade project from Hyde Park Road to Wonderland Road North.

### Timing of servicing works

The City is amenable to entering into a cost sharing agreement with the applicant to construct the site's temporary sanitary servicing outlets in conjunction with the City led Sunningdale Road works project in 2025.

### Municipal servicing to remnant parcels within the Urban Growth Boundary

Within the limits of the Urban Growth Boundary, the proposed development will be required to extend municipal servicing to remnant parcels adjacent to the development including: 1445, 1535, 1545 Sunningdale Road West and 2535, 2545, 2611 Hyde Park Road and to the proposed creation of Block 1. Municipal servicing shall be provided at the property frontage for the above noted parcels and be fully contained / accommodated within the limits of the overall Draft Plan of Subdivision.

### Future Urban Growth Boundary Expansion

There are future considerations to servicing with respect to a possible expansion of the Urban Growth Boundary (see section 4.7).

### Operation and Maintenance

It should be noted that the establishment of new roads and servicing to be assumed by the City will increase operating and maintenance costs.

## **4.6. Issue and Consideration #6 – Plan Modifications**

The section provides a summary of the modifications that were made to improve the original proposal that was submitted as part of the draft plan and rezoning applications and are noted as follows:

- introduction of Street A to provide a north/south connection for the lands located in the eastern area of the site and reconfiguration of access to subdivision to create a through intersection at Jordan Boulevard
- identification of Street A/Street B as a Neighbourhood Connector on Map – 3 Street Classification in The London Plan
- realignment of the stormwater management facility/park block from a north/south linear structure to dry pond located at Sunningdale Road West and opportunity to be used for unprogrammed amenity area and pedestrian connectivity to Sunningdale Road
- shifted east/west street to the better align with existing single detached dwelling (2611 Hyde Park Road) and better connectivity to the south
- expanded open space block to better reflect the existing natural heritage features and provide adequate buffering for those features
- reconfigure park block to create functional space for provision of an amenity area for neighbourhood residents, and strengthening pedestrian connectivity to Sunningdale Road
- reduction in the proposed height and density of medium density residential block (Block 15) from a height of 20 metres to 13 metres and density of 100 units per hectare to 75 units per hectare, and the addition of a requirement for proposed office uses to be located within an apartment building to facilitate a mixed-use development to provide for a better fit with the existing single detached dwelling along Hyde Park Road

## **4.7. Issue and Consideration #7 – Comprehensive Review**

The proposed Draft Plan will establish a neighbourhood that is a standalone development to serve the needs of the residents, but also acknowledges its' connection to the surrounding context, including the lands within the Fox Hollow Community and the lands to the north and east of the Subdivision as possible lands to be considered as

part of a future Urban Growth Boundary review, and ultimately a subsequent secondary planning process. Street patterns proposed within the Subdivision provide connectivity for the residents to navigate by walking and cycling and offers external connections to adjacent Civic Boulevards to access the amenities south of Sunningdale Road. In anticipation that the adjacent lands currently outside the UGB could be identified as appropriate for potential future development following comprehensive review and study, the Subdivision has identified road extensions to provide for future road connections to the north and east of the subject lands. This will enhance the safety of pedestrian and cyclist environments within the Subdivision and offer additional opportunities for them within the surrounding area. The neighbourhood park that is planned for the Subdivision will provide a recreational space to meet the local needs of residents, with the possible expansion of the park immediately to the north in association with the unevaluated wetland that is identified on Map 5 - Natural Heritage of *The London Plan*.

With regard to servicing to facilitate the development, and as previously identified in section 3, the site has not been considered within the current DC planning horizon and will require review through future Master Plans and DC Background Study to determine the ultimate permanent servicing solution. In the absence of an ultimate strategy for lands beyond the Fox Hollow Community, servicing beyond the site limits required to support the subject development (e.g., within the Sunningdale Road right-of-way) will be considered temporary. The plan is to bring infrastructure connections to the Subdivision in conjunction with City led Sunningdale Road upgrades that have been identified to be undertaken in 2025. However, should the lands to the north and east be included within a future Urban Growth Boundary expansion and identified as appropriate for development, the ultimate servicing strategy for the proposed subdivision can be incorporated within the future servicing design of the surrounding lands.

#### **4.8. Issue and Consideration #8 - Public Comments**

- Access to subdivision, increased traffic and noise levels

Traffic generated by the proposed development will be accommodated by the subdivision's internal street network, and by two arterial road connections (one onto Sunningdale Road West and one onto Hyde Park Road). The intersection of Street A at Sunningdale Road West and Street B at Hyde Park Road will provide for full turning movements. The subdivision street pattern is designed to disperse traffic and thereby help alleviate congestion. Alternative access points have been provided from Street A, Street B and Street C to connect with lands to the east if they are brought into the Urban Growth Boundary and a comprehensive review is undertaken as part of the secondary planning process for the surrounding lands. The intersection of Sunningdale Road West and Hyde Park Road was recently upgraded to a roundabout in 2021. The Development Charges Background Study (2021) has also identified a future road project along Sunningdale Road (from Hyde Park Road to Wonderland Road North) and is planned for 2025 to urbanize the existing rural cross-section (i.e., addition of curbs, gutters, sidewalks, etc.) and the establishment of auxiliary (turning) lanes as required. To provide alternative forms of transportation, sidewalks will be required on both sides of the streets within the proposed Subdivision plan and bike lanes will be established on the Neighbourhood Connector streets as a condition of draft approval. Regarding increased noise levels, the City discourages the use of noise walls, however, the proposed development will be subject to special provisions within the zoning to ensure buildings within medium density blocks along public street frontages are sited close to the street to establish a street wall. The street wall will effectively function as a noise wall to mitigate impacts from traffic noise that would be associated with the proposed development.

- Impact on well water, grading of development and existing land uses

The public have expressed concern over whether the well water would be impacted by the proposed development, and how the grading will affect their ability to maintain the well and provide adequate drinking water for their families. To ensure that the wells that currently providing drinking water for the six (6) existing single detached dwellings are

not impact by the proposed development well inventories and hydrogeological investigations will be undertaken to confirm they are not being dewatered and contaminated by the introduction of the new uses to the surrounding area. Additionally, as a condition of this plan of subdivision, the development will be required to extend municipal servicing to the existing single detached dwellings to allow for their connection to the municipal system.

As part of the engineering review, grading plans will be submitted and reviewed to ensure stormwater flows will not impact neighbouring properties. Grades along the common property line between the development and existing dwellings will be matched to ensure drainage is not adversely affected and to allow for conveyance to a suitable outlet (e.g., the proposed stormwater dry pond within this plan of subdivision).

- Compatibility of proposed development with existing land uses

The proposal provides a mix of low and medium density housing types consisting of single detached dwellings, various forms of cluster housing, townhouses, street townhouses and low rise apartments within the Draft Plan of Subdivision. The proposed subdivision transitions from various medium density housing forms along the southerly edge facing Sunningdale Road West (Block 14) and at the intersection of Sunningdale Road West and Hyde Park Road, to the single detached, low-density housing forms in the interior of the development. The two existing residential lots (2535 and 2545 Hyde Park Road) currently have a row of trees wrapping the perimeter of the lots and will be retained by measures contained in the Tree Preservation Plan (draft condition 26) to provide a buffer between low density residential uses and medium density uses that are proposed for Block 15. Buffering and screening between the medium density block and the two (2) existing single detached dwellings will be considered as part of the site plan process. The siting of the proposed stormwater management pond will wrap around the two existing residential lots (1535 and 1545 Sunningdale Road West) to provide a buffer between the medium density uses proposed along Sunningdale Road West. In addition, a small block containing single detached dwellings is proposed directly to the north of these existing residential lots to provide an additional buffer. Within the interior of the proposed development, the blocks fronting onto Street A, Street B, Street C, and Street D are proposed for single detached dwelling units or street townhouses (Blocks 1-13). The existing dwelling located at Sunningdale Road is proposed to be adjacent to Street A and single detached dwelling block immediately to the north (Block 5).

- Consistency with *Provincial Policy Statement (PPS), (1989) Official Plan, and The London Plan*

As previously noted, a comprehensive study could not be conducted prior to the development application to identify the: appropriateness of development on these lands; neighbourhood vision and identity; planning framework; infrastructure needs; and, development phasing. However, the *Provincial Policy Statement* also provides policies that support development at this site, including and not limited to: the proposal incorporates population housing and employment projections for future needs, as well as coordinates the management and natural heritage, water and cultural heritage and archaeological resources that have been identified on the subject lands. With regard to *The London Plan* and the *1989 Official Plan*, the proposal has been reviewed against the policy framework and evaluation criteria contained within the Plans and has been determined to be generally consistent with and conform to the municipal policy documents, noting that a secondary planning process was not undertaken for the subject lands.

## **Conclusion**

The recommended Draft Plan of Subdivision, and official plan and zoning amendments are appropriate and consistent with the Provincial Policy Statement and conform to The London Plan and (1989) Official Plan. The recommended Draft Plan and conditions of draft approval have been reviewed by City staff and are considered appropriate and compatible with the existing development and surrounding lands. Therefore, staff are satisfied the proposal represents good planning and recommend approval.

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**Deputy City Manager, Planning and Economic  
Development**

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

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections  
Matt Davenport, Manager, Development Engineering

April 12, 2022  
GB/BP/MJ/mj/ac

Z:\DEVELOPMENT SERVICES\4 - Subdivisions\2021\39T-21506 - 1521 Sunningdale Rd W & 2631 Hyde Pk Rd (MJ)\02-Working\01-Draft Approval\PEC\FINAL 1521 Sunningdale Rd W and Hyde Park - 39T-21506\_O-9190\_Z-9440.docx

## 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 1521  
Sunningdale Road West and 2631 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(38) of the *Planning Act, R.S.O. 1990*, c. P.13.

PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Open Space designation to Open Space, Low Density Residential and Multi-Family, Medium Density Residential on Schedule “A”, Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

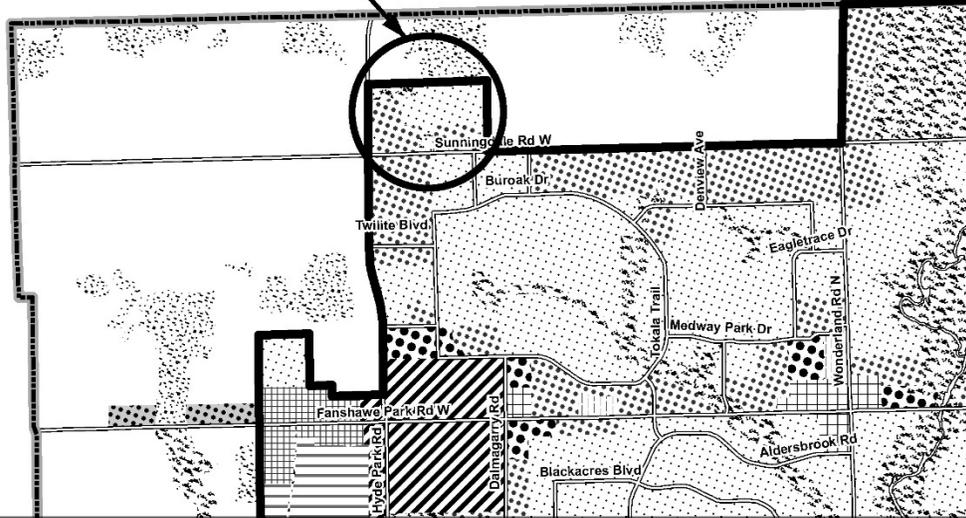
The recommended Low Density, Multi-Family, Medium Density Residential, Open Space designation amendments are generally consistent with the policies of the Provincial *Policy Statement, 2020*, they conform to the in-force policies of *The London Plan* and the *1989 Official Plan* for the City of London, and are appropriate in order to facilitate the direction given to Civic Administration by Municipal Council and the proposed Draft Plan of Subdivision. The recommended amendments would permit a residential subdivision development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to provide 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 is hereby amended as follows:

1. Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road in the City of London, as indicated on “Schedule 1” attached hereto from Open Space to Low Density Residential and Multi-Family, Medium Density Residential, and Open Space.

From: Open Space  
 To: Low Density Residential,  
 Multi-Family Medium Density Residential  
 and Open Space



**Legend**

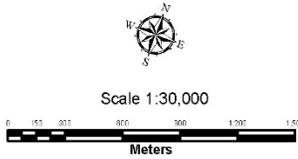
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community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

*This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.*

**SCHEDULE 1  
 TO  
 OFFICIAL PLAN**

AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9440/39T-21506

PLANNER: MJ

TECHNICIAN: rc

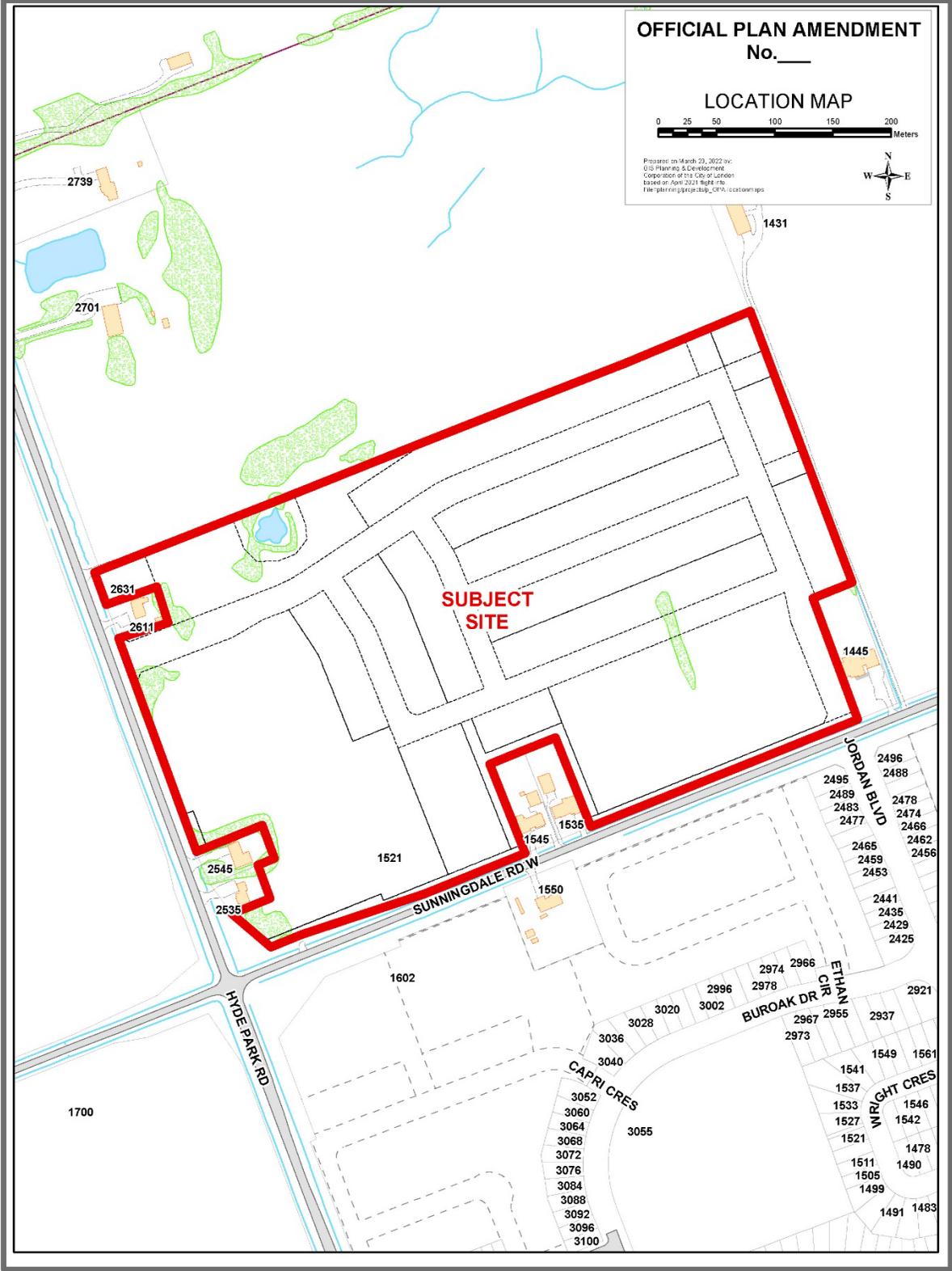
DATE: 3/29/2022

OFFICIAL PLAN AMENDMENT  
No. \_\_\_

LOCATION MAP



Prepared on March 23, 2022 by:  
GIS Planning & Development  
Corporation of the City of London  
based on April 2021 Right of Way  
File: planreg\grange\cbp\_c19\locatmap.aprx



## Appendix B

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

By-law No. C.P. \_\_\_\_\_

A by-law to amend The London Plan for the City of London, 2016 relating to 1521 Sunningdale Road West and 2631 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 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. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c. P.13.

PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

**AMENDMENT NO.  
to the  
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the Place Type of certain lands described herein from Green Space Place Type to the Green Space and Neighbourhoods Place Types on Map 1 – Place Type, to The London Plan for the City of London.
2. To change Street Classification of certain lands described herein to add Neighbourhood Connector to Map 3 – Street Classifications, to The London Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendments are generally consistent with the policies of the *Provincial Policy Statement, 2020*, they conform to the in-force policies of *The London Plan* and the *1989 Official Plan* for the City of London, and are appropriate in order to facilitate the direction given to Civic Administration by Municipal Council and the proposed Draft Plan of Subdivision. The recommended amendment would permit development of a residential subdivision 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, and provide a well-connected neighbourhood and access to amenities within the surrounding area.

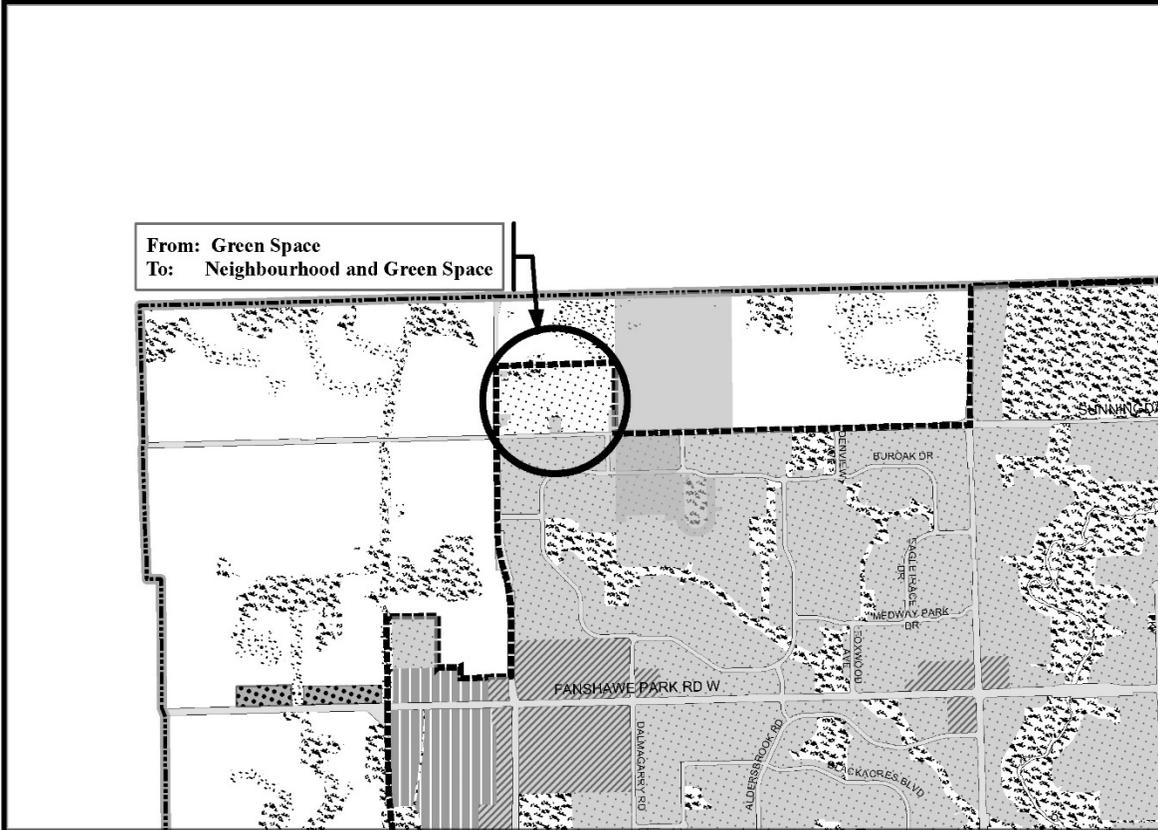
D. THE AMENDMENT

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

*The London Plan* is hereby amended as follows:

1. Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of those lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road in the City of London, as indicated on “Schedule 1” attached hereto from Green Space Place Type to Neighbourhoods and Green Space Place Types.

2. Map 3 – Street Classifications, to The London Plan for the City of London Planning Area is amended by changing the Street Classification of those lands located at 1521 Sunningdale Road West and 2631 Hyde Park Road in the City of London, as indicated on “Schedule 2” attached hereto to add Street A and Street B as a Neighbourhood Connector.

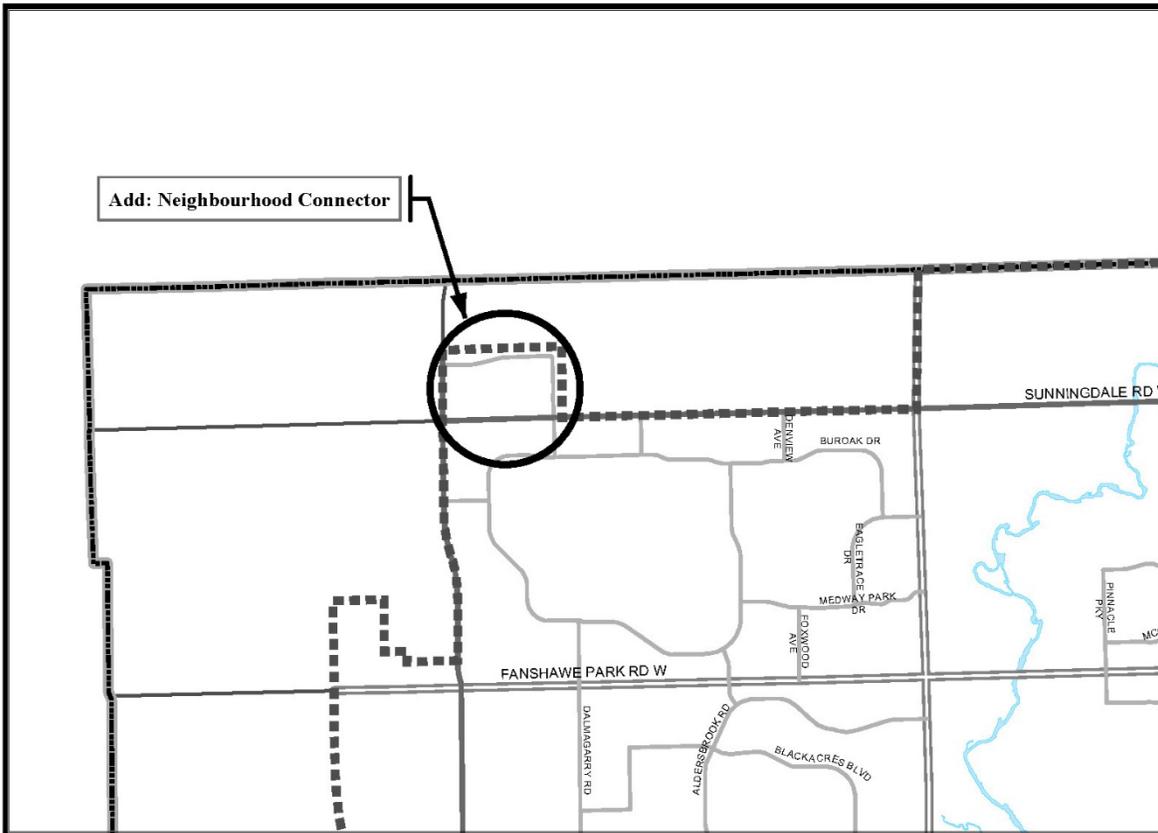


**Legend**

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	Areas Withheld from LPAT Approval
Neighbourhood	Green Space	

*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.  
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

<p><b>SCHEDULE #</b> <b>TO</b> <b>THE LONDON PLAN</b></p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>FILE NUMBER:</b> Z-9440/39T-21506</p> <p><b>PLANNER:</b> MJ</p> <p><b>TECHNICIAN:</b> RC</p> <p><b>DATE:</b> 3/29/2022</p>
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**Legend**

- |  |                         |  |                         |  |                        |
|--|-------------------------|--|-------------------------|--|------------------------|
|  | Provincial Highway      |  | Main Street             |  | Interchanges           |
|  | Expressway              |  | Neighbourhood Connector |  | Rapid Transit Stations |
|  | Urban Thoroughfare      |  | Rural Thoroughfare      |  | Urban Growth Boundary  |
|  | Rapid Transit Boulevard |  | Rural Connector         |  |                        |
|  | Civic Boulevard         |  |                         |  |                        |

*This is an excerpt from the Planning Division's working consolidation of Map 3 - Street Classifications of the London Plan, with added notations.*

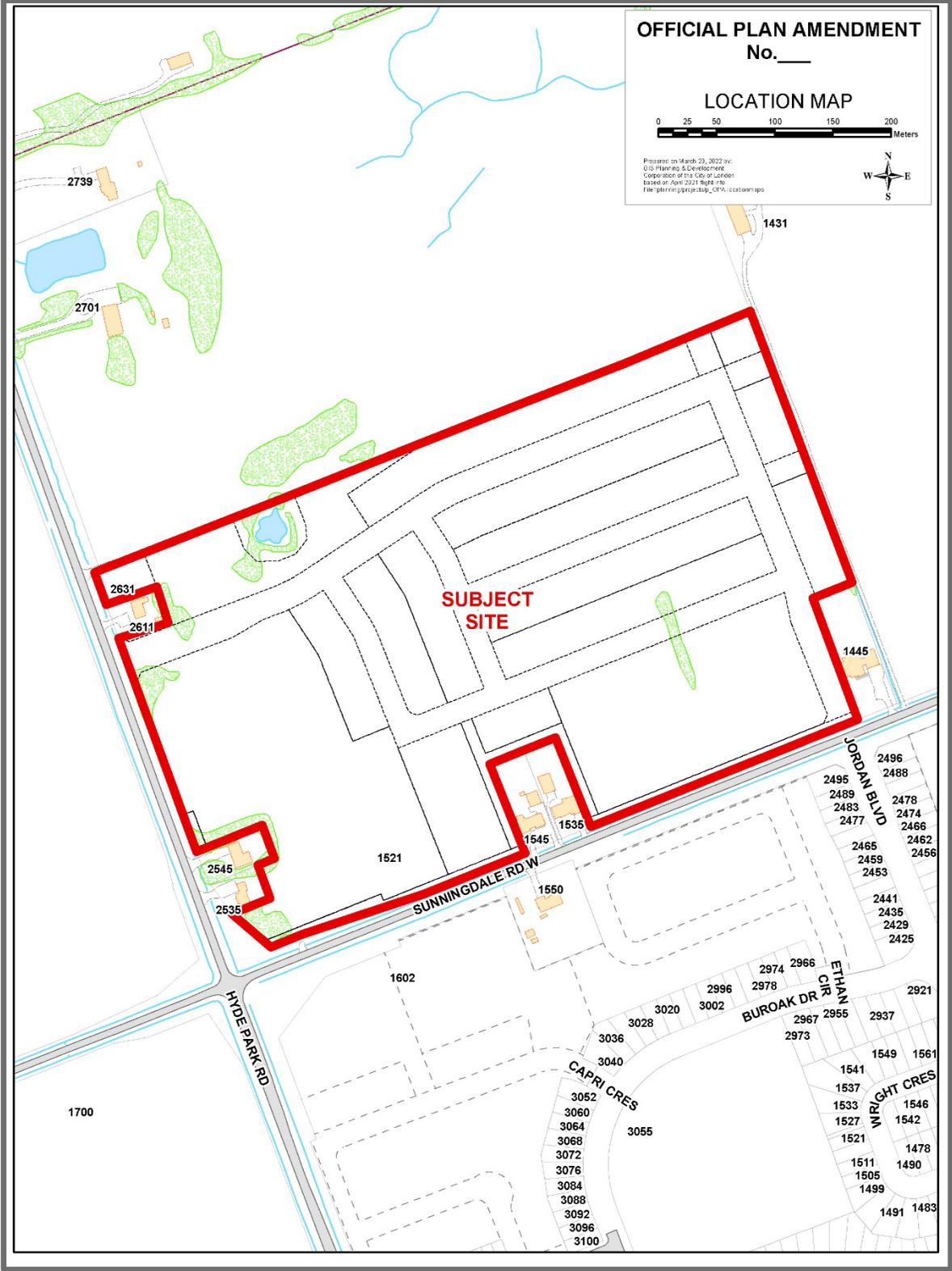
<p align="center"><b>SCHEDULE 2 TO THE LONDON PLAN</b></p> <p align="center">AMENDMENT NO. _____</p> <p align="center">PREPARED BY: Planning Services</p>	<p align="center">                   Scale 1:30,000                  Meters             </p>	<p><b>FILE NUMBER:</b> Z-9440/39T-21506</p> <p><b>PLANNER:</b> MJ</p> <p><b>TECHNICIAN:</b> RC</p> <p><b>DATE:</b> 3/31/2022</p>
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OFFICIAL PLAN AMENDMENT  
No. \_\_\_

LOCATION MAP



Prepared on March 23, 2022 by:  
GIS Planning & Development  
Corporation of the City of London  
based on April 2021 Right of Way  
File: planreg\grange\cbp\_c19\locationmap



## Appendix C

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

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1521 Sunningdale Road West and 2631 Hyde Park Road.

WHEREAS Auburn Developments Inc. has applied to rezone an area of land located at 1521 Sunningdale Road West and 2631 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 1521 Sunningdale Road West and 2631 Hyde Park Road, as shown on the attached map, **FROM** a Holding Open Space (h-5•h-21•OS3) Zone, **TO** a Holding Residential R1 (h•h-100•h-149•h-•R1-3) Zone; a Holding Residential R1/Residential R4 Special Provision (h•h-2•h-100•h-110•h-149•h-•R1-3/R4-6(\*)) Zone; a Holding Residential R1 (h•h-100•h-149• h-•R1-10) Zone; a Holding Residential R1/Residential R4 Special Provision (h•h-110•h-149•h-•R1-3/R4-6(\*)) Zone; a Holding Residential R4/Residential R5/ Residential R6 Special Provision (h•h-5•h-53•h-100•h-110•h-149• h-•R4-6(\*)/R5-5(\*)/R6-5(\*)) Zone; a Holding Residential R4/ Residential R5/ Residential R6/ Residential R7/ Residential R8, Restricted Office Special Provision (h•h-5•h-53•h-100•h-110•h-149•h-•R4-6(\*)/R5-5(\*)/R6-5(\*)/R7•H13•D75(\*)/R8-4•H13•D75(\*)/RO1(\*)/RO2(\*)) Zone; a Holding Open Space, Residential R4/ Residential R5/ Residential R6 Special Provision (h•h-5•h-53•h-100•h-110•h-149•h-•OS1//R4-6(\*)/R5-5(\*)/R6-5(\*)) Zone; an Open Space (OS1) Zone; an Open Space (h-222•OS1) Zone; and an Open Space (h-222•OS5) Zone.
- 2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provision:

R4-6( )

- |    |   |            |
|----|---|------------|
| a) | Regulations   |            |
|    | i) Lot Frontage (minimum)   | 6.7 metres |
|    | ii) Front Yard Depth<br>For Buildings adjacent<br>to a Local Street (minimum)     | 4.5 metres |
|    | iii) Front Yard Depth<br>For Buildings adjacent to<br>to a Local Street (maximum) | 6.0 metres |
|    | iv) Front Yard Depth<br>For Buildings adjacent<br>to an Arterial (minimum)        | 1.0 metres |
|    | v) Front Yard Depth<br>For Buildings adjacent                                     | 6.0 metres |

to an Arterial (maximum)

- vi) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

- 3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following special provision:

R5-5( )

- a) Regulations
  - i) Front Yard Depth 4.5 metres  
For Buildings adjacent to a Local Street (minimum)
  - ii) Front Yard Depth 6.0 metres  
For Buildings adjacent to a Local Street (maximum)
  - iii) Front Yard Depth 1.0 metres  
For Buildings adjacent to an Arterial (minimum)
  - iv) Front Yard Depth 6.0 metres  
For Buildings adjacent to an Arterial (maximum)
  - v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

- 4) Section Number 10.4 of the Residential R6 Zone is amended by adding the following special provision:

R6-5( )

- a) Regulations
  - i) Front Yard Depth 4.5 metres  
For Buildings adjacent to a Local Street (minimum)
  - ii) Front Yard Depth 6.0 metres  
For Buildings adjacent to a Local Street (maximum)
  - iii) Front Yard Depth 1.0 metres  
For Buildings adjacent to an Arterial (minimum)
  - iv) Front Yard Depth 6.0 metres  
For Buildings adjacent to an Arterial (maximum)
  - v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

- 5) Section Number 11.4 of the Residential R7 Zone is amended by adding the following special provision:

R7( )

- a) Regulations
  - i) Front Yard Depth 4.5 metres  
For Buildings adjacent to a Local Street (minimum)
  - ii) Front Yard Depth 6.0 metres  
For Buildings adjacent to a Local Street (maximum)
  - iii) Front Yard Depth 1.0 metres  
For Buildings adjacent to an Arterial (minimum)
  - iv) Front Yard Depth 6.0 metres  
For Buildings adjacent to an Arterial (maximum)
  - v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

6) Section Number 12.4 of the Residential R8 Zone is amended by adding the following special provision:

R8-4( )

- a) Regulations
  - i) Front Yard Depth 4.5 metres  
For Buildings adjacent to a Local Street (minimum)
  - ii) Front Yard Depth 6.0 metres  
For Buildings adjacent to a Local Street (maximum)
  - iii) Front Yard Depth 1.0 metres  
For Buildings adjacent to an Arterial (minimum)
  - iv) Front Yard Depth 6.0 metres  
For Buildings adjacent to an Arterial (maximum)
  - v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

7) Section Number 18.4 of the Restricted Office Zone is amended by adding the following special provision:

RO1( )

- a) Regulations
  - i) Office uses restricted to location within an apartment building

8) Section Number 18.4 of the Restricted Office Zone is amended by adding the following special provision:

RO2( )

- a) Regulations

- i) Office uses restricted to location within an apartment building

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.

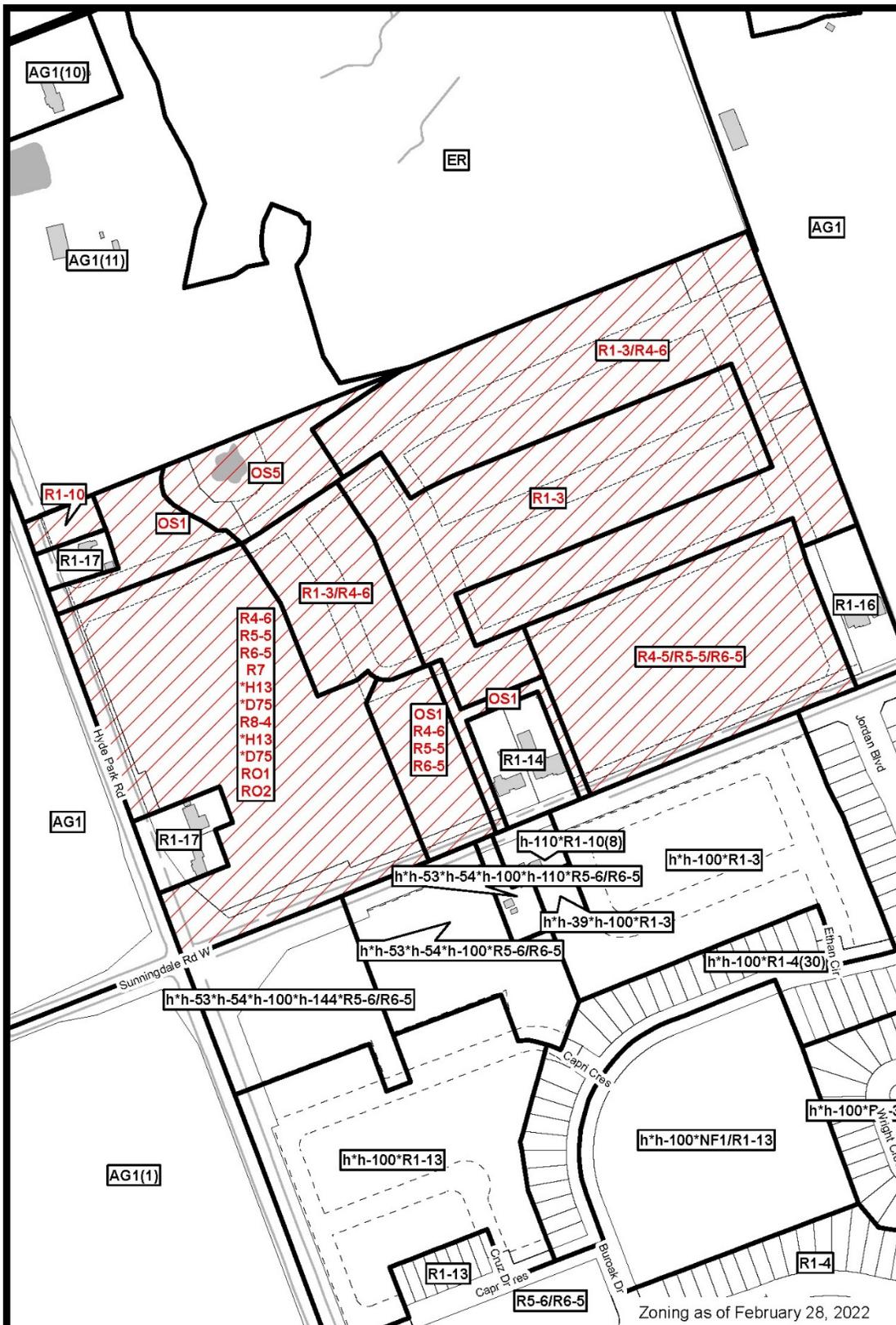
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

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



Zoning as of February 28, 2022

File Number: Z-9440/39T-21506  
 Planner: MJ  
 Date Prepared: 2022/03/24  
 Technician: rc  
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,750

0 15 30 60 90 120  
 Meters



## Appendix D – Draft Approved Conditions

### THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-21506 ARE AS FOLLOWS:

NO.	CONDITIONS
-----	------------

General

1. This draft approval applies to the draft plan submitted by Auburn Developments Inc. (File No. 39T-21506), prepared by Stantec (Project No. 161413708), certified by Jeremy C.E. Mathews O.L.S., dated March 17, 2022, as red-line revised, which shows a total of thirteen (13) low density residential blocks (Blocks 1-13), two (2) medium density residential blocks (Blocks 14-15), one (1) park block (Block 16), one (1) stormwater management facility/medium density residential block (Block 17), three (3) future road blocks (Blocks 18-20), four (4) road widening blocks (Blocks 21-24), three (3) road reserve blocks (Blocks 25-27), one (1) stormwater management facility/open space block (Block 28), and one (1) open space block (Block 29), serviced by five (5) new local streets.
2. This approval applies for five (5) years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The Owner shall enter into a subdivision agreement with the City, in the City's current approved form (a copy of which can be obtained from Planning and Development), which includes all works and services required for this plan, and this agreement shall be registered against the lands to which it applies.
4. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.
5. In conjunction with the first submission of engineering drawings, street(s) shall be named and the municipal addressing shall be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. The Owner shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
8. Prior to final approval the Owner shall pay in full all financial obligations/encumbrances owing to the City on the said lands, including property taxes and local improvement charges.
9. Prior to final approval, the Owner shall provide copies of all transfer documentation for all land transfers/dedications and easements being conveyed to the City, for the City's review and approval.
10. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, final plans, and any required studies, reports, data, information or detailed engineering drawings, and to advise the Approval Authority in writing how each of the conditions of draft

approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.

## **Planning**

### Planning and Urban Design

11. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
12. The Owner shall provide the purchasers of all lots in the subdivision with a zoning information package pertaining to residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each lot in this plan that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.
13. In conjunction with the first submission of engineering drawings, the Owner shall submit for approval an on-street parking plan to the satisfaction of the City. An approved parking plan is required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
14. In conjunction with the first submission of engineering drawings, the Owner shall submit a lotting plan, demonstrating how all residential Blocks meet the minimum target densities as set out in the Fox Hollow Community Plan and the London Plan, how an appropriate mix of housing types and sizes has been provided, how the lotting plan complies with all City standards and zoning regulations, and detailing any part lots that will be held out of development until consolidation with other lands occurs. The lotting plan will be used as the basis for final registration, to the satisfaction of the City.
15. The Owner shall register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this plan (including lots with side frontages to parks and/or open spaces), are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior sideyard road/park/open space frontage.

### Environmental and Parks

16. Prior to the submission of Focus Design Studies, the Applicant's Ecological Consultant, in conjunction with City staff, shall stake and survey the boundary of the wetland feature in Block 29. The agreed upon boundary will be reflected in the updated EIS, to the satisfaction of the City.
17. Prior to the submission of Focus Design Studies, the applicant will complete and submit to the City and UTRCA for review an updated Environmental Impact Study (EIS) which will include details on the wetland compensation that demonstrates no net loss of natural heritage features and their functions. The updated EIS will determine the appropriate buffers to all the natural heritage features and compensation areas in Block 16 and Block 29. Possible redline revisions will be made to the draft plan to adjust for additional buffers/compensation areas as required.
18. Prior to the submission of Focus Design Studies, the applicant will complete and submit to the City and UTRCA for review an updated Hydrogeological and Water Balance Assessment, to the satisfaction of the City.

19. As part of the Focus Design Studies, the applicant will submit to the City an Environmental Management Plan consistent with the requirements and components in the Council approved 2021 Environmental Management Guidelines, all to the satisfaction of the City and UTRCA.
20. In conjunction with the first submission of engineering drawings and consistent with the approved Environmental Management Plan, the Owner shall submit a buffer planting and habitat enhancement plan which addresses restoration, compensation and plantings that shall occur around the woodlot and wetland, prepared by a qualified professional, to the satisfaction of the City.
21. Parkland dedication has been calculated at a rate of 1 hectare per 300 residential units. The Owner shall dedicate Blocks 16, and 29 to satisfy a portion of the required parkland dedication. Block 29 will be taken at a compensated rate listed in By-law CP-9. The balance of the required parkland dedication will be taken as cash-in-lieu consistent with the rates within By-law CP-9.
22. In conjunction with the first submission of engineering drawings, the Owner is to provide park concept plans for Block 16 to the satisfaction of the City.
23. Within one year of registration of this plan, the Owner shall grade, service and seed all areas dedicated for parkland within the phase being registered, in accordance with the approved plan, to the satisfaction of the City.
24. The Owner shall not grade into any open space areas or parkland. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
25. Within one year of registration of this plan, the Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and Open Space Blocks, to the satisfaction of the City.
26. In conjunction with Focused Design Studies, the Owner shall have a qualified arborist prepare a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the Manager of Environmental and Parks Planning as part of the design studies submission. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation.
27. In conjunction with Focused Design Studies, the Owner shall undertake a Hazard Tree Assessment Study for all blocks/lands that abut the park and open space lands. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of the park lot lines (this being the hazard tree management zone) and pathways (as approved by the city), this is also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is the sooner.
28. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the Owner shall obtain the necessary permits/approvals from the UTRCA to create/construct a new wetland prior to

undertaking any site alteration or development within the regulated area including filling, grading, construction and/or site alteration to watercourse and/or interference with a wetland.

29. The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover, is your cat safe outdoors and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.

## **Engineering**

### Sanitary:

30. In conjunction with the Focused Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
  - i) It is recognized that the ultimate sanitary sewer outlet for these lands including lands currently outside the urban growth boundary is the future extension of an oversized sanitary sewer on Tokala Trail north to Sunningdale Road as part of future phase(s) of Creekview Subdivision. It is required to provide municipal easements and construct the sanitary sewers all in accordance with an approved master plan or area servicing plan, all to the satisfaction of the City Engineer.
  - ii) Provide sanitary drainage area plans, including the sanitary sewer routing(s), and the external areas that are identified both in and outside the urban growth boundary tributary (UGB) to the future oversized sanitary sewer extension(s) north along future Tokala Trail to Sunningdale Road; and also depict conceptual road patterns through adjacent lands that the future sewers can also be routed internally through the lands outside the UGB and permit it to be serviced to the satisfaction of the City Engineer.
  - iii) Provide detail on all proposed temporary servicing strategies or approaches not covered by or consistent with the City's long-term servicing master plans (including any proposed temporary pumping stations and forcemains), including location, maintenance access and the need for appropriate easements.
  - iv) If a temporary pumping station and forcemain is proposed, the Owner shall provide estimates for future operating costs of the temporary Pumping Station and Forcemain installation to service these lands, until such time as this facility is abandoned, all at no cost to the City.
  - v) It is recognized that no oversized gravity sanitary sewer is anticipated along Sunningdale Road to the ultimate outlet being the future extension of an oversized sanitary sewer on Tokala Trail.
  - vi) It is recognized that no local gravity sanitary sewers are anticipated along Sunningdale Road or Hyde Park Road to service existing lots and blocks with frontages on Sunningdale Road or Hyde Park Road. It is expected that access to a municipal sanitary outlet will be provided internally through the subdivision with easements as may be required.
  - vii) Provide a municipal sanitary outlet to municipal 1445, 1545, 1535 Sunningdale Road West and 2535, 2545, 2611 Hyde Park Road, and a connection to Block 1 of the Draft Plan as well as the future external lands and any remnant parcels, and demonstrate all viable servicing options fully contained and routed within the current draft plan limits.
  - viii) Provide a hydrogeological report which includes an analysis of the water table level of the lands within the subdivision with respect to the depth of the local sanitary sewers and an evaluation of additional measures, if any, which need to be undertaken in order to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.

- ix) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.
31. In accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
- i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 450mm diameter sewer located on Tokala Trail at Buroak Drive.
  - ii) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City Engineer.
  - iii) Make provisions for oversizing of the internal sanitary sewers in this draft plan, if required, to accommodate flows from the upstream lands external to this plan, all to the specifications of the City Engineer. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - iv) Where sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City Engineer. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
  - v) Make provisions for the extension of sanitary servicing for this plan when the ultimate sanitary outlet is available for this Plan, at no cost to the City;
  - vi) Construct sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan including 1445, 1545, 1535 Sunningdale Road West and 2535, 2545, 2611 Hyde Park Road, all to the specifications of the City.
32. The Owner shall red-line the draft plan of subdivision to provide a Block for the temporary sanitary pumping station, if necessary, to the satisfaction of the City.
33. If a temporary sanitary pumping station is proposed, the Owner shall convey a Block, to the City for use of a temporary sanitary pumping station, at no cost to the City. When the Block is no longer required for use for the temporary sanitary pumping station, the City agrees that the Block will be returned to the Owner for a nominal fee, plus the cost of any associated legal fees for document preparation, for use as a building lot.

#### Storm and Stormwater Management (SWM)

34. In conjunction with the Focused Design Studies submission, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be managed, all to the satisfaction of the City;
  - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
  - iii) Make provisions to oversize and deepen the internal storm sewers in this plan, if necessary, to accommodate flows from upstream lands external to this plan;
  - iv) Ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure;

- v) Implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the Deputy City Manager, Environment and Infrastructure; and,
- vii) Ensure the post-development discharge flow from the subject site meets stormwater control requirements for water balance, quality, quantity, and erosion control, and can be accommodate by existing or proposed SWM infrastructure. The subject site shall not exceed the capacity of the stormwater conveyance system, to the satisfaction of the City. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply with the accepted design requirement for Permanent Private Stormwater Systems, to the satisfaction of the City, at no cost to the City. For blocks identified in the face of the Draft Plan as Low/Medium density, the owner is to provide a runoff coefficient value representative to the anticipated impervious surfaces such as houses and hardscaping to ensure the future proposed development of those blocks does not exceed the capacity of the stormwater conveyance system.
- viii) Develop sediment and erosion control plan(s) that will identify all sediment and erosion control measures, responsibilities and inspecting/reporting requirements for the subject lands, in accordance with City of London, the Ministry of the Environment, Conservation and Parks (MECP) standards and requirements and current industry standards all to the specification and satisfaction of the City. The sediment and erosion control plan(s) shall confirm and identify all interim and long-term drainage measures, responsibilities and maintenance requirements, as well as a monitoring program that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City for conformance to our standards and the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2019). Prior to any work on site, the Owner's professional engineer shall submit these measures and is to have these measures established and approved all to the satisfaction of the City. Further, the Owner's Professional Engineer must inspect and confirm that the required erosion and sediment control measures are maintained, adapted to the changing site conditions, and operated as intended during all phases/stages of construction.
- ix) Ensure all geotechnical conditions, natural heritage and/or hazard considerations, and required setbacks related to the slope stability and natural features including open watercourses, if any, that services upstream catchments are adequately addressed for the subject lands, all to the satisfaction of the City and UTRCA.
- x) A functional SWM report supporting overland flow route capacity calculations and associated drawings for the conveyance of the major overland flows from this plan of subdivision to the intended receiving system. Prior to issuing a Certification of Conditional Approval, the Owner's professional engineer shall identify major and minor storm flow routes for the subject land and demonstrate these flows can be adequately controlled and conveyed to the final outlet with no impacts to downstream properties or infrastructure. Flow routes shall be constructed and be operational all to the satisfaction of the City. The Owner's professional engineer shall ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design (e.g., lands to the north, Municipal 2611, 2545, 2535 Hyde Park Road, etc.), all to the specification and satisfaction of the City.

35. The subdivision to which this draft approval relate shall be designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this

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

36. The Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following, all to the satisfaction of the City:
  - i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study;
  - ii) The accepted Fox Hollow Development Area Municipal Class EA Assessment Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (MRC, September 2010) and the Addendum to be completed by the City;
  - iii) The approved Storm/Drainage and SWM Servicing functional Report for the subject lands;
  - iv) The approved Fox Hollow Stormwater Management System Functional Design Report (Stantec, February 2011);
  - v) The accepted Fox Hollow Stormwater Management System - Stormwater Management Facility No. 1 Modifications Brief (Stantec, June 2009);
  - vi) The accepted Foxwood Developments Subdivision Functional Storm/Drainage and SWM Letter Report (AECOM, May 2013);
  - vii) The City's Waste Discharge and Drainage By-Laws, lot grading standards, policies, requirements and practices;
  - viii) The Ministry of the Environment SWM Practices Planning and Design Manual (2003), and;
  - ix) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies, including but not limited to the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2019), etc.
37. The Owner acknowledges the subject lands are located within the accepted Fox Hollow Development Area Municipal Class EA Assessment Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (MRC, September 2010) drainage area.
38. The Owner acknowledges the current draft plan is not consistent with the preferred strategy of the accepted Fox Hollow Development Area Municipal Class EA Assessment Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (MRC, September 2010). The Owner agrees to pay for the cost of an EA addendum to support this draft plan. The findings of the EA addendum shall be incorporated into the Draft Plan Conditions prior to acceptance of focused design studies along with any necessary redline revisions.
39. The Owner further acknowledges that the City will be holding these subject lands from development until such time the addendum to the Fox Hollow Development Area Municipal Class EA Assessment Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (MRC, September 2010) are complete to the satisfaction of the City, at no cost to the City.
40. The ultimate stormwater management solution for these lands have not been identified in the 2021 Development Charges Background Study. Any consulting, engineering or construction costs incurred that are associated with developing an ultimate stormwater management solution shall be considered an Owner cost and not eligible for reimbursement from the CSRF.
41. Prior to submission the Focused Design Studies and following the completion of an addendum to the Fox Hollow Development Area Municipal Class EA Assessment Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (MRC, September 2010), the Owner shall submit

revised servicing reports to the City, for review and acceptance by the City, to support revisions and amendments to the draft plan to meet the preferred addendum strategy.

42. The Owner agrees the design and construction of any interim SWM control facilities and outlets prior to the finalization of the Fox Hollow Development Area Municipal Class EA Addendum will be funded, designed, constructed, owned, and operated by the Owner to achieve the required SWM quality, quantity, erosion, and water balance requirements, all to the satisfaction of the City.
43. The Owner shall decommission any interim work and implement the accepted ultimate SWM strategy in advance of subdivision assumption and at the sole expense of the Owner. The Owner acknowledges additional security may be requested by the City to ensure interim measures are decommissioned and replaced to meet the ultimate SWM strategy established by the Fox Hollow Development Area Municipal Class EA Addendum by the City.
44. The Owner acknowledges any ultimate dry quantity control storage facility shall only receive major flows. Dry ponds shall not receive minor flows as sedimentation would be a significant operation and maintenance issue and the existing downstream Fox Hollow SWMF 1 is designed and constructed to provide water quality control to minor flows from the proposed subdivision.
45. The Owner shall accommodate the lands to the north of this site into the SWM strategy for this site following the runoff assumptions of plan 33M-799 of 45.20 ha with a runoff coefficient of 0.41. In an event where the above condition cannot be met, the Owner shall provide as part of the functional SWM report supporting hydraulic calculations demonstrating that storm flows higher than 50-year storm events from lands to the north can be accommodated in the downstream storm conveyance system and City owned Fox Hollow #1, North Cell without exceeding the storm sewer capacity or adversely impacting the functionality of the receiving stormwater management facility.
46. Any portion of the proposed 2014 GMIS trunk storm sewer along Sunningdale Road shall be designed and constructed to be compatible with the ultimate Sunningdale Road reconstruction scheduled for 2025 and be designed with consideration for the City Hyde Park/Sunningdale Road roundabout project, all to the satisfaction of the City.
47. If the subdivision includes any regional SWM work to be constructed by the City, the Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Storm Water Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process adopted by Council on July 30, 2013, as part of the Development Charges Policy Review: Major Policies Covering Report.
48. In accordance with the MECP and City's requirements, the Owner shall ensure adequate setbacks will be maintained and allocated in accordance with the City Council approved Official Plan Policies relating to open watercourse setbacks, if any. Required setbacks, buffers, regulated areas, and areas to be protected during construction shall be clearly identified within the engineering drawings issued for construction. Required buffers to PSW, if any, are subject to the City's Official Plan and MNR policies and should be consistent with the approved EIS.
49. In conjunction with the Focused Design Studies submission, the Owner shall have a professional engineer or professional geoscientist prepare a hydrogeological investigation and/or addendum/update to the existing hydrogeological investigation(s) based on the final subdivision design, to determine the potential short-term and long-term effects of the construction associated with the development on existing groundwater elevations and to assess the impact on the

water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions to the satisfaction of the City. Hydrological support to features identified in the approved EIS should also be included in the functional SWM design. Elements of the hydrogeological investigation should include, but are not to be limited to, the following, all to the satisfaction of the City:

- i) Analysis of water quality and quantity impacts on the existing PSW, if any, under the existing and post-development conditions and recommendations to minimize any adverse impacts from the proposed land development to the satisfaction of the City and UTRCA;
  - ii) The pre-development discharges from PSW must be maintained under the post-development conditions and these discharges shall be accommodated in the proposed storm/drainage and SWM servicing works for the subject lands in accordance with existing drainage pattern;
  - iii) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;
  - iv) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features;
  - v) Completion of a water balance and/or addendum/update to the existing water balance for the proposed development, revised to include the use of LIDs as appropriate;
  - vi) Completion of a water balance for any nearby natural heritage feature (i.e., all open space Blocks) to include the use of LIDs as appropriate;
  - vii) Details related to proposed LID solutions, if applicable, including details related to the long-term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table and potential road salt application impacts;
  - viii) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
  - ix) Evaluation of construction related impacts and their potential effects on local significant features;
  - x) Development of appropriate short-term and long-term monitoring plans (if applicable);
  - xi) Development of appropriate contingency plans (if applicable) in the event of groundwater interference related to construction.
  - xii) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - xiii) identify any abandoned wells in this plan
  - xiv) any fill required in the plan
  - xv) provide recommendations for foundation design should high groundwater be encountered
  - xvi) address any contamination impacts that may be anticipated or experienced as a result of the said construction
  - xvii) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
  - xviii) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken.
50. In conjunction with the first submission of engineering drawings, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydrogeological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
51. In conjunction with the first submission of engineering drawings, the Owner's consulting Professional Engineer shall submit a Monitoring and Operational

Procedure Manual for the maintenance and monitoring program for each of the SWM Facilities within this plan (i.e., Dry ponds, LIDs, OGSs, etc.), in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" and other available guidance document requirements to the City for review and approval. The program will include but not be limited to the following:

- i) A work program manual for the phasing, maintenance and monitoring of these facilities during all phases of buildout as well as following assumption.
  - ii) A verification and compliance monitoring program the developer will need to complete to verify the SWM features meet the intended design prior to assumption.
52. Following construction and prior to the assumption of the stormwater system, the Owner agrees to complete the following at no cost to the city, and all to the satisfaction of the City:
- i) Operate, maintain, and monitor the SWM Facilities in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities"
  - ii) Have its consulting Professional Engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "Monitoring and Operational Procedure for Stormwater Management Facilities" to the City for review and approval.

### Watermains

53. In conjunction with the Focused Design Studies submission the Owner shall have their consulting engineer prepare and submit a Water Servicing Report including the following design information, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure:
- i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
  - ii) Identify domestic and fire flows for the future development Blocks from the low-level (high-level) water distribution system;
  - iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
  - iv) Include modeling for two fire flow scenarios as follows:
    - i) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
    - ii) Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);
  - v) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;
  - vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;
  - vii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
  - viii) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
  - ix) Identify any required watermain oversizing and any cost sharing agreements;
  - x) Identify the effect of development on existing water infrastructure and identify potential conflicts;
  - xi) Include full-sized water distribution and area plan(s) which includes identifying the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings and outlet), the fire hydrant rated capacity & marker colour, and the design domestic and fire flow applied to development Blocks.

- xii) Where any utilities or servicing cross the existing 900mm trunk Concrete Watermain on Sunningdale Road, in accordance with Section 7.4.7 of the DSRM, the engineer shall prepare a report during the Design studies submission that will address section 7.4.7.3 Crossings of Watermain and Sewers.
  - xiii) Provide a servicing concept acceptable to Water Engineering for the possible proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services is being achieved.
  - xiv) Identify water servicing requirements necessary to provide water servicing to remnant parcels adjacent to the development including 2611, 2545 and 2535 Hyde Park Road and 1545, 1535 and 1445 Sunningdale Road;
  - xv) Identify any water servicing requirements necessary to provide water servicing to external lands, to the north and to the east of this plan;
54. In accordance with City standards, or as otherwise required by Water Engineering, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i) Construct watermains to serve this Plan and connect them to the high level watermain municipal system, namely a future 300 mm diameter watermain on Jordan Blvd that connects to the 300mm watermain on Buroak Drive;
  - ii) Construct the 300mm watermain on Jordan Blvd mentioned in (i) if it has not been done by others;
  - iii) Fully construct the high level waterman on Buroak Drive which is Part of the Kent Subdivision (39T-04510) and connect it to the 300mm watermain on Buroak Drive at Jordan Boulevard if it has not been done by others;
  - iv) construct watermains to service this plan and connect them to the existing low level watermain, namely the existing 900mm trunk watermain on Sunningdale Road, along the frontage of this plan on Sunningdale Road, with a checked connection between the low-level and high-level systems and at a location acceptable to Water Engineering; acceptable locations are Blocks 14, 15, 17 or 28.
  - v) Watermains which are not located within a future municipal Road/row shall be located on a dedicated municipal easement. The engineer shall ensure that all appropriate separation distances between other municipal utilities (sewers, SWM facilities, etc.) are provided and that all infrastructure is accessible for maintenance and replacement to the satisfaction of the Water Engineering Division and other affected municipal utilities and that in the future it will be possible to meet all Ministry of Labour requirements with respect to trenching.
  - vi) if temporary water servicing is installed by the developer, these works shall be entirely at the developers' cost. Temporary works will not be eligible for oversizing claims. The developer agrees to pay to undertake the permanent servicing solution at his own costs at the earliest opportunity to do so. The developer will be required to remove any temporary servicing installed at his own cost. The City reserves the right to take security to construct the permanent servicing option and abandon the temporary servicing option.
  - vii) If the Owner proceeds in advance of the necessary improvements to the Hyde Park Pumping Station planned to be completed by the City, the Owner shall undertake any works which are identified in order to make capacity improvements to the Hyde Park Pumping Station to accommodate this development, subject to the rules of the Development Charges Background Study and the Development Charges By-law.
  - viii) If the Owner proceeds in advance of the necessary improvements to the high-level water distribution system planned to be completed by the City, the Owner shall undertake any works which are identified as necessary capacity improvements in the High Level Water Distribution System to accommodate this development, subject to the rules of the Development Charges Background Study and the Development Charges By-law.
  - ix) Construct internal watermains to service this plan;

- x) Construct watermains to provide municipal water servicing to the remnant parcels adjacent to this development including 1445, 1545, 1535 Sunningdale Road West and 2535, 2545, 2611 Hyde Park Road, as identified in the accepted Water Servicing Report (condition 53, above), all to the specifications of the City. Municipal water servicing to these parcels shall be provided at the property frontage;
- xi) Construct watermains to provide municipal water servicing to Block/Lot 1 proposed as part of this development. Block/Lot 1 is proposed to front on Hyde Park Road. The water servicing shall be provided at the frontage of the lot. Block/Lot 1 will not be permitted to be created or to be developed until such time as an acceptable servicing plan is provided to indicate how this lot will be provided with municipal water servicing that meets all standards and requirements;
- xii) Deliver confirmation that the watermain system has been looped to the satisfaction of Water Engineering when development is proposed to proceed beyond 80 units;
- xiii) Available fire flows and appropriate hydrant rated capacity colour code markers are to be shown on the engineering drawings; the coloured fire hydrant markers will be installed by the City of London at the time of Conditional Approval;

55. The Owner shall obtain all necessary approvals from the Deputy City Manager, Environment and Infrastructure for the servicing of all Blocks in this Plan of Subdivision prior to the installation of any water services to or within these Blocks.

#### Roadworks

56. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning perpendicular through their intersections and opposite each other thereby having these streets centred with each other, unless otherwise approved by the Deputy City Manager, Environment and Infrastructure.
57. In conjunction with the first submission of engineering drawings, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure:
- i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, 10 metre straight tangents, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.
  - ii) confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
  - iii) At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 10 metre tangent being required along the street lines of the intersecting road, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
  - iv) shall ensure street light poles and luminaires, along the street being extended, match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City of London.
  - v) shall ensure any emergency access required is satisfactory to the City Engineer with respect to all technical aspects, including adequacy of sight lines, provisions of channelization, adequacy of road geometries and structural design, etc.
  - vi) shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the Deputy City

Manager, Environment and Infrastructure for any construction activity that will occur on an assumed street.

58. The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
- i) Street A and Street B (Neighbourhood Connector) to have a road pavement width (excluding gutters) of 10.0 metres and include buffered bike lanes in accordance with the Complete Street Design Manual with a minimum road allowance of 23.0 metres
  - ii) Street C, Street D and Street E (Neighbourhood Streets) to have a road pavement width (excluding gutters) of 7.5 metres with a minimum road allowance of 20.0 metres with no bump outs on street bends and consistent pavement width to City standards.
  - iii) Street A shall intersect perpendicular with Sunningdale Road West opposite of Jordan Blvd, with a minimum ultimate road allowance of 23.0m. The owner shall construct a 1.8 metre sidewalk in the typical/ultimate location on the west side of road allowance in accordance with Complete Streets Design and a 3.50 metre bidirectional cycle lane to the satisfaction of the City Engineer, at no cost to the City.
  - iv) Road Block 20 have a minimum road allowance of 20.0 metres.
  - v) Road Blocks 18 and 19 have a minimum road allowance of 23.0 metres
  - vi) The Owner shall construct a gateway (without island) treatment on Street B at the intersection of Hyde Park Road with a right of way width of 28.0 metres for a minimum length of 90.0 metres tapered back over a distance of 30 metres to the road right of way width of 23.0 metres, to the satisfaction of the City.
  - vii) The Owner shall provide provisions for a future gateway (without island) treatment on Street A at the intersection of Sunningdale Road West with an ultimate right of way width of 28.0 metres for a minimum length of 90.0 metres tapered back over a distance of 30 metres to the road right of way width of 23.0 metres, to the satisfaction of the City.
59. The Owner shall convey Future Development Blocks 18, 19 and 20, to the City for future use as needed, at no cost to the City. If these Blocks are not needed upon development or redevelopment of the lands to the north and east of these blocks, the City agrees that these Blocks will be returned to the Owner for a nominal fee, plus the cost of any associated legal fees for document preparation, for use as a building lot.
60. In conjunction with the first submission of engineering drawings, the Owner shall implement barrier curb through this plan of subdivision as per the Design Specifications and requirements Manual (DSRM), to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
61. In conjunction with the first submission of engineering drawings, the Owner shall comply with all City standards as found in the Design Specifications and Requirements Manual, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
62. In conjunction with the first submission of engineering drawings, the Owner shall comply with the Complete Streets Design Manual to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
63. In conjunction with the first submission of engineering drawings, the Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

Road Allowance  
20.0 m

S/L Radius  
9.0 m

64. In conjunction with the first submission of engineering drawings, the Owner shall identify external works on Hyde Park Road and Sunningdale Road West, (including temporary street lighting, extension of the Sunningdale Road median, construction of turn lanes etc.), to the satisfaction of the City, at no cost to the City.

#### Sidewalks

65. In conjunction with the first submission of engineering drawings, the Owner shall provide details of a 1.5 metre sidewalks on both sides of all streets in this Plan, unless noted below.
66. In conjunction with the first submission of engineering drawings, the Owner shall identify a 1.8 metre sidewalk in the typical/ultimate location on the west side of Street A road allowance in accordance with Complete Streets Design and a 3.50 metre bidirectional cycle lane to the satisfaction of the City Engineer, at no cost to the City.
67. Should the Owner direct any servicing within any walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

#### Streetlights

68. In conjunction with the submission of engineering drawings, the Owner shall have a qualified professional engineer provide to the Deputy City Manager, Environment and Infrastructure for review and acceptance appropriate drawings and calculations (eg photometric) for street lights that exceeds the street lighting standards in new subdivisions as required by the Deputy City Manager, Environment and Infrastructure at no cost to the City.
69. In conjunction with the first submission of engineering drawings, the Owner shall provide details of street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City.

#### Boundary Road Works

70. In conjunction with the Focused Design Studies submission, the Owner shall submit a transportation study in accordance with the Transportation Impact Study Guideline to determine the impact of this development on the abutting arterial roads to the satisfaction of the City. Prior to undertaking this study, the Owner shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study. The Owner shall undertake any recommendations of the study, to the satisfaction of the City and at no cost to the City
71. In conjunction with the first submission of engineering drawings, the Owner shall implement all recommendations outlined in the approved Transportation Impact Study to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
72. In conjunction with the Design Studies submission, the Owner shall have it's professional consulting engineer submit design criteria for the left and right turn lanes on Sunningdale Road West at Street A, and left turn and right turn lanes on Hyde Park Road at Street B for review and acceptance by the City.
73. In conjunction with the Design Studies submission, the Owner shall determine sight triangle requirements for all intersections (including at Hyde Park Road and Sunningdale Road West and all internal intersections) based on the 2017 Transportation Association of Canada Geometric Design Guide for Canadian Roads, for review and acceptance by the City. It is further acknowledged that a sight triangle has not been requested along the east side of Street A due to existing constraints, as shown on the draft plan of subdivision.

74. In conjunction with first submission of engineering drawings, the Owner shall provide a pavement marking plan, to include all turn lanes, etc., to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
75. In conjunction with the first submission of engineering drawings, the Owner shall provide details of temporary street lighting at the intersection of Street A and Sunningdale Road West, and the intersection of Street B and Hyde Park Road to the specifications of the City, at no cost to the City.
76. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road West. The Owner shall co-operate with the City, as necessary, to complete the project, including providing access to their lands, and easements as necessary.

The City is amenable to entering into a cost sharing agreement with the applicant to construct the site's temporary sanitary servicing in conjunction with this City led Sunningdale Road works project.

77. In conjunction with the first submission of engineering drawings, the Owner shall identify minor boulevard improvements on Hyde Park Road and Sunningdale Road West adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
78. In conjunction with the Focused Design Studies submission, the Owner shall verify the adequacy of the decision sight distance on Hyde Park Road at Street 'B' , and on Sunningdale Road West at Street 'A'. If the sight lines are not adequate, this street is to be relocated and/or road work undertaken to establish adequate decision sight distance at this intersection, to the specifications of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.
79. In conjunction with the first submission of engineering drawings, the Owner shall provide details of all required road works to address the sight line requirements, to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.

#### Road Widening

80. The Owner shall dedicate sufficient land to widen Hyde Park Road to 24.0 metres from the centreline of the existing road to a point 150.0 metres north of Sunningdale Road West, to the satisfaction of the City.
81. The Owner shall dedicate sufficient land to widen Hyde Park Road to 18.0 metres from the centreline of the existing road for the remaining portion along Hyde Park Road, to the satisfaction of the City.
82. The Owner shall dedicate sufficient land to widen Sunningdale Road West to 24.0 metres from the centreline of the existing road to a point 150.0 metres east of Hyde Park Road, to the satisfaction of the City.
83. The Owner shall dedicate sufficient land to widen Sunningdale Road West to 18.0 metres from the centreline of the existing road for the remaining portion along Sunningdale Road West, to the satisfaction of the City.
84. The Owner shall provide additional right of way widening as identified in the Hyde Park Road EA. The Owner should verify what is shown with the registered plans, including the recently deposited plan for land and easement acquisition at and around the intersection. Co-ordination with City Geomatics and Transportation may be required. Construction of the roundabout at Hyde Park Road and Sunningdale Road West was completed in 2021.

85. The Owner shall dedicate “daylight triangles” at all intersections (including at Hyde Park Road and Sunningdale Road West and all internal intersections) as determined as part of the Design Studies submission.

#### Vehicular Access

86. The Owner shall restrict access to Blocks in this Plan by establishing blocks for 0.3 metre reserves along the entire Hyde Park Road and Sunningdale Road West frontages, to the satisfaction of the City.
87. The Owner shall provide a 0.3 metre reserve along the east limit of Street A abutting the existing external property (1445 Sunningdale Road West), to the satisfaction of the City.

#### Traffic Calming

88. In conjunction with the first submission of engineering drawings, the Owner shall identify traffic calming measures along the Neighbourhood Connector road network within this plan of subdivision. Traffic calming measures shall be determined through coordination with Traffic Calming staff ([trafficalming@london.ca](mailto:trafficalming@london.ca)) and could include:
- i) A raised intersection on Street B at Street A and on Street B at Street E to the satisfaction of the City Engineer, at no cost to the City. Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
  - ii) Traffic Calming shall be provided on Street A and Street B in the form of speed cushions as per City standards, spaced at 100m, avoiding maintenance covers and intersections, with physical barriers in the bike lane buffer adjacent to speed cushions to the satisfaction of the City Engineer.
- All traffic calming measures are subject to the approval of the Transportation Planning & Design Division and shall be designed and constructed to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

#### Construction Access

89. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hyde Park Road and Sunningdale Road West.

#### General

90. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
91. Once construction of any private services, i.e.: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed re-lotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.
92. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision as per the accepted engineering drawings, at no cost to the City, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure.

93. The Owner's professional engineer shall provide full time inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the Deputy City Manager, Environment and Infrastructure.
94. Prior to the construction of works on existing City streets and/or unassumed subdivisions, the Owner shall have its professional engineer notify new and existing property owners in writing regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision along with any remedial works prior to assumption, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".
95. The Owner shall not commence construction or installations of any services (e.g. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (e.g. Ministry of the Environment, Conservation and Parks Certificates, City/Ministry/Government permits: Permit of Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, Conservation and Parks, City, etc.).
96. In conjunction with the first submission of engineering drawings, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
97. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.
98. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
99. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
100. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
101. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing municipal or private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services and these services are operational, at no cost to the City.

Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any

section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.

102. In conjunction with first submission of engineering drawings, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the Deputy City Manager, Environment and Infrastructure and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
103. In conjunction with the engineering drawings submission, the Owner shall have it geotechnical engineer identify if there is any evidence of methane gas within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any methane gas within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer, under the supervision of the geotechnical engineer, to the satisfaction of the City, at no cost to the City.
104. In conjunction with the engineering drawings submission, the Owner shall have it geotechnical engineer identify if there is any evidence of contamination within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any contamination within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer to remediate, remove and/or dispose of any contaminates under the supervision of the geotechnical engineer to the satisfaction of the City, at no cost to the City.
105. In conjunction with the Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
  - i) servicing, grading and drainage of this subdivision
  - ii) road pavement structure
  - iii) dewatering
  - iv) foundation design
  - v) removal of existing fill (including but not limited to organic and deleterious materials)
  - vi) the placement of new engineering fill
  - vii) any necessary setbacks related to slope stability for lands within this plan
  - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,
  - ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback.
  - x) cutting/filling, erosion, maintenance and structural setbacks related to slope stability associated with the existing wetlands, all to the satisfaction of the City and the Upper Thames River Conservation Authority;and any other requirements as needed by the City, all to the satisfaction of the City.
106. In conjunction with the first submission of engineering drawings, the Owner shall implement all geotechnical recommendations to the satisfaction of the City.
107. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per City standards to

accommodate street townhouses within this draft plan of subdivision, all to the specifications and satisfaction of the City.

108. In conjunction with the first submission of engineering drawings, the Owner shall provide details of the common property line of Hyde Park Road and Sunningdale Road West graded in accordance with the accepted engineering drawings, all to the specifications and satisfaction of the City, at no cost to the City.
109. In conjunction with the Focused Design Studies submission, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
110. In conjunction with the first submission of engineering drawings, the Owner shall identify locations of all existing infrastructure, ie. water, septic, storm, hydro, driveways, etc. and their decommissioning or relocation, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
111. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer investigate whether there is a municipal drain located on this site. Should there be a municipal drain, the Owner shall identify and prepare a report of any works required to keep the municipal drain in operation or the decommissioning of the drain, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
112. The Owner shall submit confirmation that they have complied with any requirements of Sun Canadian Oil Pipeline with regards to the 20 metre buffer at the northern limit of this plan of subdivision.
113. The Owner shall submit a copy of the final plan for this subdivision to the City showing any amendments or revisions made to this plan as a result of any requirements and/or conditions covering the plan, or otherwise (ie. Owner initiated) for review and acceptance by the Deputy City Manager, Environment and Infrastructure, prior to submitting Focused Design Studies.
114. In conjunction with the first submission of engineering drawings, the Owner shall provide details of any adjustments to the existing works and services, adjacent to this plan to accommodate the proposed works and services to accommodate this Plan of Subdivision (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted engineering drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.
115. The Owner shall provide all details, co-ordination and agreements with any affected property owner(s) of adjacent lands to construct all necessary works over their lands in order to service this Plan of Subdivision or make alternate arrangements, to the satisfaction and specifications of the City. The Owner shall obtain all required easements for the City, as necessary, to the specifications and satisfaction of the City, at no cost to the City.
116. The Owner shall hold Block 3 out of development until the adjacent future road blocks are constructed and lands to the north or east develop, all to the satisfaction of the City.

## Appendix E – Public Engagement

### Community Engagement

**Public Liaison:** On December 14, 2021, Notice of Application was sent to property owners in the surrounding area, and the relevant internal and external commenting agencies. The Notice of Application was published in the *Public Notices and Bidding Opportunities* section of the *Londoner* on December 16, 2022. Notice for the Public Participation Meeting was first distributed on March 10, 2022, and published in the *Londoner* on March 10, 2022. This meeting opportunity was cancelled, which was advertised to the public in the *Londoner* on March 24, 2022. The updated Notice of Public Participation Meeting was distributed to property owners in the surrounding area and the relevant commenting agencies on March 31, 2022, and published in the *Londoner* on March 31, 2022.

**Nature of Liaison:** The purpose and effect of this application is approve a Draft Plan of Residential Subdivision, as well as the corresponding Official Plan, London Plan and Zoning By-law Amendments. The Draft Plan of Subdivision consists of thirteen (13) low density residential blocks, two (2) medium density residential blocks, one (1) park block, one (1) stormwater management facility/medium density residential block, three (3) future road blocks, four (4) road widening blocks, three (3) road reserve blocks, one (1) stormwater management facility/open space block, and one (1) open space block; serviced by five (5) new local streets.

### **Londoner Notice: 1521 Sunningdale Road West and 2631 Hyde Park Road**

The purpose and effect of this application is to consider a proposed Draft Plan of subdivision, official plan amendment and zoning by-law amendment to facilitate the creation of a residential subdivision. **Draft Plan of Subdivision** – Consideration of a Draft Plan of Subdivision consisting of thirteen (13) low density residential blocks, two (2) medium density residential blocks, one (1) park block, one (1) stormwater management facility/medium density residential block, three (3) future road blocks, four (4) road widening blocks, three (3) road reserve blocks, one (1) stormwater management facility/open space block, and one (1) open space block; serviced by five (5) new local streets. **Official Plan Amendment** – Consideration of official plan amendment will facilitate the medium density residential uses that are proposed for the Draft Plan of Subdivision and implement the broader range of residential uses and increased intensity of development that is permitted by the Neighbourhoods Place Type. Possible amendment to portion of the site to the 1989 Official Plan **FROM** Open Space **TO** Multi-Family, Medium Density Residential and Low Density Residential. Portions of the site will also be considered for Neighbourhoods Place Type within The London Plan. **Zoning By-law Amendment** – Consideration of possible amendment to Zoning By-law Z.1 **FROM** a Holding Open Space (h-5•h-21•OS3) Zone **TO** a Residential R1 (R1-3) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; Residential R1 (R1-10) Zone to permit single detached dwellings on lots with a minimum lot area of 925 square metres and minimum lot frontage of 22 metres; Residential R1/Residential R4 (R1-3/R4-6) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; and street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; Residential R4/ Residential R5/ Residential R6 (R4-6/R5-5/R6-5) Zone to permit street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; Residential R4/ Residential R5/ Residential R6/ Residential R7/ Residential R8, Restricted Office (R4-6/R5-5/R6-5/R7•H13•D75/R8-4•H13•D75/RO1/RO2) Zone to permit street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit;

cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments up to a maximum density of 75 units per hectare and maximum height of 13 metres; apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities up to a maximum density of 75 units per hectare and maximum height of 13 metres; medical/dental offices and offices; and clinics, medical/dental offices, medical/dental laboratories, and offices; for Open Space, Residential R4/Residential R5/ Residential R6 (OS1/R4-6/R5-5/R6-5) Zone to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; Open Space (OS1) Zone to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; Open Space (OS5) Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots. The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, that a subdivision agreement or development agreement is entered into, and to ensure completion of noise assessment reports and implementation of mitigation measures for development adjacent arterial roads. An Environmental Impact Study (EIS) report has been submitted with the application for Draft Plan of Subdivision. The EIS report is available for viewing by contacting the City's Planner listed below. File: 39T-21506 / O-9190 / Z-9440 Planner: M. Johnson ext. 6276

**Responses:** Five (5) email responses and one (1) telephone call were received. A summary of the comments received include the following:

- Increase in density, and how this increase will affect neighbouring properties;
- Increase in noise associated with the increase in traffic and construction;
- The extent of required grading and its impacts on plantings and well water on neighbouring properties;
- Potential negative impacts on property values;
- Compatibility of the proposal with the surrounding subdivisions and neighbouring properties;
- Conflicts between the rural and urban interface;
- Loss of privacy and opportunity for plantings to maintain privacy;
- Impact on neighbourhood character;
- Increased traffic and inconsistency with the Traffic Impact Assessment and the proposed Draft Plan;
- Access points on Sunningdale Road West;
- Protection of potentially significant wildlife habitat;
- Lack of a comprehensive review and secondary plan that would have allowed residents to have a role in the layout of development;
- Process through which this application was brought forward for consideration and its association with the provision of a school block in the Kent Subdivision;
- Affordable housing and supply of vacant land within city;
- Impact on water table and well water; and,
- Consistency of proposed development with (1989) Official Plan

<u>Telephone</u>	<u>Written</u>
Scott Player 1739 Sunningdale Road West	Jason and Bridget Denda 2545 Hyde Park Road  Arthur Thompson 27 Northcrest Drive  Richard and Debbie Cracknell 1535 Sunningdale Road West  Laura Regnier and Albert Frijia 1445 Sunningdale Road West  John Smith 1673 Richmond Street

Jason and Bridget Denda  
 2545 Hyde Park Road

Concerns for new development.

When we bought our house back in 2012, we were told the surrounding land was never to be built on. It would be used for farmland or cemetery use. We enjoy having our privacy knowing we have only one neighbor. The proposed developments behind us and beside us will affect our ability to have reasonable enjoyment of our property for everyday living, especially with our three small children. The significant increase in density will result in a significant increase in noise from the land behind and beside us. We are depend on our well for water, we have not been informed on how grading will affect our ability to maintain the well and provide adequate drinking water for our family. Our home was bought to be our forever home, now we feel like this is a huge negative impact on our future and our children's future and this makes us feel uneasy not knowing what our future holds.

We are left with two choices, stay here and be miserable or uproot our family (change schools, uproot their lives) and try to find something like our house (close to impossible with the housing market at this time). – We are concerned about the affect this will have on our property value as our home will be out of place and not compatible with what is being proposed?

During this most recent application we feel like we are left in the dark with what is happening with the land behind us. We have checked the City of London's Planning website several times trying to find out more information about the current application. The only reference we have been able to find is the old application webpage that is essentially a blank page and does not provide any information about the current application. This is not like the other planning webpages that provide rationale and supporting documents.

From referencing the Notice of Application, we have noted that the proposed zoning is inconsistent with existing density and building type. The proposal asks for an increase in density significantly beside and behind our house. It asks the ability to put in apartments and row housing which is incompatible with existing structures. We also feel that there will be a significant increase in noise levels, because of the proposed densities. For these reasons, we do not want the City of London to change the current zoning.

Dear Mr. Johnson and Mr. Morgan, please include the following letter in the planning report and considerations,

I am writing to you to express some concerns regarding the proposed development at 1521 Sunningdale Road West and 2631 Hyde Park Road, specifically regarding its compatibility with surrounding areas. According to the planning application, this development will be similar in nature to the Fox Field development south of Sunningdale. I find this worrying because although Fox Field is considered a 'low-density' residential development, it is much higher-density than many other single-family home neighbourhoods in the area, with many of the lot sizes in the 38-40 foot range. I do not see how a subdivision of this density will be compatible with the surrounding rural estate-style lots in the immediate area at 1445, 1535, and 1545 Sunningdale Road West, as well as 2535, 2545, 2611, 2701, and 2739 Hyde Park Road. Other large rural estate-style lots in the surrounding area include 1744 and 1739 Sunningdale Road West to the West of Hyde Park Road. While this kind of high-density single-family home development may have been acceptable in south of Sunningdale, where there were few remaining rural/large-lot style properties. Since there are so many rural/large-lot properties on the north side of Sunningdale, I believe that this application should be considered from a different perspective. I would encourage the city planning committee and Auburn Developments to agree to a lower-density development with larger lot sizes and less units per hectare than Fox Field south of Sunningdale.

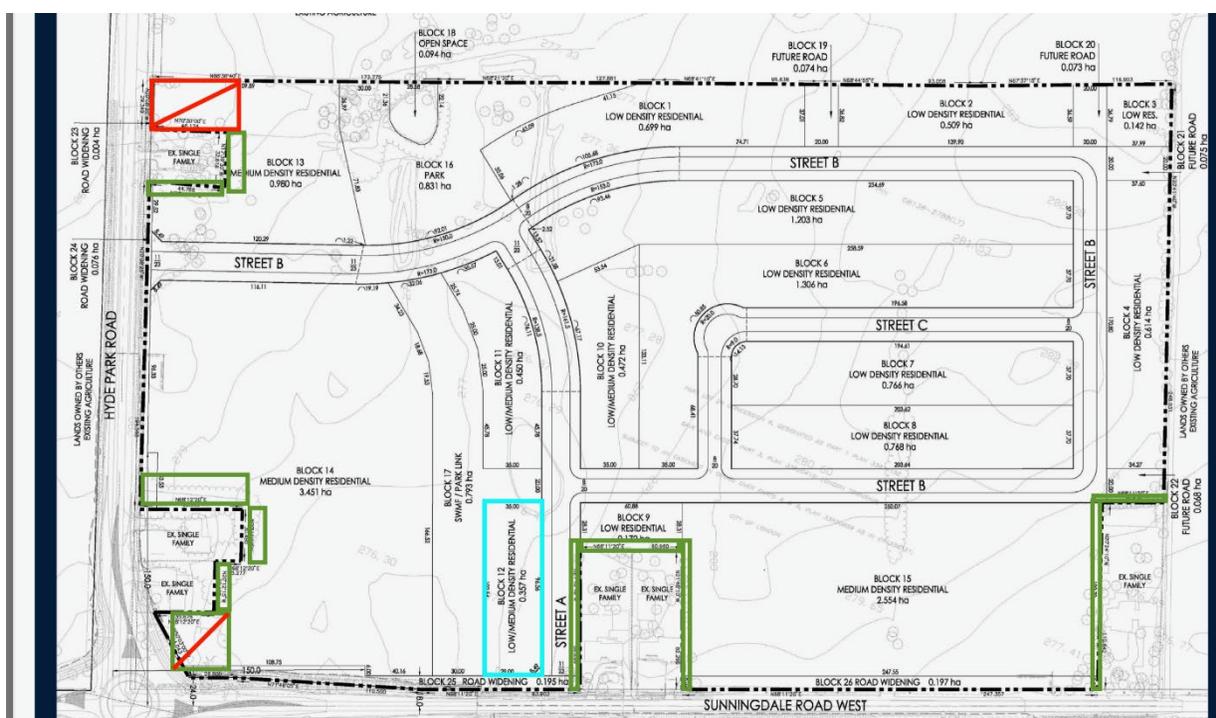
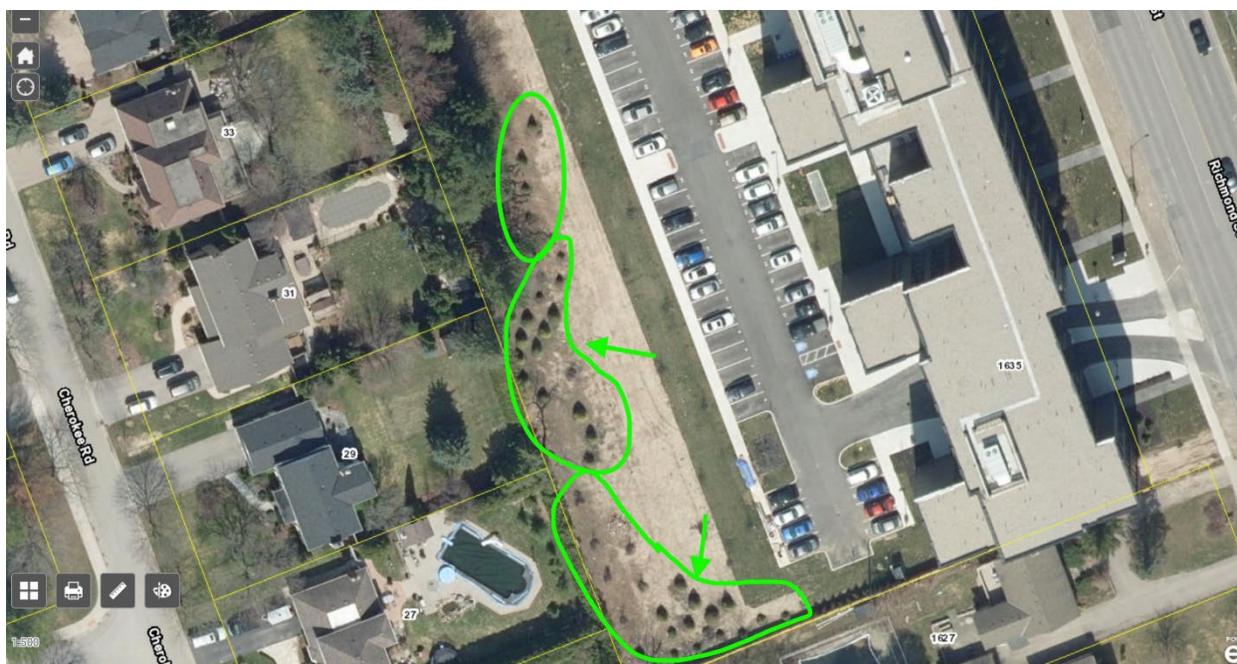
I am also worried that if this high-density single-family home development is permitted to take place, it will encourage similarly high-density subdivisions to form on the other properties north of Sunningdale between Hyde Park and Wonderland (which will eventually be included within the Urban Growth Boundary), where there are yet more rural-estate-lot properties that will be in conflict with their surroundings. In other words, I believe that this development will determine the density and style of future subdivisions to the east along Sunningdale Road. This development will determine the structure of future growth north of Sunningdale without allowing residents to say what they would like to see happen through a secondary plan.

In 2018, the owner of 2329 Wonderland Road North, Corlon Properties, who are responsible for the 'Sunningdale' neighbourhoods, indicated that they would like their parcel to be included within the UGB (<https://www.omb.gov.on.ca/e-decisions/pl170100-May-15-2018.pdf>), meaning that development on these properties is imminent, as soon as the property is included within the UGB. Corlon Properties past 'Sunningdale' developments are zoned R1-9 with lot sizes typically 60 feet across. Based on their past developments, Corlon will most likely develop 2329 with similarly large lots as their past 'Sunningdale' neighbourhoods. How will a large-lot subdivision like this be compatible with the smaller-lot subdivision proposed by Auburn Developments when all the properties north of Sunningdale are eventually developed? This is something that concerns me.

I would also like to see privacy tree plantings, particularly evergreens for year-round privacy, in addition to the existing brush/trees surrounding the borders of the rural/large-lot properties near the proposed development (similar to the evergreen plantings behind the new apartments at 1631 Richmond provided to give privacy to the homeowners on Cherokee Road - photo included below) . I have outlined these planting areas in green on the photo below. I would also not like to see any development to the immediate south of 2535 Hyde Park Road and to the immediate north of 2611 Hyde Park Road. I have outlined these areas in red. I would also like enhanced plantings in the area immediately south of 2535 Hyde Park Road (which I've highlighted in green) to provide additional privacy and to compensate for the brush/trees removed for the roundabout. I would also like the block highlighted in light blue to be changed from low/medium density residential to parkland to provide a more aesthetically-pleasing view from Sunningdale Road and to rectify the awkward 'T'-shaped park design as it currently stands.

Finally, I would love it if it was somehow possible for the developer to plant Plane Trees along the streets in the proposed subdivision, rather than the usual hackberries or linden which are so slow growing.

Thank you so much for listening to my rather lengthy list of concerns, feel free to contact me.



Planning and Environment Committee  
Re: File 39T – 21506

January 14, 2022

We would like to discuss two separate issues. Firstly, we would like to discuss the direct impact this application will have on the enjoyment of our property. Secondly, we would like to discuss the process that has evolved with this application.

We do not support the request to have block 15 zoned medium density. Allowing for medium density zoning is inconsistent with neighbouring properties. The character of those neighbouring properties is that of single story - detached homes. Furthermore, to maintain the existing character, a buffer zone of 50 meters should be established to provide for single story structures to remain consistent with the existing neighbourhood. As the Urban Brief prepared by Zelinka Priamo Ltd for Auburn Developments states:

“Development on Block 15 will be massed and articulated to maintain and establish a suburban character while limiting impacts on existing single-detached dwellings located on adjacent lands.”

Page 24 Urban Design Brief

To be consistent with what is observed along Sunningdale Rd I feel that Block 15 should be designated Low Density and allow for only R1-3 and R4-6 zoning designations. This would be consistent with the R1-3 designation that is directly across from Block 15 on the south side of Sunningdale Rd and the R1-3 zoning request to the north.

There have been three entry points proposed along Sunningdale Rd., so it is very hard to make a comment. In one of the diagrams provided, it shows an access road that ran north/south on the west side of our property. We are concerned that if it is the main entry and exit road off Sunningdale for the proposed subdivision, there would be a significant increase in traffic and traffic noise.

On the current proposal, there is an access point that runs north/south on the west side of our neighbour's property. We are concerned there would be an increase in traffic noise if there is a right-hand turn lane installed by the city which would bring traffic closer to our house.

Also, there is insufficient information provided to comment on the finished grading of the neighbouring properties. The Foxwood development to the south has been graded to be essentially flat. Our property is significantly higher at the back than at the front. We assume that significant grading will be required to accommodate the required Storm Water Management System. To us there are a couple of problems that need to be resolved before zoning can occur:

There is the possibility that there will be a significant grade difference between the back of our property and the abutting lands. We are concerned on how this will affect existing trees and landscaping on our property.

Given the requested density, will there be sufficient ground water to maintain the existing well on our property. If, after completion of the development, there is not sufficient water, who will be responsible for rehabilitating it?

If there is a significant divergence of ground water by grading, we are concerned about diverting water from existing trees and plantings that they are put under stress and at risk of survival.

Secondly, we would like to discuss the process that has occurred so far. We take exception to the fact that Thames Valley School Board was allowed to submit documents after the posted deadline that all other interested parties had to abide by, during the first round of this application process. I feel that it has given the Thames Valley School Board an unfair advantage in this process. It afforded them an opportunity to respond to comments made by participants, while participants were not afforded the same opportunity. To me the rules were clear. Interested parties were to submit their comments before the deadline and had the option of being allowed to speak to the Planning Application. The Thames Valley School Board chose not to do neither. In allowing the Thames Valley School Board to submit documents after the deadline demonstrates that the City of London clearly feels there is a public good involved that outweighs following the established rules and procedures of the Planning Committee that were published.

As a point of order, those who participated in the original planning session were not invited back or afforded an opportunity to provide further submissions at the subsequent meeting. We regarded the subsequent meeting of the Planning and Environment Committee as a continuation of the original meeting and as such, those who made

previous submissions should have been informed about the meeting and that submission were being accepted.

The next item we would like to address is the “joining” of this application with one from the Thames Valley School Board for a school property within Phase 5 of the Kent Subdivision. Auburn Developments has advised the City that the sale of the school site is contingent on it securing the requested zoning for the Mt. Pleasant property.

The planning application should be able to stand on its own merits and meet the set criteria established by the City. For the Thames Valley School Board to appeal to the City for the application to be successful so that they can obtain land to provide a school is to clearly state that there is a public good involved in the outcome. As such, the City has an obligation to show without exception, that the planning application meets all established planning criteria and that all procedures are being followed according to the established practices of the City. The City must be able to demonstrate that it is applying its planning policies consistently and fairly. If it is unable to do so or is seen as being arbitrary in the application of its planning policies, then passing the application is a decision based on providing a public school, which to us is the equivalent of expropriation of our rights under this process.

Furthermore, I would ask the Planning and Environment Committee to have an appropriate review of this process with respect to it being precedent setting or not. I believe the direct relationship between this planning application and a proposed planning application from the Thames Valley School Board (a public institution with the power of expropriation) to provide a public school on a non adjoining property can have negative consequences for the City moving forward. I believe the City has an obligation to the public to review this process to establish whether it is setting a precedent or not and report back to the committee before a decision is made. My concern it that this may open the door to put pressure on the City to allow for the “joining” of future planning applications of non adjoining properties.

Respectfully,  
Debbie and Richard Cracknell  
1535 Sunningdale Rd W

January 29, 2022

To: Mark Johnson, Planning and Environment Committee

Re: Planning Application – Draft Plan of Subdivision and Zoning By-Law Amendment  
1521 Sunningdale Rd W and 2631 Hyde Park Road  
File: 39T-21506 / Z-9440 – Auburn Developments

We would like to submit the following comments in response to the above planning application.

We do not support the applicant’s planning application draft plan of subdivision and request for zoning by-law amendment. We question the overall planning processes to date that are pushing to rezone this Open Space into a multi-residential standalone development when there is no guarantee if or when any surrounding farmland will or should be included within the Urban Growth Boundary.

Urban Design Brief dated October 29, 2021.

We strongly oppose Block 15 compound with medium density zoning R1-3, R4-6, R5-4, R6-5.

- This proposed compound is located along Sunningdale Road W between two existing single family ranch style homes and a single-family home development on the southside of the road. There is no medium density in this area.
- Applicant proposes Block 15 main access primarily by Street ‘B’ and driveways with limited right-in right-out access to Sunningdale Rd W.

- We strongly oppose driveways from this block as it will interfere with our ability to safely access and egress our property. This is a serious safety concern for us.
- Also, the City can apparently change right-in-right-out access to full access without public notice as we found out with the street located across from our house – Foxwood subdivision Jordan Boulevard. These streets are added under the guise of a secondary collector, then changed.
- The applicant's Urban design brief provides for design goals and objectives to the proposed development plan. Pg. 15 any site development or site features proposed for the subject lands should have a similar relationship with Sunningdale Road W in order to establish a cohesive appearance and to support the 'Civic Boulevard' function of the street. Lower-density development, concentrated towards the east of this frontage, ... Medium-density areas, located to the west near Hyde Park Road.
  - By this it should be low density (not medium) between our neighbour's midline property and our property at the far east corner.
- To maintain a similar relationship to the existing area homes and development, density should be kept to low density R1-3, R4-6.

Traffic Impact Analysis supplied by applicant completed by Paradigm

- Paradigm received City confirmation to use 2% growth rate assumptions for current and future traffic volumes. The 2012 TIA only used a 2% growth rate, and it is apparent since then that the growth rate in this area has been unprecedented. According to Statistics Canada, in 2018-19 the City of London & area had the second highest growth rate across Canada of 2.3%. The traffic flows in this area are growing at a much higher percentage rate.
  - Pg 6. of TIA 'To obtain 2021 traffic volumes, a growth rate of 2% was applied to the 2015 and 2018 traffic volumes.'
- It seems appropriate that Planning & Development should consider the updated Statistics Canada Census information being released during 2022 to determine the proper growth rate for this area.
- Mount Pleasant Subdivision (pg. i of TIA) is based on a proposed subdivision of 153 single family units, 221 townhouse units and 298 apartment units. Pg. 24, table 4.4 shows planning area statistics for this 'Property 1 Subdivision' as 181 single family units, 96 townhouse units and 143 apartment units. Statistics used understate the proposed area development.
- What Draft Plan is being used in the TIA? The included in their report shows a school (block 14) to the west side of our property or 137 townhouse units.
- All submitted analysis reports should reflect one Draft Plan. TIA is not based on the applicant's submitted draft plan provided for public comment.
- What studies have been done to show that there is sufficient storage and taper to accommodate traffic anticipated and the impact to our property? Along with studies to show access and egress impact to property by possible driveways.
- Illustrate how any improvements to Sunningdale Rd W including interim and ultimate turning lanes might affect our property. We are concerned about property limits, our well and grading impacts to our land.

Hydrogeological Assessment by EXP, dated October 22, 2021, references work completed in 1998 by Golder Associates.

- This was 23 years ago. If this development moves forward, how would this effect our supply of well water during and after construction? If it does impact our well, will the city cover all associated costs to bring water service to our house?

Noise analysis supplied by applicant is incomplete.

- Analysis was only completed for lots 1 through 7 on the westside of street A – single family lots. Blocks 13, 14 and 15 will require a subsequent noise study to be completed – noise level for these proposed medium density blocks will be significantly higher due to the number of air conditioners, traffic, ventilation, more people, etc.
  - Why was this not completed?

- This is a serious concern and will have a direct impact on existing residents. No consideration is being afforded to the six existing property owners.
- We are opposed low/medium and medium density zoning (R5-4 and R6-5 or greater) to the west or behind our property due to privacy issues, additional road access beside our property and noise.
- We purchased this property because the land to the west of us is zoned Open Space. Now that there is a proposal to change Zoning will the developer be providing a minimum 8' sound wall along the entire west property line at their cost prior to construction starting to maintain our privacy and reduce noise? We are concerned are concerned that a medium density development near our property and traffic volumes will cause excessive noise levels.

#### Pumping Station for sanitary sewers

- The proposed draft plan shows a pumping station located to the back of our property. What is the noise impact from pumps, and system alarms? What is the long-term environmental impact to our property during and after construction? If the system fails, is there potential for flooding to our property?
- This is being proposed as a temporary measure. How long is temporary? If the adjacent land is not included in the Urban Growth Boundary, is this now the permanent solution for the area? What is the cost of this temporary measure? Who pays the long-term annual costs after the subdivision has been assumed by the city? What are those estimated costs?

#### Environmental Impact Study

- Gartersnakes and Milksnakes (Rare, S3) Significant Wildlife Habitat
  - We see many snakes annually on our property - front yard, in culvert and back yard. Snake population is not isolated to Block 16 on the subject lands.

The applicant paid to have these reports completed – Traffic Impact Analysis (TIA), Environments Impact Study (EIS), Hydrogeological Assessment, Noise Assessment Report, etc.

- All reports should be based on same Draft Plan, actual growth assumptions, complete analysis of proposed Draft Plan (Noise only based on 7 lots), etc.
- If council is using incomplete or understated reports paid for by the applicant to base part of their decision, how do we know if we are being treated fairly by the planning process?

We provided written comments for Public Meeting Notice June 15/2020, April 21/2020 File: 0-9190, Auburn Development application request for an Official Plan Amendment to change designation from Open Space TO Low Density Residential and Green Space Place Type TO Neighbourhood Place Type to permit low density. We also requested to Planning and our ward councillor to be notified of any developments, decisions, meetings, etc. related to these lands.

Between the period of May 5, 2021, and this December 14, 2021, planning application, we were not notified of any events. It subsequently came to our attention there was a Planning meeting September 27, 2021, and a Council Meeting October 2021, that public evidence was solicited by councillors in support of the applicant and other third-party interests. We have serious concerns about the overall planning process, seeming collusion between parties, and support for planning that does not address current and future planning challenges identified in the Provincial Policy and the London Plan.

We question the appropriateness of creating a by-law to change the Official Plan in support of a sprawl development that does not align with long term difficult planning issues identified within the Provincial and City Plans. The city has created any planning issues in this area by allowing for the speed of development and migration to the Northwest area versus other areas of the city.

We would also like to speak at the public participation meeting.

Respectfully,

Albert Frijia and Laura Regnier  
1445 Sunningdale Road West

London Planning and Development Services  
300 Dufferin Avenue,  
London, Ontario, N6A 2L9  
Attn: Mark Johnson, Senior Planner  
Mike Corby, Planner  
Regarding:  
File Number **39T-21506 / Z-9440 / O9190**  
At 2631 Hyde Park Road & 1521 Sunningdale Road

It is requested that this submission and its concerns be included in the Planning and Environment Committee Added Agenda at the Public Participation Meeting to held on March 28th, 2022 at City Hall.

The intent of this letter is to raise objection to the proposed subdivision plan at 2631 Hyde Park Road & 1521 Sunningdale Road West and bring to light many concerns that will impact the surrounding areas and residents. Within the documents submitted for the approval of this subdivision, there are many concerns that have not been adequately addressed, and should be at the minimum investigated prior to any development approvals taking place. The following are excerpts from the Planning Justification Report (herein known as the "Report") and the 1989 London Plan (The "Plan") and relevant concerns and contradictions arising from these documents.

Firstly, it is stated in the Report:

"It is appropriate to consider the lands for residential uses given the high demand for housing and the need for housing affordability. Adding the subject lands to the vacant land inventory would help accommodate growth over the planning horizon (Section 1.1.2);"

Would the proposed development actually provide any additional affordable housing? Should there be a constraint applied that the proposed neighborhood must contain a certain percentage of affordable housing? Additionally, the city of London contains much undeveloped land in the south end of the city, perhaps this land could be considered for development, thus maintaining the little remaining agricultural land in the Northwest corner of the city.

Secondly, the Report States:

"It is important to note that development of the subject lands for their previously planned function, a cemetery, is not feasible due to a high water table, and the subject lands require re-designation to a more appropriate urban land use."

If the development of a cemetery was a concern due to the high water table, then the development of a subdivision is certainly of greater concern. The depth of an average foundation exceeds that of a grave. Foundations are "damp proofed" with toxic asphalt based chemicals. The effect of this process on the water table and water quality could be devastating. Please see the attached MSDS for basement damp proofing chemicals (Schedule 1). Who will be carrying out periodic water quality testing to ensure drinking water remains safe for the existing nearby residents who rely on well water?

Further to that above, the Report states:

"A Hydrogeological Assessment was completed by EXP Services Inc. on May7th, 2021 which concluded that, in summary, during construction, "short term dewatering of

shallow groundwater may be necessary, where excavations crossing the shallow groundwater require construction dewatering, particularly near the south edge of the site where groundwater is found closest to surface”.

How will this affect the level of the water table? This also allows for the possibility of contamination to enter the water table. How will it be ensured that this does not occur? How will the proposed subdivision affect the replenishment and recharging of the water table? Will the nearby resident be provided with a reliable source of safe water during the subdivision construction process to alleviate these concerns? This parcel is of significant area and therefore provides a significant amount of groundwater recharge to the area. Any development may have detrimental effects on the subsurface aquifer.

Thirdly, the Report States

“While these lands are not currently developed, they have the potential to be a part of the growth boundary in the future. It should be noted that the subject lands have never been reviewed through a land needs study to determine if they are appropriate for future community growth.”

The above quoted part of the Report is referring to the abutting lands around the proposed development. Any land studies pertaining to the future expansion of the subdivision should be conducted prior the initial construction or approval of the subdivision. It is also worth noting that this was the intention of the city prior to the trading of land by the developer to allow for a school to be built nearby. As the above mentioned lands are outside of the Urban Growth Boundary, a wider area plan prior to development would ensure that any construction would conform to approved future land uses arising from a larger area study.

In addition to the serious concerns arising from the Report, there are also numerous parts of the 1989 London Plan that contradict this proposed development.

Chapter 9 of the Plan states it has the following goal:

*“The objectives and policies of this Chapter are intended to protect the agricultural land resource and maintain the viability of farming within these areas so that agriculture continues to make a significant contribution to London’s economy. The policies recognize the need for a long term commitment to agriculture and are intended to prohibit the fragmentation of land holdings, minimize the loss of prime agricultural land to non-farm development, and prohibit the introduction of land uses that are incompatible with, or may potentially constrain farm operations.”*

The existing use of the parcel is agricultural, as are the abutting lands. The city should take this into consideration, and make a decision that is in line with the above statement from the Official Plan. There is little remaining farmland left in this part of the city, and it should be protected from development. Additionally, Chapter 8 of the Plan states *“Uses permitted within the Open Space designation are limited to nonintensive uses.”* This proposed uses are inconsistent with this statement, and should be considered prior to a zoning change.

Chapter 15.1.1 of the Plan lists the following Natural Heritage Objectives:

*iii) Protect, maintain and improve surface and groundwater quality and quantity by protecting wetlands, groundwater recharge areas and headwater streams.*

And

*vi) Encourage, through education and incentive programs, the cooperation of property owners in the maintenance of or enhancement to the naturalization of lands.*

The proposed development is in contradiction of this section, and as mentioned above, does not adequately address concerns relating to the water table.

Chapter 15.1.5 of the Plan States

*i) Provide for the continuation of existing agricultural activities.*

*ii) ii) Promote farm practices which are environmentally sustainable.*

*iii) iii) Promote the protection of natural and environmental features in the farming community through the mechanisms noted in Subsection 15.3.5 of this Plan.*

Additionally, Chapter 15.3.2 States

*ii) Notwithstanding policy 8A2.2., development and site alteration shall not be permitted in other natural heritage areas designated as Open Space, except:*

*(a) Existing development and uses, and expansions to existing uses provided that it can be demonstrated to the satisfaction of Council that there will be no negative impacts on the natural features or their ecological functions;*

Both above mentioned parts of the plan clearly contradict the proposed development.

It should also be noted and taken into account that the surrounding residents of the area object to this proposal, as issues such as trespassing onto adjoining properties are likely to arise from the development of a neighborhood on this land. There is no plan to mitigate this mentioned in the Report. Also of concern are nearby underground gas pipelines and any environmental effects this may have now or in future proposed development.

Furthermore, the city has also denied this application in the past, citing the need for a wider area study and Secondary plan. These additional studies are still relevant and still needed. It should be noted that the property was only included in the Urban Growth Boundary for the development of a Cemetery, as evidenced by the current zoning. There is also turmoil over the trading of lands in this area to allow for a proposed school to be built. This is evidenced by statements made by Ward 11 Councilor, Stephen Turner, and Ward 9 Councilor, Anna Hopkins. More information about this can be found in Schedules 2 and 3. The city has previously denied development applications from adjoining land owners. The City of London should not adopt the practice of “playing favourites” with developers in this manner. The proposed use is not at all consistent with the existing uses north of Sunningdale Road, and any additional studies that were to be initially required by the city should be completed prior to the approval of a subdivision. This will ensure a consistent land use policy for the area can be developed and followed. At this time the city should not consider approving this application without further due diligence.

Issue Date 03-Dec-2015

Revision Date 03-Dec-2015

Version 1

### 1. IDENTIFICATION

**Product identifier**

**Product Name** FIBERED ASPHALT EMULSION DAMPPROOFING

**Other means of identification**

**Product Code** HE789

**Synonyms** None

**Recommended use of the chemical and restrictions on use**

**Recommended Use** Adhesives and/or sealants

**Uses advised against** No information available

**Details of the supplier of the safety data sheet**

**Manufacturer Address**

HENRY COMPANY  
999 N. Sepulveda Blvd., Suite 800  
El Segundo, CA 90245-2716  
Web Site: www.henry.com www.ca.henry.com

**Emergency telephone number**

**Company Phone Number** 800-486-1278

**Emergency Telephone** CHEMTREC: 800-424-9300

CHEMTREC: 703-527-3887

CANUTEC: 613-966-6666

### 2. HAZARDS IDENTIFICATION

**Classification**

**OSHA Regulatory Status**

This chemical is considered hazardous by the 2012 OSHA Hazard Communication Standard (29 CFR 1910.1200)

Skin corrosion/irritation	Category 2
Serious eye damage/eye irritation	Category 2A
Specific target organ toxicity (single exposure)	Category 3

**Label elements**

**Emergency Overview**

**Warning**

**Hazard statements**

Causes skin irritation

Causes serious eye irritation

May cause respiratory irritation



1302-78-9			
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**Information on toxicological effects**

**Symptoms** May cause redness and tearing of the eyes. Coughing and/ or wheezing. May cause skin irritation.

**Delayed and immediate effects as well as chronic effects from short and long-term exposure**

**Sensitization** No information available.  
**Germ cell mutagenicity** No information available.  
**Carcinogenicity** The table below indicates whether each agency has listed any ingredient as a carcinogen.

Chemical Name	ACGIH	IARC	NTP	OSHA
Asphalt 8052-42-4	-	Group 2B	-	X

*IARC (International Agency for Research on Cancer)  
 Group 2B - Possibly Carcinogenic to Humans  
 Not classifiable as a human carcinogen  
 OSHA (Occupational Safety and Health Administration of the US Department of Labor)  
 X - Present*

**Reproductive toxicity** No information available.  
**STOT - single exposure** Target Organs. Respiratory system. Eyes. Skin.  
**STOT - repeated exposure** No information available.  
**Target Organ Effects** Eyes, Respiratory system, Skin, lungs.  
**Aspiration hazard** No information available.

**Numerical measures of toxicity - Product Information**

The following values are calculated based on chapter 3.1 of the GHS document .  
**ATEmix (oral)** 7,823.00 mg/kg  
**ATEmix (dermal)** 3,158.00 mg/kg

**12. ECOLOGICAL INFORMATION**

**Ecotoxicity**  
 99.68347 % of the mixture consists of components(s) of unknown hazards to the aquatic environment

**Persistence and degradability**  
 No information available.

**Bioaccumulation**

Chemical Name	Partition coefficient
Asphalt 8052-42-4	6

**Other adverse effects**  
 No information available

**13. DISPOSAL CONSIDERATIONS**

**Waste treatment methods**  
**Disposal of wastes** Disposal should be in accordance with applicable regional, national and local laws and regulations.

**Contaminated packaging** Do not reuse container.

This product contains one or more substances that are listed with the State of California as a hazardous waste.

**London Free Press Article – published May 11, 2021**

<https://lfpres.com/news/local-news/proposed-350-home-subdivision-in-northwest-london-hits-planning-roadblock>

**London Free Press Article – published March 1, 2022**

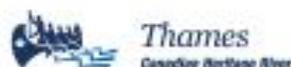
<https://lfpres.com/news/local-news/city-hall-seeing-fallout-of-horse-trading-over-northwest-london-land-councillor>

## External Agency Comments

Upper Thames River Conservation Authority – March 4, 2022



"Inspiring a Healthy Environment"



March 4, 2022

City of London – Subdivision Planning  
P.O. Box 5035  
London, Ontario N6A 4L9

Attention: Mark Johnson [sent via e-mail]

Dear Mr. Johnson:

Re: **File No. 39T-21506/Z-9440 – Draft Plan of Subdivision & Zoning By-Law Amendment**  
**Applicant – Auburn Developments Inc.**  
**1521 Sunningdale Road West & 2631 Hyde Park Road, London**

The Upper Thames River Conservation Authority (UTRCA) has reviewed these applications with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority* (June 2006). These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement* (2020, PPS).

### PROPOSAL

A residential draft plan of subdivision is proposed for the subject lands. It will consist of a range of low-medium density residential blocks as well as open space, park, stormwater management and road blocks.

### DELEGATED RESPONSIBILITY & STATUTORY ROLE

#### Provincial Policy Statement 2020

The UTRCA represents the provincial interest in commenting on development applications with respect to natural hazards ensuring that applications are consistent with the PPS. This responsibility has been established in a Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Municipal Affairs and Housing.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we make sure that development applications meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents, and with the policies in the UTRCA's *Environmental Planning Policy Manual* (UEPPM, 2006). Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and the UTRCA's policies (UEPPM, 2006). This approach ensures that the principle of development is established through the *Planning Act* approval process and that a permit application can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

### **CONSERVATION AUTHORITIES ACT**

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of wetland features and the surrounding areas of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

In cases where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the UTRCA. The submitted EIS has identified additional regulated wetland features on these lands and we will revise our mapping accordingly.

### **UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)**

The UTRCA's Environmental Planning Policy Manual is available online at:

<http://thamesriver.on.ca/wp-content/uploads/PlanningRegulations/EnvPlanningPolicyManual-update2017.pdf>

### **NATURAL HAZARDS**

In Ontario, prevention is the preferred approach for managing hazards in order to minimize the risk to life and property. The UTRCA's natural hazard policies are consistent with the PPS and the applicable policies include:

#### ***3.2.2 General Natural Hazard Policies***

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the PPS.

#### ***3.2.6 & 3.3.2 Wetland Policies – Natural Hazards & Natural Heritage***

New development and site alteration is not permitted in wetlands. Furthermore, new development and site alteration may only be permitted in the area of interference and/or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and/or ecological function of the wetland feature and no potential hazard impact on the development. In this case, a Hydrogeological Assessment and Water Balance Analysis was also required to evaluate the potential impacts of the proposed development on the regulated wetland features.

### **TECHNICAL REPORTS & COMMENTS**

The applicant has submitted the following reports to support this development application –

1. ***2631 Hyde Park Road – Environmental Impact Study (EIS)*** prepared by MTE dated September 17, 2021.
2. ***Hydrogeological Assessment – FINAL REPORT – Mount Pleasant Lands - 2631 Hyde Park Road & 1521 Sunningdale Road West, London, Ontario*** prepared by exp dated October 22, 2021.

The UTRCA has reviewed these reports as well as the City's technical review comments – EIS comments [Grounded Solutions] dated February 21, 2022 and hydrogeological comments dated February 3, 2022. The Conservation Authority is in agreement with the City's technical comments including [but not limited

to] that the removal of wetlands 1a and 1b must be compensated for. The necessary Section 28 approvals must be secured prior to any works in the regulated area which includes the proposed removal of the wetlands.

Based on our discussions with City Planning Staff, we understand that the technical comments will be addressed in revised studies, through the detailed design studies process for the subdivision. While this is not our standard approach, the Conservation Authority appreciates that there are other negotiations underway [school site] and that these lands will not be developed until the servicing is in place [2025 planning horizon]. This allows sufficient time for the revised studies to be completed and reviewed. We also understand that the proposed zoning will include a holding provision requiring the completion and acceptance of the revised/final EIS and Hydrogeological Study by the City and the UTRCA. This will provide some flexibility to adjust [redline] the subdivision layout if required. Accordingly, the Conservation Authority will not object to deferring the preparation and acceptance of the final reports to detailed design.

#### **RECOMMENDATION & CONDITIONS OF DRAFT PLAN APPROVAL**

The subject lands are regulated by the Conservation Authority. As noted, our standard review process requires the acceptance of the necessary technical reports [with minor revisions to be addressed in the final studies during detailed design] prior to issuing our conditions for approval. Based on discussions with City Planning Staff and our comments noted herein regarding the process for these applications, the UTRCA is prepared to offer the following conditions of draft plan approval -

1. That as part of detailed design studies process, a final Environmental Impact Study be prepared to the satisfaction of the UTRCA. The applicant has acknowledged that the outcome of the study may result in the redlining of the draft plan.
2. That as part of the detailed design studies process, a final Hydrogeological and Water Balance Study be prepared to the satisfaction of the UTRCA. The applicant has acknowledged that the outcome of the study may result in the redlining of the draft plan.
3. That the proposed zoning includes a holding provision(s) which addresses the requirements for the preparation of a revised/final EIS and Hydrogeological Study, to the satisfaction of the UTRCA and the City which may result in the redlining of the draft plan [Draft Plan of Subdivision – Mount Pleasant Lands - 1521 Sunningdale Road West, London, ON Canada - Plan Option 1- Drawing No. 1 dated February 28, 2022 prepared by Stantec]. City Planning Staff have advised that the applicant has acknowledged that the draft plan is conceptual and understands that the plan could be redlined to address the recommendations of the revised studies [e.g. larger buffers or setbacks to protect the wetland and natural heritage features].
4. That the applicant secure the necessary written approvals in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act* prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

City Planning Staff have committed to circulating a copy of the proposed draft conditions to the UTRCA for our review and comment before finalizing the report for PEC.

File No. 39T-21506 & Z-9440  
1521 Sunningdale Road W. & 2631 Hyde Park Road, London

**MUNICIPAL PLAN REVIEW FEE**

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of Planning Act applications. Our fee for the review of these applications is \$3670.00 and will be invoiced to the applicant under separate cover.

Thank you for the opportunity to comment. If there are any questions please contact the undersigned.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
SP/CC/cc

c.c. Sent via email -  
Applicant – Auburn Developments Inc.  
UTRCA – Jessica Schnaithmann, Land Use Regulations Officer  
UTRCA – Deb Kirk

## **Internal Division Comments**

1. Parks Planning and Design – January 12, 2022
2. Urban Design – January 28, 2022
3. Environment and Infrastructure – January 28, 2022
4. Heritage – February 1, 2022
5. Ecology – February 21, 2022

January 28, 2022

Auburn Developments Inc.  
560 Wellington St, 2nd Floor,  
London, ON N6A 3R4

Attention: Stephen Stapleton

**RE: Draft Plan of Subdivision**  
**Location: 1521 Sunningdale Road West and 2631 Hyde Park Road**  
**Applicant: Auburn Developments Inc.**  
**File Number: 39T-21506 / Z-9440**

Please find below comments received from various City departments and external agencies. Also attached are the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Wastewater and Drainage Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

### **Parks Planning and Design**

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of PP&D that the required parkland dedication will be satisfied through the combination of dedicated parkland, and the payment of cash-in-lieu of parkland.
- The neighbourhood park as shown is undersized and configured in a way that would constrain the construction of future park amenities. The block is further constrained by the recommendations of the EIS pertaining to Milksnake habitat. Please expand the park frontage to the east along Street B to achieve a minimum unconstrained size of 1ha, outside of the 0.54ha recommended for Milksnake habitat. Please delineate all buffers and habitat areas on all drawings.
- The inclusion of a multi-use pathway within Block 17 is supported by PP&D. Should there be a maintenance access road incorporated into the block, it may also function as a pathway. Should a maintenance access not be incorporated, and if there is insufficient space to incorporate a multi-use pathway, PP&D supports the addition of parkland along the west limit of Block 17 to accommodate a pathway. Subject to further review during detailed design, it is anticipated that approx. 5m could achieve this, if needed beyond the current block limits.

- PP&D will be seeking to review all required tree preservation and tree hazard assessment studies and reports as it relates to the neighbourhood park block and any pathway alignments.
- The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:
  - **2.1.3 Land - for park purposes - conveyance – Hazard, Open Space and Constrained Land**  
 The Corporation retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the Corporation’s use of the land. Where the Corporation does not request the Owner to convey table land, the Corporation may in lieu accept constrained land at the following ratios:
    - 1) Hazard land - 27 hectares of hazard land for every 1 hectare of table land.
    - 2) Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.
  - The table below summarizes the parkland information as per the submitted plan of subdivision.

<b>Land Breakdown (1ha/300 units)</b>			
Land Type	Ha	Units/Ha	Parkland Calc.
Low Density	6.17	30	0.617
Med. Density	8.25	75	2.06
High Density		150	0.00
<b>Table Land Dedication Required (ha):</b>			<b>2.68</b>

<b>Provided Parkland Dedication</b>	
Parks (Block 16 at 1:1)	0.831
Open Space (Block 18 at 1:16)	0.003
<b>Parkland Provided</b>	<b>0.834</b>
<b>Outstanding Balance</b>	<b>1.846</b>

- Proposed Block 17 has been identified as a stormwater management facility and is not subject to be acquired through parkland dedication.
- All proposed pathway corridors and walkway blocks are to be a minimum of 15m wide, as per Section 1750 of the London Plan

*Proposed Conditions*

- In conjunction with Focused Design Studies, the Owner’s Landscape Architect shall prepare and submit a conceptual plan for Park Block 16 and all pathway alignments.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks,

transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City. Park Blocks and Open Space, shall not be used for stockpiling of any kind.

- Where Lots or Blocks abut parkland, all grading of the developing Lots or Blocks at the interface with the parkland are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the approved engineering drawings and City Standard S.P.O.-4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed all along all park and open space Blocks, in accordance with the approved engineering drawings and City Standards and certified with site inspection reports submitted to the satisfaction of the City.

## **Urban Design**

### *General Comments*

- Provide a revised concept plan or massing model for the proposed medium density blocks.
  - We acknowledge the concept plans provided for the medium density blocks, however, these concept plans have to be revised with due consideration of street orientation, setbacks (min/max), height and intensity according to the zoning provision.
- Provide pedestrian mid-block connections through mid-rise blocks with active uses oriented to the mid-block connection.
  - Consider an east-west pedestrian connection through Block 17 (SWMF/Park Link) that extends from Street B to provide a mid-block connection into Block 14 for greater connectivity to Hyde Park Rd while breaking up long block frontages.
  - Consider a north-south mid-block connection through Block 15 for greater pedestrian connection (access) to Sunningdale Rd W.
- Multi-unit blocks should demonstrate orientation to public streets and open spaces, including pathway blocks. Further comments may follow upon receipt of the revised concepts.
  - Provide more intense residential building forms along arterial streets (Sunningdale Rd W and Hyde Park Rd) with primary entrances along the public Right-of Way.
  - Provide active building frontage for both Street A and the Park Link. Increase the depth of Block 11 and 12 to provide opportunity for alternative built forms with active building frontages on both the front and rear elevations.
    - Provide a detailed site plan of the SWMF/Park Link Block to demonstrate how the pathways connect between the streets and blocks.
- Window streets and garages shall be avoided along arterial streets to create a streetwall and pedestrian connection to the arterials.
  - Consider alternative building typologies such as low-rise apartment buildings with ground floor pedestrian access on the arterials and interior laneways behind the buildings for vehicular access.

- Ensure that the proposed building(s) have regard for its corner location. The massing/ articulation or other architectural features should emphasize the intersection(s).
  - Appropriately size any corner lots to provide enhanced facades on street-flanking elevations.
  - Ensure corner single detached dwelling lots will have regard to its corner location.
  - Explore opportunities to provide architectural details at street terminuses or bends for focal points and enhances pedestrian views.
  - Appropriately address building articulation where side elevations abut open spaces/natural environments for an enhanced pedestrian experience.
- Where ever there is rear lotting of single lots towards open space used by the public, utilize higher standard of building articulation, materials and fenestration. Limit privacy fencing and consider decorative fencing that allows views to the open spaces as a priority.
- Ensure any proposed parking will be located behind any proposed building or alternatively screened with landscaping to minimise prominence on the streetscape.
- The design and layout of the sites should have regard for natural areas and respond to significant mature trees. Setbacks should consider the protection of healthy mature trees along property lines.

### *Zoning Comments*

- Include either a holding provision or special provision in the zoning for all medium density blocks to ensure orientation to the street, park, or open-space frontages. Buildings should be oriented to the higher-order street where possible.
  - Ensure any medium density blocks adjacent to either Hyde Park Road or Sunningdale Road W are oriented to that street.
  - Ensure any medium density blocks adjacent to either a park or open space are oriented towards that space to avoid rear lotting.
  - Window streets and garages shall be avoided along arterial streets to create a streetwall and pedestrian connection to the arterials.
  - Ensure all medium density blocks along public street frontages are brought to the maximum front setback of 4.5 m to establish a street oriented built edge.
  - No parking shall be allowed between buildings and the public street.
  - Ensure noise walls and non-transparent fencing (i.e., board on board) are not permitted adjacent to public street and public open space. Fencing will be limited to only decorative transparent fencing with a maximum height of 4ft (1.2 metres) with openings for pedestrian access along public streets or open space.
  - Provide adequately sized amenity space for the residential density proposed, centrally located and within proximity to public streets and/or open space.
  - Garages shall not contain garage doors that occupy more than 50% of the unit width and shall not project beyond the façade of the dwelling or the façade of any porch along public street and/or open space.

### *Required for a complete application*

- Provide a revised conceptual site plan for each of the proposed medium density blocks. Further comments may follow upon receipt of the concepts.
- If blocks 13, 14 and 15 are anticipating an increase in height where there is proposed zoning for buildings taller than 4-storeys, they are required to attend the Urban Design Peer Review Panel (UDPRP):
  - UDPRP meetings take place on the third Wednesday of every month. Once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the

assigned planner as well as the applicant's agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs, please contact Wyatt Rotteau at 519.661.2500 x7545 or by email at [wrotteau@london.ca](mailto:wrotteau@london.ca).

### **Heritage**

- Comments to follow.

### **Ecology**

- Comments to follow.

### **Upper Thames River Conservation Authority**

- Comments to follow.

### **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. Any new or relocation of the existing service will be at the expense of the owner.

### **Engineering and Infrastructure**

Transportation and Planning Division, Wastewater and Drainage Engineering Division, Water Engineering Division and Stormwater Engineering Division have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the entering of a subdivision agreement.
2. 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
3. holding provision is implemented until the sanitary sewer outlet is constructed and operational.
4. A holding provision shall be implemented on R4-6 zone (street townhouse) until the Deputy City Manager, Environment and Infrastructure is satisfied with the servicing arrangements to provide adequate separation between services and avoid conflicts with City services.

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

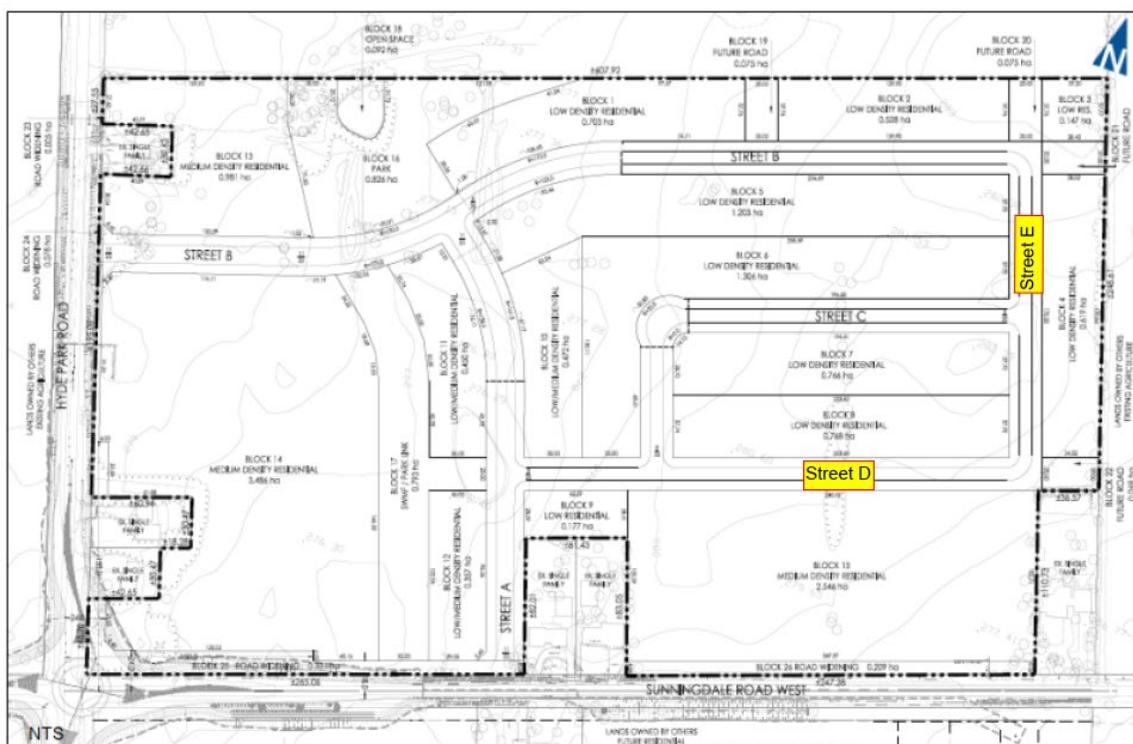
### **Required Revisions to the Draft Plan**

Note: Revisions are required to the draft plan as follows:

- a) Provide 0.3 metre reserves along the entire frontages of Hyde Park Road and Sunningdale Road West
- b) Provide 0.3 metre reserves at the limits of all future road Blocks
- c) Provide 0.3 metre reserve along east boundary of Street 'A' abutting external existing property and Block 9 and east boundary of Street E' abutting existing property

- d) Revise Street 'B' to be a neighbourhood connector (23.0 m wide) for the entire limit of draft plan, to be constructed to the east limit
- e) Identify a road (Street 'E') at the east limit of Block 15 that aligns with Jordan Boulevard to be constructed by Owner. **See Condition \_\_\_\_\_.**
- f) Revise future road Blocks 20 and 21 to be 23.0 metres in width
- g) Revise Street B name which extends west to east from Street A to the easterly limit of the subject area to Street 'D'. Please note conditions identify new Street names. (See diagram below).
- h) Revise Street B name which extend north to south to Street 'E'. Please note conditions identify new Street names. (See diagram below)
- i) Revise Street 'A', 'B' and 'E' widths to 28.0 metres tapered down to 23.0 metres to provide a gateway treatment
- j) Revise SWM/Park block, if necessary, in accordance with Conditions.
- k) Provide separate block for temporary pumping station
- xii) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City.
- xiii) Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.
- xiv) Red-line the roads in this plan to remove the 'bulges' on streets in this Plan
- xv) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

<u>Road Allowance</u>	<u>S/L Radius</u>
20.0 m	9.0 m



**Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.**

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

Yours truly,

Mark Johnson, MCIP, RPP  
Senior Planner  
Planning and Economic Development

Attach.

Cc: M. Feldberg  
B. Page  
M. Davenport  
T. Hitchon  
R. McDougall  
(all electronic)



## MEMO

To: Mark Johnson, Senior Planner  
From: Laura E. Dent, Heritage Planner  
Date: February 1, 2022  
Re: **Archaeological Assessment Requirements  
Heritage Comments**  
**1521 Sunningdale Road West and 2631  
Hyde Park Road (39T-21506 / Z-9440)**

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 (39T-21506 / Z-9440):

- Lincoln Environmental Consulting Corp. *Stage 1 Archaeological Assessment of 1521 Sunningdale Road [...]* Middlesex County, Ontario (PIF P344-0379-2020 and P344-0420-2020), June 2020.

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." (p 2)

An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated Oct 1, 2021 (MHSTCI Project Information Form Numbers P344-0379-2020, P344-0420-2020, MHSTCI File Number 0011983).

Archaeological conditions can be considered satisfied for this application.

Sincerely,

A handwritten signature in black ink that reads "Laura E. Dent".

Laura E. Dent, M.Arch, PhD, MCIP, RPP  
Heritage Planner  
Community Planning, Urban Design and Heritage  
Planning & Development



**MEMORANDUM**

**TO** Kevin Edwards, Manager, Long Range Planning, Research and Ecology, City of London

**FROM** Margot Ursic, Principal Planning Ecologist

**CC** Mark Johnson, Planner, City of London  
Bruce Page, Manager, Subdivision Planning City of London  
Shane Butnari, Ecologist, City of London

**DATE** February 21, 2022

**Re:** Ecology Review of 2631 Hyde Park Road EIS (Sept. 17, 2021)

Submitted electronically to:

[kedwards@london.ca](mailto:kedwards@london.ca); [mjohnson@london.ca](mailto:mjohnson@london.ca); [bpape@london.ca](mailto:bpape@london.ca); [sbutnari@london.ca](mailto:sbutnari@london.ca)

The following environmental planning comments are provided based on a review of the 2631 Hyde Park Road - Environmental Impact Study (EIS) prepared by MTE Consultants for Auburn Developments and dated Sept. 17, 2021. This review has also considered relevant elements from the Urban Design Brief submitted for this property by Zelinka Priamo Ltd. (Oct. 5, 2021) and the Hydrogeological Assessment completed by exp. (Oct. 22, 2021).

This EIS has been screened for compliance with the Environmental Policies from the City's current Official Plan as well with the City's Environmental Management Guidelines (EMGs). It is recognized that this submission was made prior to the updated EMGs being approved, however the updated EMGs (2021) should be considered going forward.

While the EIS content is generally aligned with the approved Terms of Reference, the area currently identified for natural heritage protection is not considered adequate or consistent with the applicable policies. Specific comments on the EIS are provided below. An EIS Addendum including a comment response matrix that indicates how and where these comments have been addressed is requested. If a virtual meeting to discuss these comments would be helpful, please reach out to arrange one.

Further comments, including but not limited to applicable environmental technical and policy may be provided once these comments have been fully addressed.

**KEY COMMENTS****CULTURAL WOODLAND**

- The EIS acknowledges that the 0.3 ha of cultural woodland (CUW1) on the subject lands is adjacent to (i.e., contiguous with) on off-site CUW to the north of about 0.5 ha, bringing the total wooded area to 0.8 ha (Section 5.2) with at least one hydrological feature - a confirmed pond (wetland) - within it. As such, the CUW should either be considered a significant woodland or technical rationale for why it does not meet the City's established criteria for woodland significance should be provided.

**WETLANDS**

- It is noted that there are multiple wetlands within 750 m of the site and that a full wetland evaluation under the Ontario Wetland Evaluation System (OWES) has not been undertaken in relation to these wetlands. Given the size and nature of the wetlands on site, and the challenges with accessing some or all of the off-site wetlands, an OWES evaluation will not be required by the City at this time as long as (a) the wetlands on site are accurately characterized, and (b) their protection is addressed in accordance with the applicable London Plan policies and guidelines.
- The 0.5 ha of CUW in the immediately adjacent lands off-site to the north overlaps with unevaluated wetland mapped in the City's Official Plan Map 5. The EIS has made the determination that there are no wetlands in the adjacent CUW on historical and current air photo interpretation (as per Section 2.1.1). However, the Hydrogeological Assessment (exp 2021) states: "*The western UW is primarily located on the adjacent property to the north but does extend onto the Site in the northwest. ... This UW has had surface water present for the majority of the monitoring period thus far...*" (Section 8.2.1). As such, the unevaluated wetland overlay should be retained on the adjacent lands until its status can be verified through the appropriate field studies and processes.
- Units 1a and 1b (Fig. 6) have been mapped and described as two small wetlands (marsh and thicket swamp respectively) with a cumulative size of 0.098 ha. The City has no objection to these very small wetlands being removed from their current locations as suggested in the EIS, but based on the dearth of wetlands in the area would like to see compensation for them provided on site, ideally adjacent to Unit 2.
  - As noted in the EIS, this site has a relatively high groundwater table and LIDs will be required to achieve a water balance on site. Wetland creation can provide an opportunity for both habitat enhancement and on-site surface water attenuation and infiltration.

- An appropriate location for compensation may be informed, in part, by the catchment boundaries and the Feature Based Water Balance to be provided for Unit 2b (as per the hydrogeology comments).
- The EIS does not map or discuss any wetlands in Unit 2. However, based on the EIS photos, topography, close examination of historical and current air photos, and the information provided in the exp. Hydrogeological Assessment it appears that some small areas that could qualify as wetlands have been overlooked.
  - In particular, Unit 2b, which is described as an Ephemeral Pond (as per Fig. 6) (with no ELC code assigned) appears to be a wetland. Notably, the boundaries of Unit 2b are unclear in the mapping provided.
  - In addition, we question if Unit 2a, which is identified as a "Mineral Cultural Thicket" (CUT1), has hydric soils and should be characterized as a Cultural Thicket Swamp.
  - There is also a small depression just west of the eastern windrow within the larger cultural meadow whose vegetation and soils should be examined more closely to confirm there are no wetland indicators.
- We request a review of the nature and extent of these features / areas, including surficial soils assessments, to verify their characterization and mapping.
- We also request a site visit once the snow melts to review these features *in situ*.

#### SIGNIFICANT WILDLIFE HABITAT (SWH)

- It is agreed that the cultural meadow, windrows and CUW areas in the northwestern portion of the subject lands appear to provide foraging and movement habitat for Milksnakes as well as Eastern Gartersnakes. However, the fact that these snakes were not detected before early June in 2020 and 2021 does not, in our opinion, necessarily suggest that hibernacula are not present on site, as indicated in the EIS (as per Sections 4.5.3 and 5.1).
  - It appears that cover boards were not deployed until spring 2021 and that only four targeted surveys were completed in 2021. Snakes can be quite elusive and hard to detect, and given the presence of old foundations and multiple mammal burrows in proximity to suitable habitat where the snakes were documented on the subject lands, it is very plausible that a hibernacula exists on site that is being used by more than one species. Therefore, a reasonable and appropriate area should be identified and protected as SWH for a snake hibernaculum.
  - Based on discussions with James MacKay (City Ecologist) it is understood that MTE failed to mention the 2020 snake observations or inform the review committee of the intent to undertake targeted snake surveys at the SLSR/EIS scoping meeting in January 2021. This pre-empted the opportunity for City or other stakeholders to provide input to the field program.

- o Please provide details of the targeted snake surveys including a table with the dates, times, weather conditions and surveyors' names, as well as a figure with the locations of the cover boards and potential hibernaculum (including mammal burrows), along with the data sheets for each of the field visits.
- Based on the available information, the extent and nature of SWH habitat protection and other mitigation measures identified in the EIS, including those outlined in the net effects table, are considered inadequate. Protection of a portion of the CUM as SWH, including at least some of the mammal burrows, is suggested. Hibernaculum creation in a location that is suitably buffered from the road and other land uses should also be considered.

#### BUFFERS

- Co-location of park lands beside protected natural areas is supported from a natural heritage perspective. However, the natural areas should first be accurately identified and delineated (see comments above), and an appropriate buffer should be applied. Natural features and their buffers should be identified distinctly from lands identified for active park uses.
- It is recognized that the CUW feature is smaller than 2 ha and that the wetland within the CUW is much smaller than 0.5 ha, and therefore buffers smaller than the minimums laid out in the EMGs can be supported. However, appropriate critical function zones (e.g., for snakes) should be included in the SWH delineation before a buffer is applied.

#### OTHER COMMENTS

- The results of the final (i.e., third) surveys for Eastern Meadowlark and Bobolink do not appear to have been included in the EIS (as noted in Section 4.5.1). Please provide.
- The results of the amphibian surveys (as summarized in Section 4.5.2) do not appear to align completely with the data on the raw data sheets in Appendix F. Please provide a summary table of the results by station and date.
- The boundaries of the woodland and wetland features on site still need to be confirmed in the field with City and UTRCA staff, as indicated in the EIS (Section 5.5). However, if a mutually acceptable area for natural heritage features / areas and their respective buffers is identified, the EIS Addendum may be accepted as a basis for moving forward before the precise feature limits can be confirmed in May or June.
- Please provide in an appendix to the EIS CVs of all staff who conducted field work and report writing for the SLSR/EIS.

## Appendix F – 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 (PPS), 2020**

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

### **Building Strong Healthy Communities**

This first policy section of the *PPS* outlines the policies to achieve sustainability through efficient land use and development patterns that promote strong, livable, healthy, and resilient communities. This section also seeks to avoid development and land use patterns that result in inefficient expansion of settlement areas and that the necessary infrastructure and public service facilities are, or will be, available to meet current and projected needs.

To achieve healthy, livable and safe communities, the *PPS* encourages the following: an appropriate range and mix of residential, employment, institutional, recreation and park and open space uses to meet long-term needs; avoid development or land use patterns which may cause environmental or public health and safety concerns; cost-effective development patterns and standards to minimize land consumption and servicing costs; improving accessibility for those who are differently abled and older persons; and, land use patterns that conserve biodiversity and consider the impacts of a changing climate (Section 1.1.1). This proposed Draft Plan of Subdivision achieves this objectives as it provides for range of housing types and densities within the settlement area to meet long-term housing needs for current and future residents, and protects natural heritage features to conserve biodiversity.

The *PPS* encourages settlement areas to be the focus of growth and development, and that there be appropriate land use patterns within this area that provide for appropriate densities and a mix of land uses that will efficiently and effectively use land resources, infrastructure, and public service facilities (Sections 1.1.3.1, 1.4.1 and 1.4.3). This development should also be transit-supportive, where these services exist or are planned, and be adjacent to existing built-up areas in a compact form for efficient land use (Sections 1.1.3.2 and 1.1.3.6). Planning authorities are directed to establish and implement phasing policies that will ensure the orderly development of land within designated growth areas, as well as the timely provision of infrastructure and public facilities, to meet current and projected needs (Section 1.1.3.7). Although a comprehensive study of the lands could not be conducted prior to the subject lands being considered for development, the proposal provides for a mix of housing forms and densities adjacent to the existing built-up area for future and current needs, and services are available for the lands.

A coordinated, integrated and comprehensive approach when dealing with planning matters is promoted in this section of the *PPS*, and specifically when managing or promoting growth and development that is integrated with infrastructure planning (Sections 1.2 and 1.2.1.a)). As previously noted, a comprehensive study could not be conducted prior to the development application to identify the appropriateness of development on these lands and how to coordinate development with the provision of infrastructure and municipal services. However, the proposal incorporates population housing and employment projections for future needs and coordinates the management and natural heritage, water and cultural heritage and archaeological resources. The *PPS* seeks to create healthy and active communities through planned public streets, spaces and facilities that are safe, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1) It also identifies that planning

for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management (Section 1.6.1). The proposed Draft Plan of Subdivision provides a Park and Open Space block in the northwest corner of the lands, and there are infrastructure and public service facilities available to service the proposed development.

### Wise Use and Management of Resources

Section 2 of the *PPS* acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends upon the conservation and protection of our natural heritage and agricultural resources. The policies outlined in this section serve to protect sensitive, natural features and water resources.

The *PPS* states that “Natural features and areas shall be protected for the long term” and that “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.” (Sections 2.1.1 and 2.1.8). As noted, there is an unevaluated wetland on the subject lands, which will be evaluated by through the application process to determine its significance and required measures for protection.

This section of the *PPS* sets out policies for the protection of significant built heritage resources and significant cultural heritage landscapes to ensure they are conserved, and development or site alternation shall not be permitted adjacent to protected heritage property, except where the proposed development or site alteration has been evaluated and demonstrated that the heritage attributes of the protected property will be conserved (Sections 2.6.1 and 2.6.3). A Stage 1-2 Archaeological Assessment has been completed, which determined the lands contain no cultural heritage significance, and the lands have been removed from the City’s Heritage Registry.

### Protecting Public Health and Safety

Section 3 of the *PPS* acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends upon reducing the potential for public cost or risk to residents from natural or human-made hazards. Policies in this Section direct development away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property-damage, as well as to not create new, or aggravate existing, hazards. The proposal does not direct development towards any natural or human made hazards.

### **The London Plan**

*The London Plan* is the new Official Plan for the City of London (Council adopted approved by the Ministry with modifications, and the majority of which is in force and effect. *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170700) and policies that are not in force and effect are indicated with an asterisk (\*). Policies under appeal are included in this report for informational purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

*The London Plan* includes criteria for evaluation plans of subdivision through policy 1688\* and required consideration of the following sections:

- Our Strategy
- Our City
- City Building policies
- Applicable Place Type policies
- Our Tools

## Our Strategy

This section of *The London Plan* outlines the values and vision that will guide our planning process to create an exciting, exceptional, and connected city. The Key Directions contained in this section outline the planning strategies that will help to achieve the vision. Applicable Key Directions include:

Direction #1 is to *Plan strategically for a prosperous city* (55). The proposed Draft Plan of Subdivision provides new residential growth within the Urban Growth Boundary.

Direction #5 is to *Build a mixed-use compact city* (59). The proposed subdivision is within the Urban Growth Boundary and contributes to a mix of housing choices and densities within the surrounding context and provides for opportunities to access green space for recreational opportunities.

Direction #6 is *Place a new emphasis on creating attractive mobility* (60). The proposed subdivision utilizes a modified grid system of streets to contribute to connectivity and ease of mobility within the neighbourhood and with the surrounding area.

Direction #7 is to *Build strong, healthy and attractive neighbourhoods for everyone* (61). This key direction is achieved as the proposed subdivision provides a mix of housing choices that meet the needs of people of all age, incomes, and abilities, and allowing for affordability and ageing in place within the community.

Direction #8 is to *Make wise planning decision* (62). The proposed Draft Plan of Subdivision has been assessed for conformity with Provincial and Municipal planning policies, and balances economic, environmental, and societal considerations.

## Our City

The policies contained in this section of *The London Plan* are designed to plan for the population and economic growth the City will experience over the next twenty (20) years. Growth and development will be in a compact form and directed to strategic locations. The required infrastructure and services to support growth will be planned in a way that is sustainable from a financial, environmental, and social perspective.

Policy 99 provides guidance for development at the rural-urban interface, where lands in the Neighbourhoods Place Type abut the UGB and the City's Municipal Boundary. Development proposals at the rural-urban interface are required to utilize design measure that will mitigate potential conflict between uses. These measures could include subdivision layout and buffers in the form the public pathways or treed landscape strips. While this application does not abut the City's Boundary, it is still important to consider rural-urban interface issues that may occur at this location. The Proposal locates the park and open space blocks adjacent to the agricultural lands to the north and low density residential is located adjacent the agricultural lands to the east. This lay out may help to address potential rural-urban interface land use conflicts.

The adequate supply of municipal infrastructure services is required before proceeding with any development, and planning and development approval will be discouraged where planned servicing capacity is not expected to become available within a five-year time frame (172 and 173). Municipal water, stormwater, sanitary servicing, and transportation infrastructure are available for the lands and within a five-year time frame.

## City Building Policies

This section of *The London Plan* provides platform for growth the supports the *Plan's* vision and priorities, and sets out policies for the shape, character, and form of the City over the next twenty (20) years.

Policies for the street network require the following: the configuration of streets planned for new neighbourhoods will be a grid or modified grid pattern; cul-de-sacs and dead

ends will be limited; new neighbourhood streets will be designed to have multiple direct connections to existing and future neighbourhoods; street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services; and, blocks within a neighborhood should be of a size and configuration that supports connections to transit and other neighbourhood amenities, typically within a ten minute walk (212, 213, 218 and 228). The proposed subdivision maintains a grid pattern with connections to the adjacent Civic Boulevards, and provides opportunities for connections to future neighbourhoods, should the lands to the north and east be included in the UGB and identified as appropriate for potential future development. Local Streets proposed within the subdivision are of a size and configuration that will be safe for pedestrians and cyclists.

The City Building Policies set out that public facilities, parks, trails, seating areas, play equipment, open spaces and recreational facilities should be integrated into neighbourhoods to allow for healthy and active lifestyles (243). These spaces should be located in, and designed with, the neighbourhoods to ensure that a minimum of fifty (50) per cent of their perimeter will be bounded by a public street, this will contribute to the visibility and safety of these spaces (247). To support walkability, sidewalks shall be located on both sides of all streets (349). The proposed Draft Plan incorporates a neighbourhood park and open space with a minimum of fifty (50 per cent) of this space bounded by a public street, and there are sidewalks on both sides of every street.

The policies relating to buildings promote an active street front at a human scale to support pedestrian activity and safety (285 and 286). The urban design brief provided by the applicant states that the development will include active street fronts along all streets and will avoid or minimize blank walls wherever possible. Buildings will be designed with heights, setbacks, step-backs, roof lines and articulation patterns that reflect the character of the surrounding area and support a human-scale relationship. The policies also outline that those buildings on corners should address the corner through building massing, location of entrances and architectural elements (290). Principal building entrances and transparent windows should be located to face the public right-of way and public spaces (291). This will reinforce the public realm, establish an active frontage, and provide for convenient pedestrian access. The urban design brief states that, where space permits, corner buildings will address the corner and that buildings entrances will be oriented towards public spaces.

### Neighbourhoods Place Type

The subject lands are currently designated with the Green Space Place Type, however, Civic Administration has been directed by Municipal Council to amend this place type to the Neighbourhoods and Environmental Review Place Types. The Neighbourhoods Place Type at this location permits a range of residential uses, including: single detached, semi-detached, duplex, triplexes, low-rise apartments, and mixed-use buildings (Table 10). A minimum height of two (2) storeys and maximum of four (4) storeys is permitted at the intersection of two Civic Boulevards (Table 11\*).

The vision for the Neighbourhood Place Type is to ensure that neighbourhoods are vibrant and exciting places that contribute to community well-being and quality of life. This vision is supported by key elements, some of which include: strong neighbourhood character; attractive streetscapes; diverse housing choices; well-connected neighbourhoods; alternatives for mobility; and, parks and recreational opportunities. The proposal is generally in keeping with the vision for the Neighbourhood Place Type and its key elements. It contributes to a neighbourhood character, attractive streetscapes and a diversity of housing choices. The provision of park and open space provides for recreational opportunities and attractive alternatives for mobility.

### Green Space Place Type

Portions of the subject lands are recommended by Staff to be identified with the Green Space Place Type instead of with the Environmental Review Place Type as it would afford more protection to the natural heritage feature until further evaluation is

undertaken to accurately identify and delineate the feature/significant wildlife habitat and appropriate buffers within the subject lands. The Green Space Place Type is used to: protect and conserve our natural areas and associated delicate ecosystems; keep development away from hazard lands that may be susceptible to flooding, erosion or unstable slopes; and, offer a variety of parks that contribute to quality of life for Londoners (758 and 759). Permitted uses include: recreational uses for passive enjoyment of natural features, conservation or rehabilitation works, or the harvesting of trees in accordance with good forestry management (1389). The Draft Plan of Subdivision and recommendations would apply this Place Type to the lands intended for open and park space, which is in keeping with these permitted uses.

### **1989 Official Plan**

The subject lands are currently designated Open Space, however, Civic Administration has been directed by Municipal Council to amend this place type to the Low-Density Residential and Environmental Review land use designations. The permitted uses in the Low-Density Residential designation include single-detached, semi-detached, and duplex dwellings (Section 3.2.1). Multiple-attached buildings, such as row houses or cluster houses may also be considered if they do not exceed the permitted upper limit of thirty (30) units per hectare (Section 3.2.2).

The Multi-Family, Medium Density Residential (MFMDR) in the *1989 Official Plan* will also be applied to the subject lands. The permitted uses in this residential designation include: row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and, small-scale nursing homes, rest homes, and homes for the aged (3.3.1 Permitted Uses). The proposed medium density blocks are in keeping with these permitted uses. A number of these permitted uses are not contemplated as a part of this application, and will be limited through the zoning applied to these Blocks.

One of the preferred locations for the MFMDR designation is abutting arterial, primary collector, or secondary collector streets (3.3.2 Location). Development within this designation shall be low-rise in form with a density and site-coverage that serve as a transition between low density residential areas and more intensive forms, such as commercial, industrial, or high density residential (3.3.3 Scale of Development). This proposal is in keeping with these policies as it is located along two Civic Boulevards, as well as serving as a transition for the low-density, single detached dwellings on the interior of the Subdivision. The proposal also provides the appropriate densities permitted in the MFMDR designation (3.3.3 Scale of Development).

The proposed Draft Plan of Subdivision and recommended zoning have been reviewed in the context of the Official Plan, and are generally consistent with and conform to the 1989 Official Plan.

### **Zoning By-law**

The following provides a synopsis of the recommended zones, permitted uses, regulations, and holding provisions to be applied to the various blocks within the Draft Plan. Reference should be made to the zoning amendment map found in Appendix C of this report.

**Blocks 7, 8 10, 13** – Residential R1 (R1-3) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres.

The recommended zoning for Blocks 7, 8, 10, 13 are considered appropriate and compatible with surrounding lands. An R1-3 zoning is also consistent with zoning of the single detached dwellings that are planned on the south side of Sunningdale Road within the Fox Hollow Community.

**Blocks 2-6, 9** – Residential R1/Residential R4 (R1-3/R4-6) Zone to permit single

detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; and street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; together with a special provision for a minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision.

The recommended zoning for Blocks 2-6, 9 are considered appropriate and compatible with surrounding lands. An R1-3/R4-6 zoning is also consistent with zoning of the single detached dwellings and street townhouse dwellings that are planned on the south side of Sunningdale Road within the Fox Hollow Community. The special provision is recommended to ensure adequate spacing for servicing arrangements to accommodate street townhouses.

**Block 1** – Residential R1 (R1-10) Zone to permit single detached dwellings on lots with a minimum lot area of 925 square metres and minimum lot frontage of 22 metres.

The recommended zoning for Block 1 is considered appropriate and compatible with surrounding lands. An R1-10 zoning is also consistent with the zoning of the existing single detached located immediately south at 2611 Hyde Park Road.

**Block 17** – Open Space, Residential R4/Residential R5/ Residential R6 (OS1/R4-6/R5-5/R6-5) Zone to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; together with a special provision for a minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision, a special provision for buildings along any arterial road frontages to be brought to the minimum front yard setback of 1.0 metres and maximum front yard setback of 6.0 metres, and with a special provision for a buildings along any local street frontages to be brought to the minimum front yard setback of 4.5 metres and maximum front yard setback of 6.0 metres.

The recommended zoning for Block 17 is appropriate to permit the planned location for the stormwater management facility and is not intended for park use. It also provides an opportunity for the development of medium density residential if it is determined that that stormwater management facility is not required to manage overland flows for the subdivision. The special provision is recommended to ensure adequate spacing for servicing arrangements to accommodate street townhouses, and to ensure buildings within the medium density block along public street frontages are sited close to the street to establish a street wall for the neighbourhood.

**Block 14** – Residential R4/ Residential R5/ Residential R6 (R4-6/R5-5/R6-5) Zone to permit street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; together with a special provision for a minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision, minimum front yard setback of 1.0 metres and maximum front yard setback of 6.0 metres, and with a special provision for a buildings along any local street frontages to be brought to the minimum front yard setback of 4.5 metres and maximum front yard setback of 6.0 metres.

The recommended zoning for Block 14 is considered appropriate and compatible with surrounding lands. An R4-6/R5-5/R6-5 zoning is also consistent with zoning of the single detached dwellings, street townhouse dwellings and medium density forms of residential development that is planned on the south side of Sunningdale Road within the Fox Hollow Community. The special provision is recommended to ensure adequate spacing for servicing arrangements to accommodate street townhouses, and to ensure buildings within the medium density block along public street frontages are sited close to the street to establish a street wall for the neighbourhood.

**Block 15** – Residential R4/ Residential R5/ Residential R6/ Residential R7/ Residential R8, Restricted Office (R4-6/R5-5/R6-5/R7•H13•D75/R8-4•H13•D75/RO1/RO2) Zone to permit street townhouse dwellings on lots with a minimum lot area of 145 square metres and minimum lot frontage of 5.5 metres per unit; cluster townhouse dwellings and cluster stacked townhouse dwellings up to a maximum density of 45 units per hectare and maximum height of 12 metres; and single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings up to a maximum density of 35 units per hectare and maximum height of 12 metres; senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments up to a maximum density of 75 units per hectare and maximum height of 13 metres; apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities up to a maximum density of 75 units per hectare and maximum height of 13 metres; medical/dental offices and offices; and clinics, medical/dental offices, medical/dental laboratories, and offices; together with a special provision for a minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision, minimum front yard setback of 1.0 metres and maximum front yard setback of 6.0 metres, with a special provision for a buildings along any local street frontages to be brought to the minimum front yard setback of 4.5 metres and maximum front yard setback of 6.0 metres, and with a special provision to restrict office uses to a location within an apartment building.

The recommended zoning for Block 15 is considered appropriate and compatible with surrounding lands. The R4-6/R5-5/R6-5 zoning is also consistent with zoning of the single detached dwellings, street townhouse dwellings and medium density forms of residential development that is planned on the south side of Sunningdale Road within the Fox Hollow Community. The special provision is recommended to ensure adequate spacing for servicing arrangements to accommodate street townhouses, to ensure buildings within the medium density block along public street frontages are sited close to the street to establish a street wall for the neighbourhood, and to ensure office uses are incorporated within residential buildings to facilitate a mixed-use development.

Open Space (OS1) Zone (**Block 16**) to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests.

The recommended zoning for Block 16 is appropriate to permit the neighbourhood park use.

Open Space (OS1) Zone (**Block 28**) to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests.

The recommended zoning for Block 28 is appropriate and is to be used in conjunction with the stormwater management facility and will also provide a buffer between the two (2) existing single detached dwellings (1535 and 1545 Sunningdale Road West) and the medium density block (Block 14) this proposed immediately to the east along Sunningdale Road.

Open Space (OS5) Zone (**Block 29**) to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

The recommended zoning for Block 29 applies the natural heritage features located in northwestern area of the site, north of Street B.

#### Recommended Holding Provisions:

The standard holding (h) provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of Draft Plan of Subdivision ensure that a subdivision agreement or development agreement is entered into.

A holding provision (h-2) provision to determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System of the Official Plan, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol.

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

A holding provision (h-53) to encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.

A holding provision (h-100) is intended to ensure there is adequate water service and appropriate access. A looped watermain system is to be constructed and a second public access must be available, to the satisfaction of the City.

A holding provision (h-110) to ensure adequate provision of municipal services and access are provided, the "h-110" shall not be lifted until municipal servicing and access are adequately addressed through future planning applications to the satisfaction of the General Manager of Planning and Development.

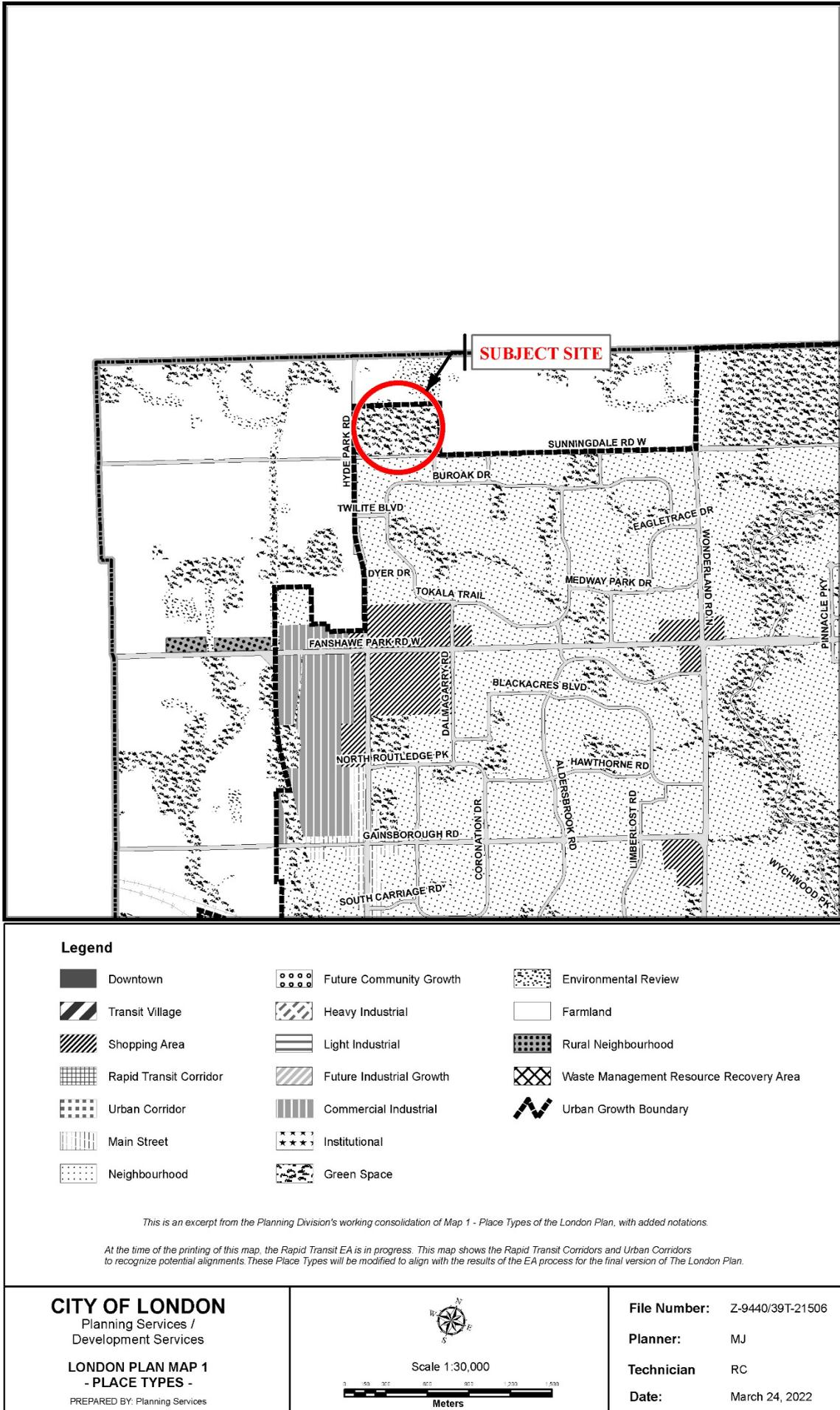
A holding provision (h-149) to ensure the orderly development of the lands the symbol shall not be deleted until sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer.

A holding (h-222) provision is recommended to be applied to ensure that development will not have a negative impact on the hydrology and hydrogeology or on the natural heritage system including the abutting wetland and woodland features, an Environmental Impact Study, a Water Balance Study and a Hydrogeological Study and a Stormwater Management Study shall be prepared and accepted to the satisfaction of the UTRCA and the City of London, prior to removal of the "h-222" symbol.

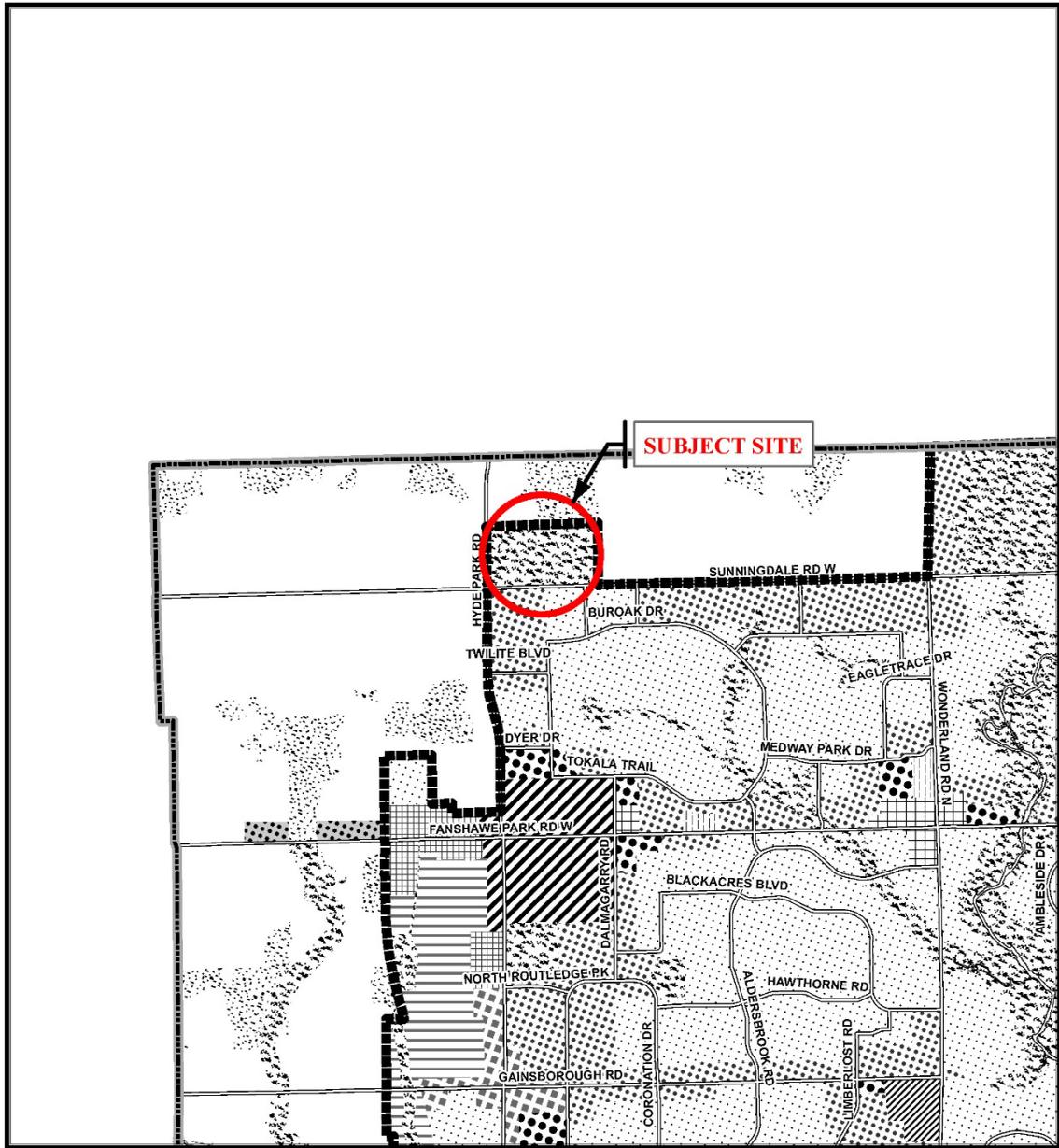
A holding provision (h-\_) to be implemented until such time the addendum to the Fox Hollow Development Area Municipal Class EA Assessment Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (MRC, September 2010) is finalized to the satisfaction of the City of London.

# Appendix G – Relevant Background

## The London Plan Map Excerpt



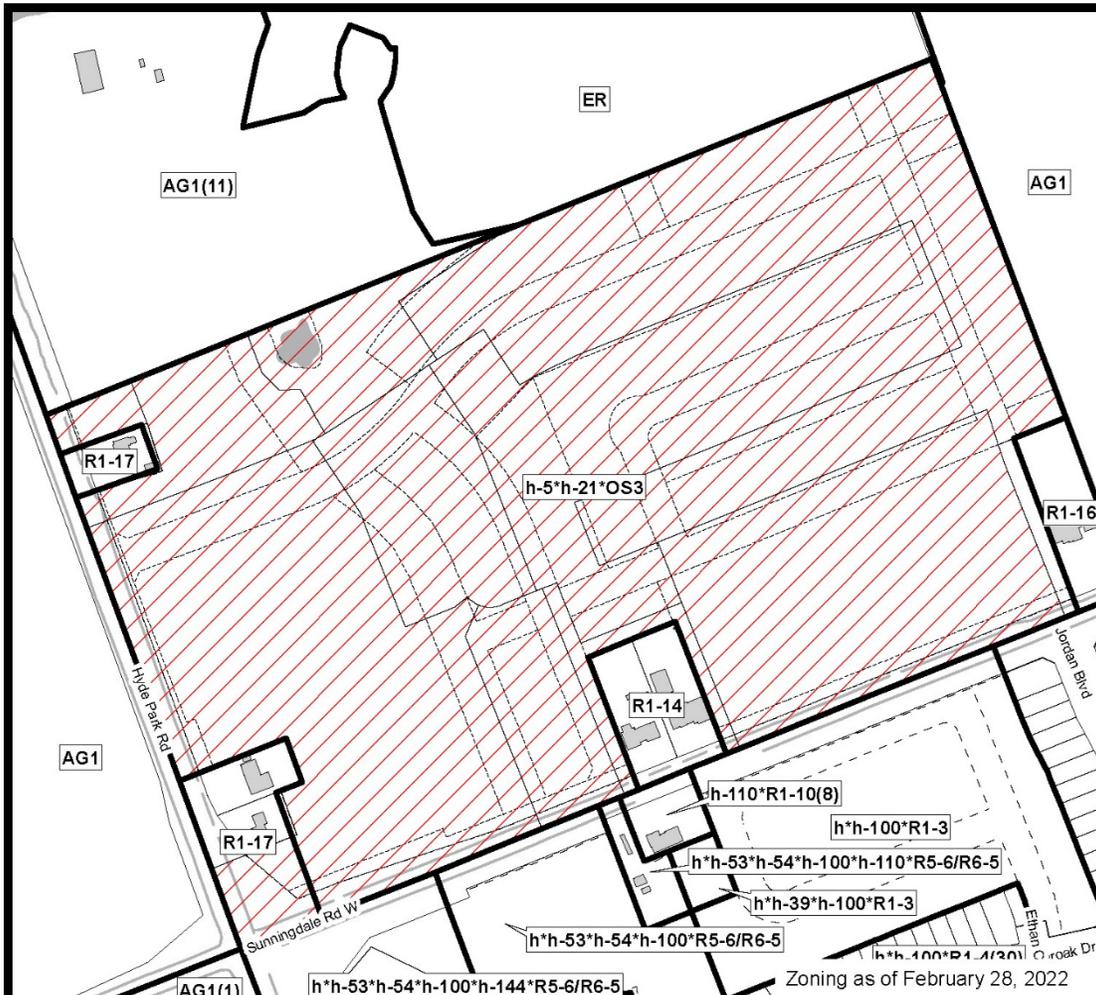
**Official Plan Map Excerpt**



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	

<p><b>CITY OF LONDON</b>  <b>Planning Services /</b>  <b>Development Services</b>  <b>OFFICIAL PLAN SCHEDULE A</b>  <b>- LANDUSE -</b>          PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000          0 100 200 400 600 800 1,000 1,200 1,400 1,600          Meters</p>	<p><b>FILE NUMBER:</b> Z-9440/39T-21506  <b>PLANNER:</b> MJ  <b>TECHNICIAN:</b> RC  <b>DATE:</b> 2022/03/24</p>
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# Zoning By-law Map Excerpt



## COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

## CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:  
Z-9440/39T-21506 MJ

MAP PREPARED:  
2022/03/24 rc

1:3,750  
0 1530 60 90 120  
Meters

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



# 1521 Sunningdale Road West and 2631 Hyde Park Road



**Proposed Draft Plan of Subdivision, Official Plan Amendments and  
Zoning By-law Amendments**

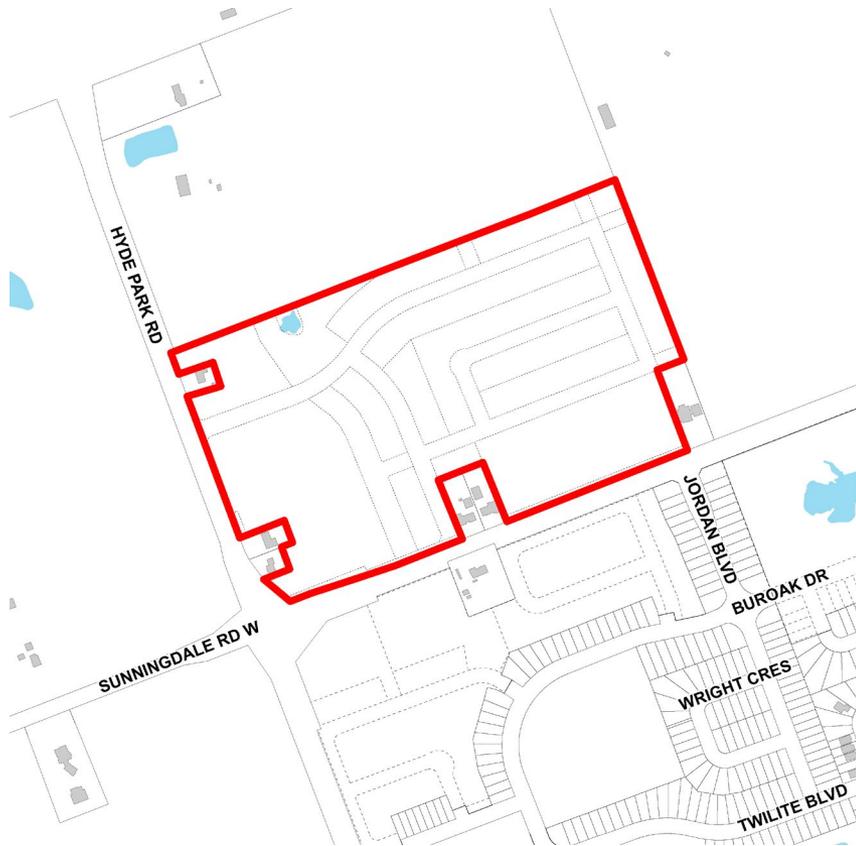
**Applicant: Auburn Developments Inc.**

**File No: 39T-21506 and Z-9440**

# Property Description



# Site Context



## Surrounding Properties:

**North:** Agricultural/farm dwelling

**East:** Agricultural

**South:** Future residential

**West:** Agricultural

## Current Planning Information

***The London Plan:*** Green Space

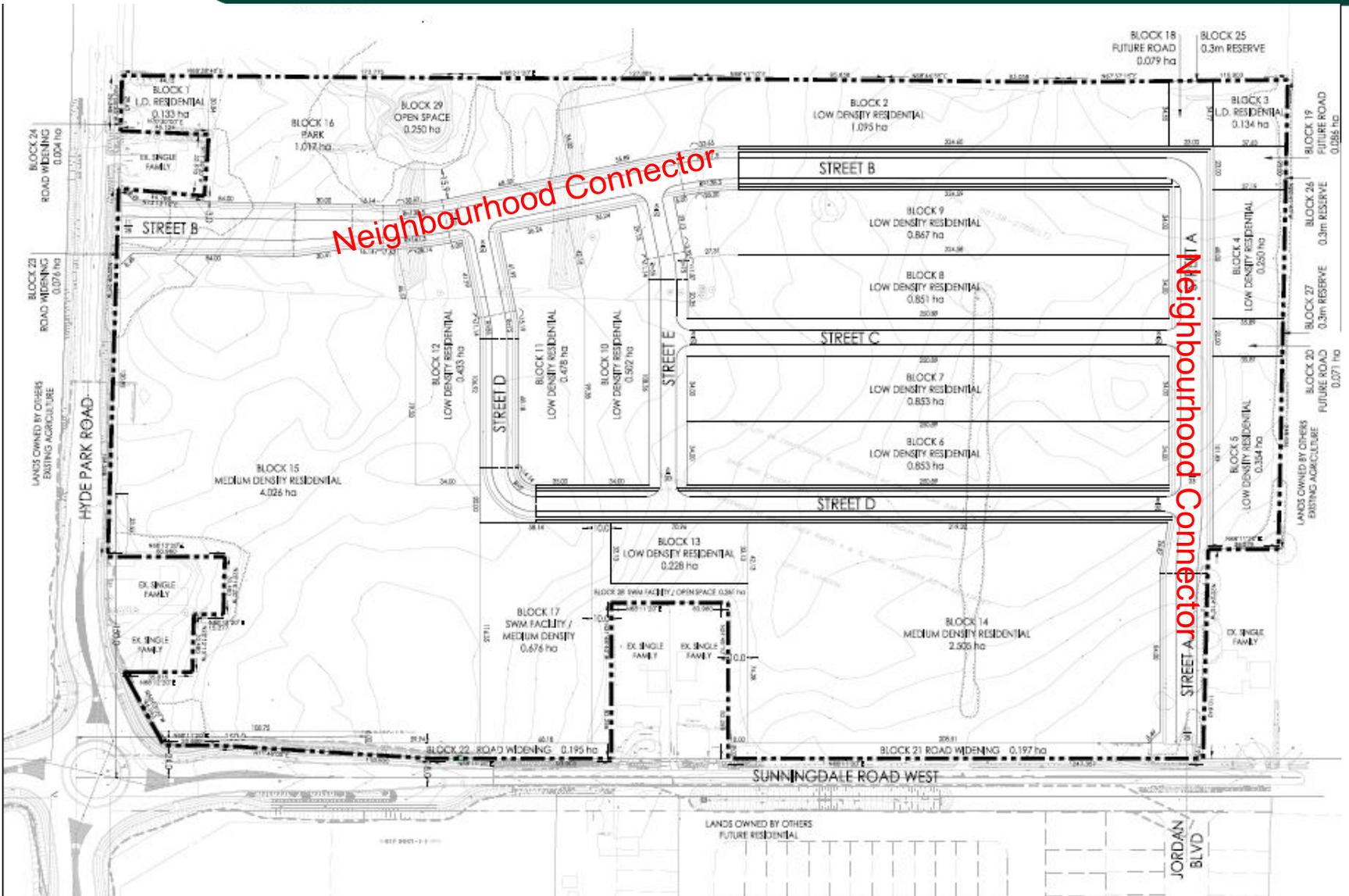
***(1989) Official Plan*** – Open Space

**Z.-1 Zoning By-law** - Holding Open Space (h-5\*h-21\*OS3)

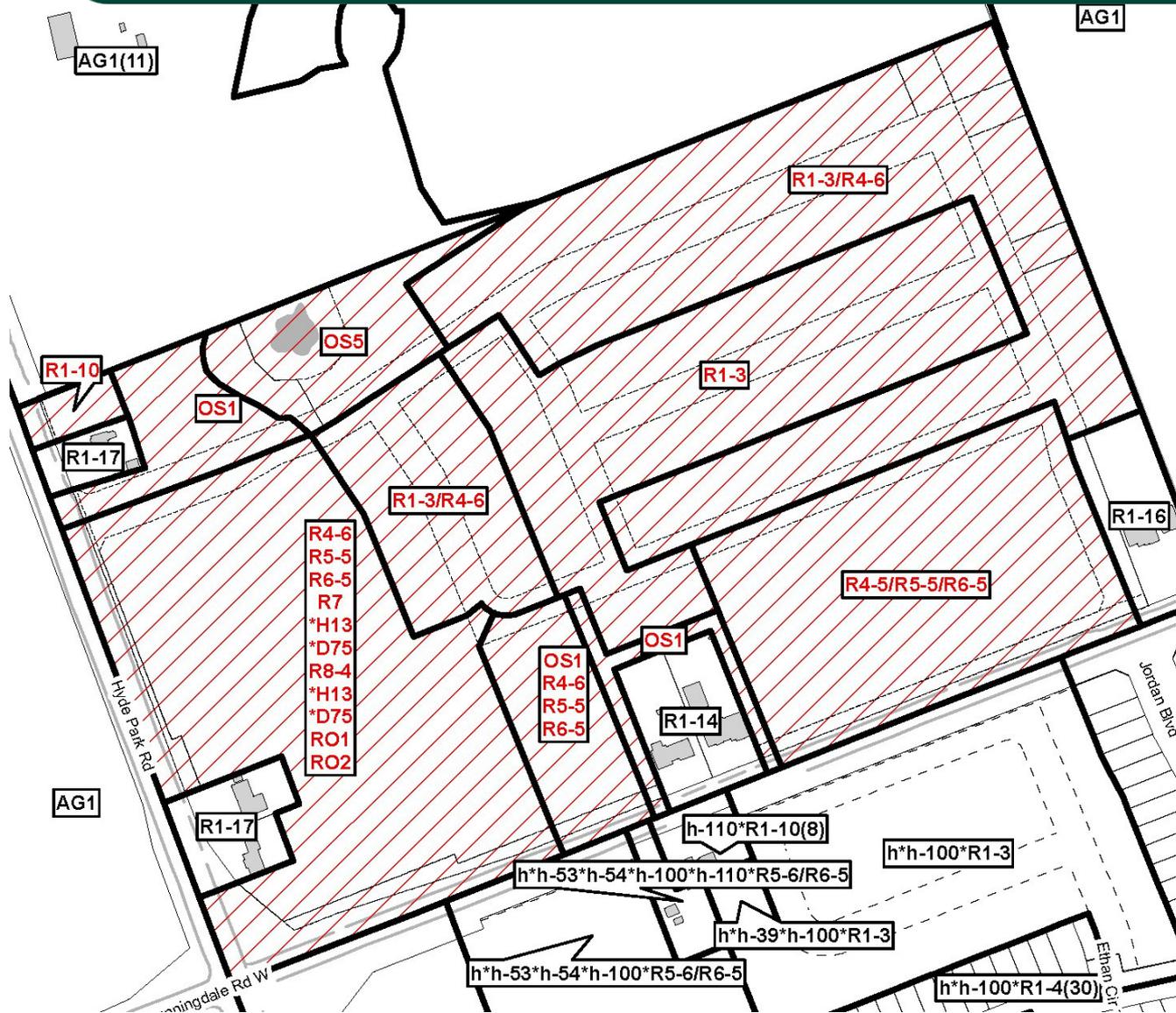


London  
CANADA

# Development Proposal



# Recommended Zoning





# Public Response

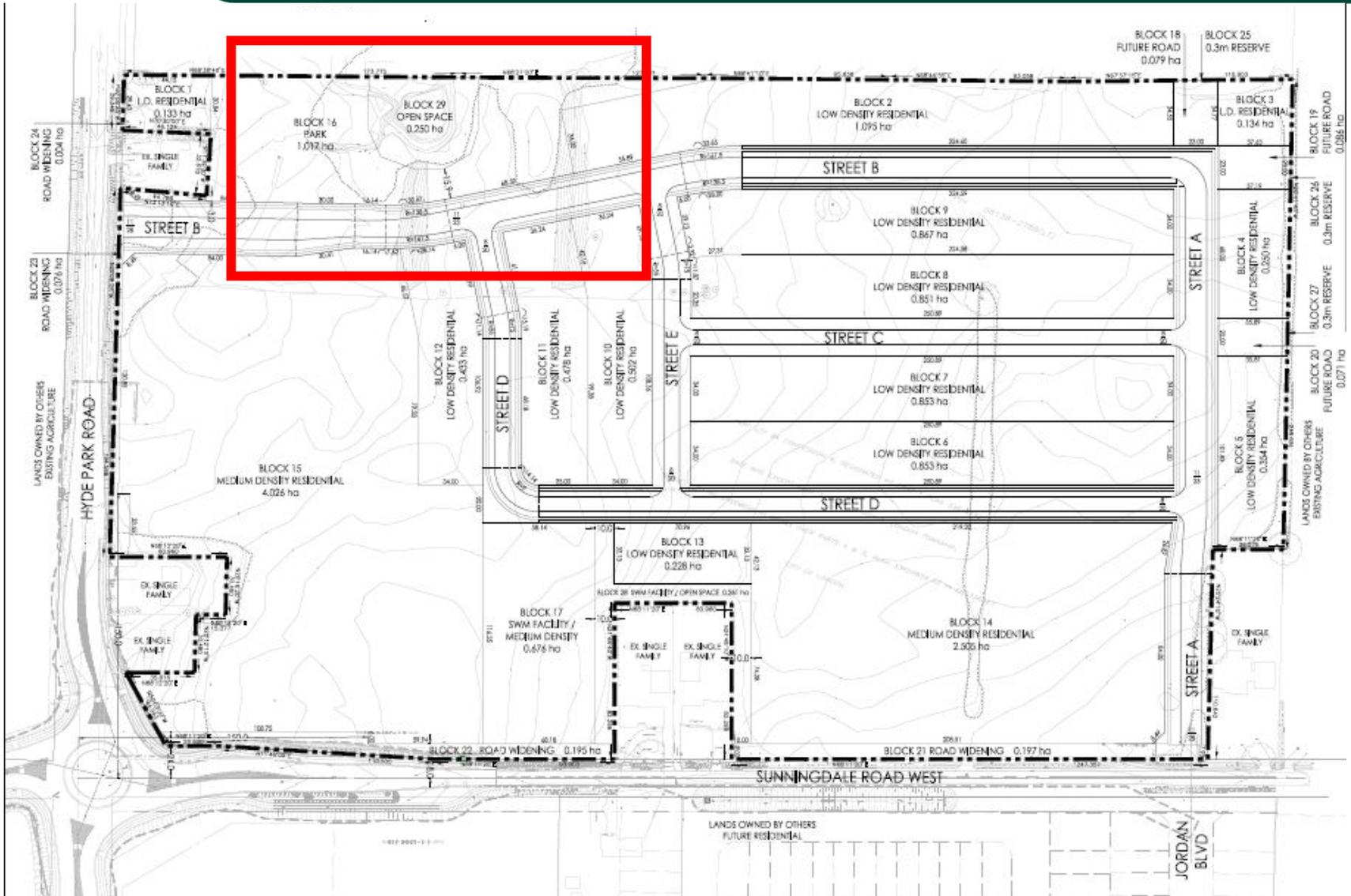
Summary of comments and concerns from the community:

- Access to subdivision, increased traffic and noise levels;
- Grading of development and existing land uses;
- Compatibility of proposed development with existing land uses;
- Alignment of proposed development with *Provincial Policy Statement (PPS)*, *(1989) Official Plan*, and *The London Plan*



London  
CANADA

# Natural Heritage





# Servicing

- The subject lands had not been considered or studied as part of the Development Charge Background Studies
- The City and Applicant have agreed to conditions that will allow for a mix of temporary and permanent servicing solutions for these lands.
- The Applicant will be responsible for all costs related to temporary works



# Recommendation

Further to the Direction of Municipal Council on October 15, 2021, it is on the recommendation of the Director of Planning and Development:

- That the directed Official Plan Amendments and recommended Zoning By-law Amendments be introduced at the Municipal Council meeting on May 3, 2022,
- That Municipal Council be advised of any issues raised at the public meeting with respect to the application for Draft Plan of Subdivision; and,
- That the Approval Authority be advised that Municipal Council supports issuing draft approval of the proposed Draft Plan of Subdivision, subject to the prescribed conditions and redline revisions.



Mark Fisher, Director of Education and Secretary

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April 13, 2022

Dear Members of the Planning and Environment Committee

The Thames Valley District School Board is pleased to share with the Committee that we have a signed Letter of Intent with Auburn Developments for a future school site within the Kent subdivision, located on the south side of Sunningdale Road West in Northwest London. This has been an amicable and friendly process by both Auburn Developments and the Thames Valley District School Board that will provide the fastest path forward for a much-needed elementary school and licensed child care centre in this part of our community. City of London Staff and their support have been essential in reaching this milestone.

TVDSB is supportive of the two applications before you (1284 Sunningdale Road West (Rezoning within Subdivision File No. 39T-04510) as well as 1521 Sunningdale Road West and 2631 Hyde Park Road (Subdivision File No. 39T-21506)). As mentioned, this is the most expeditious path forward for this new school and child care centre in service to the children and families of our community. Schools are critical infrastructure elements that support our city and its citizens. As everyone is aware, the need for a new school in this part of our community is extremely high and growing. Doing all we can to work together as a community in order to support the growth we are experiencing is critical.

Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Pratt", is written over a light blue circular stamp.

Jeff Pratt, CPA, CMA, C.Dir  
Associate Director and Treasurer  
Thames Valley District School Board

## Report to Planning and Environment Committee

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

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

**Subject:** Application by Thames Valley District School Board  
1284 Sunningdale Road West  
Public Participation Meeting

**Date:** April 19, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Thames Valley District School Board relating to lands located at 1284 Sunningdale Road West, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on May 3, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone **TO** a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone.

## Executive Summary

### Summary of Request

The request is for approval of zoning by-law amendment to change the zoning of one block (Block 21) within a draft-approved plan of subdivision (Foxhollow North – Kent Subdivision) from a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone to a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone.

### Purpose and Effect of the Recommended Action

The purpose and effect of this recommended action is to add the Neighbourhood Facility Zone to existing zoning to facilitate the development of an elementary school and day care on the subject lands.

### Rationale of Recommended Action

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

## Linkage to the Corporate Strategic Plan

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

None

### 2.0 Discussion and Considerations

#### 2.1 Property Description

The subject site is situated on the northwest quadrant of the city and included in the Foxhollow Community Plan. The lands are on the northwest corner of Sunningdale Road West and Fair Oaks Boulevard, along the edge of the Urban Growth Boundary. The site consists vacant lands that were previously uses for agricultural purposes.

#### 2.2 Current Planning Information (see more detail appendix C)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Zoning – Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone

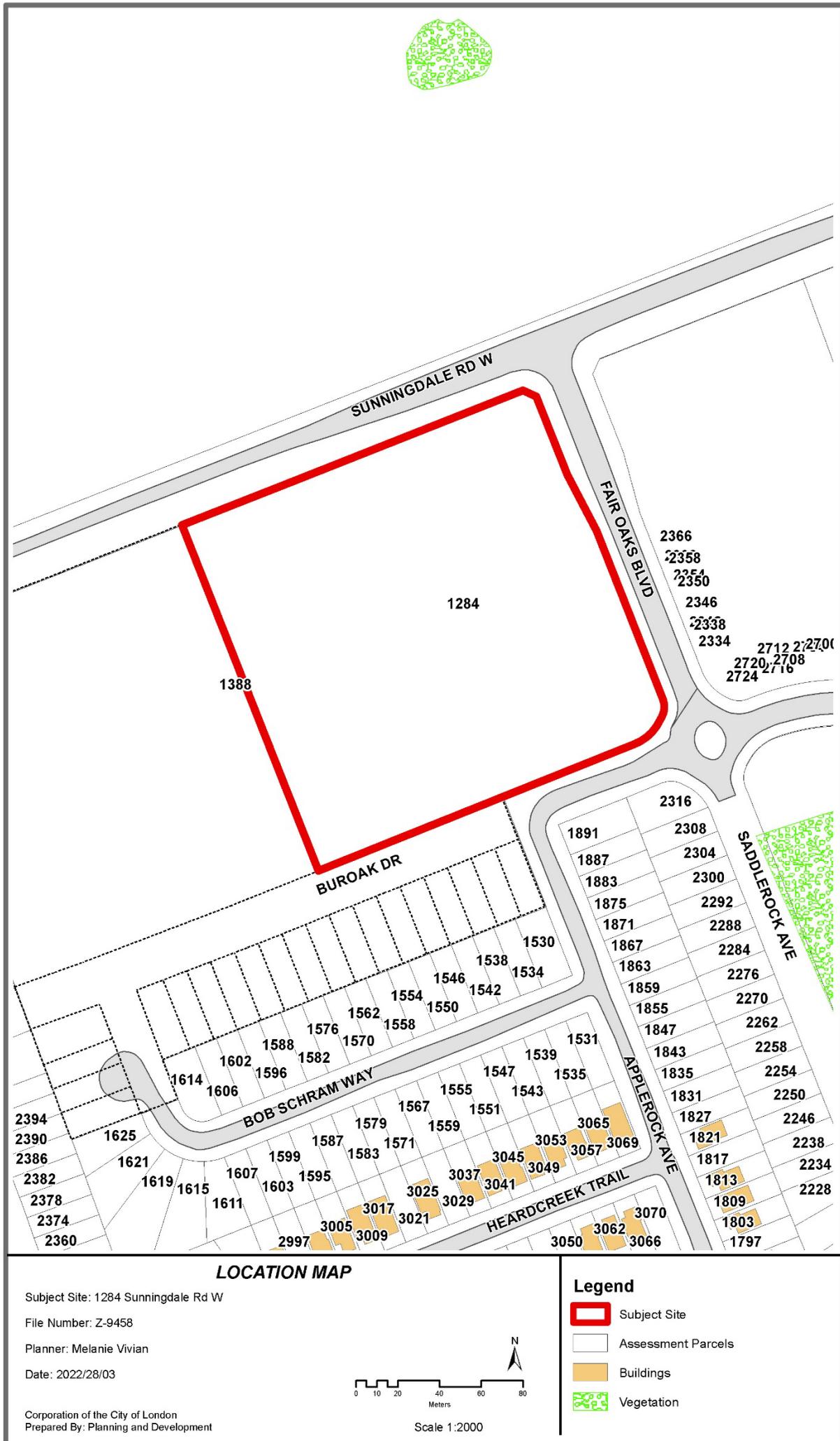
#### 2.3 Site Characteristics

- Current Land Use – vacant
- Frontage – approx. 121 metres (397ft) on Sunningdale Road West, 173 metres (568ft) on Fair Oaks Boulevard and 127 metres (417ft) on Buroak Drive
- Depth – approx. 121 metres (east to west)
- Area – 3.277 hectares (7.794 acres)
- Shape – rectangular

#### 2.4 Surrounding Land Uses

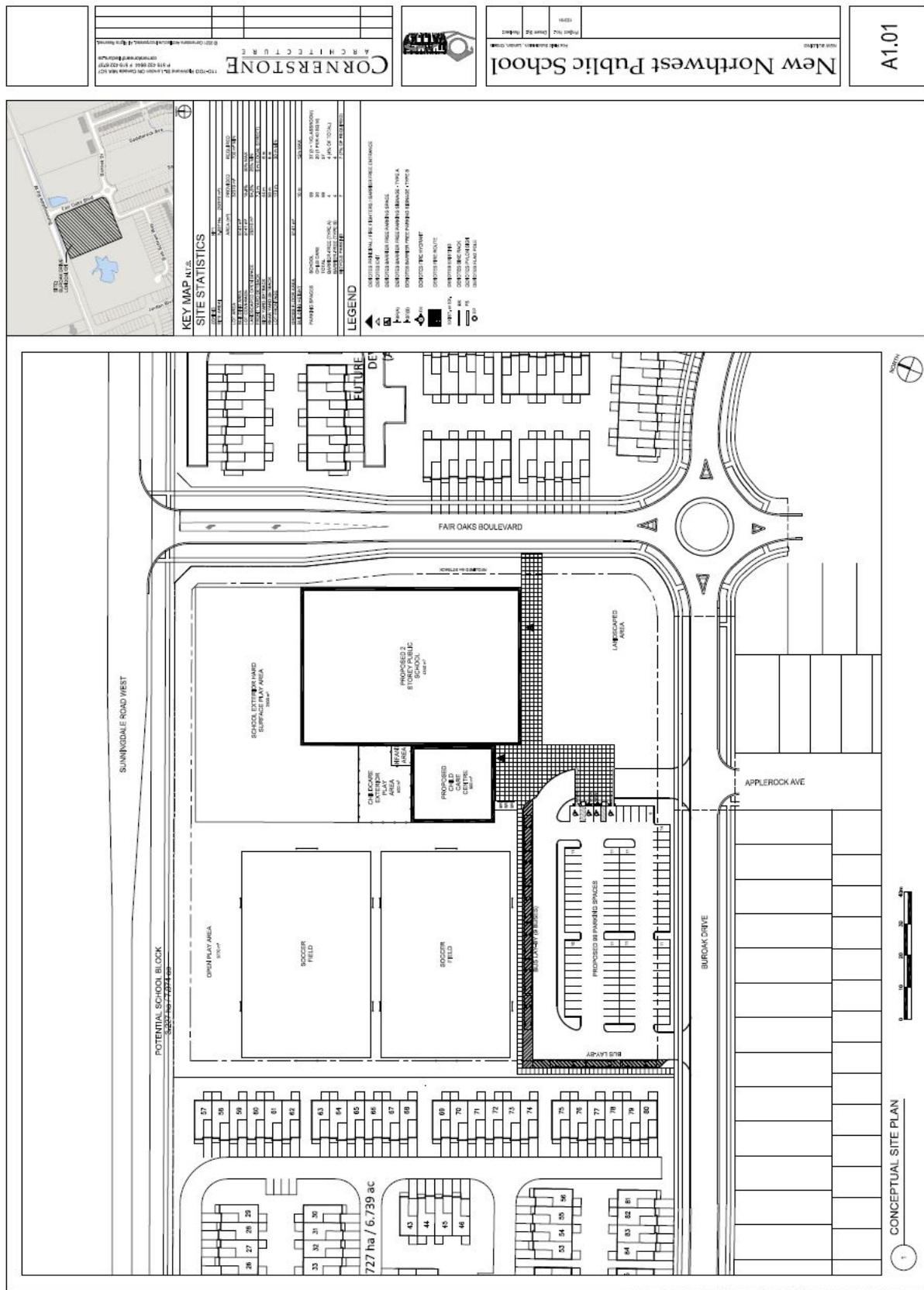
- North – agricultural/farm dwelling
- East – future residential
- South – future residential
- West – future residential

## 2.5 Location Map





## 2.7 Proposed Site Plan



## 2.8 Planning History

The subject lands are located within the Foxhollow Community Planning Area. This Community Planning Area is generally bounded by Sunningdale Road West, Wonderland Road North, Fanshawe Park Road West and Hyde Park Road. The Fox Hollow Community Plan review process was initiated in 1996 to undertake a comprehensive review of land needs and servicing for lands bound by Sunningdale Road West, Hyde Park Road, Fanshawe Park Road East and Wonderland Road. On October 15, 1998, a land use plan was presented to the public as part of the community engagement process. The community plan and associated amendments to the Official Plan were adopted by Council in March 1999.

Council at its meeting on May 25<sup>th</sup>, 2021, provided direction to Staff to assist the TVDSB in the process to find a location for a new elementary school in the northwest, as the existing school that serves this area, Sir Arthur Currie Elementary School, is operating above capacity such that 22 portables are required to accommodate students. In the fall of 2021, Council at its meeting on October 5<sup>th</sup>, 2021, provided direction to Staff to work with the TVDSB to facilitate the necessary zoning by-law amendments to allow for a new elementary school within the Kent Subdivision.

## **2.9 Requested Amendment**

Request to amend the zoning by-law to change the zoning from a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone to a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone. The addition of the Neighbourhood Facility Zone will facilitate the development of an elementary school and day care on the subject lands.

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

No responses were received from the public.

## **2.11 Policy Context (see more detail in Appendix C)**

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

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

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

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and project needs (Sections 1.1.1). To meet public service facilities needs of current and future residents, the policies also direct new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have compact form, mix of uses and densities that allow for efficient use of land, infrastructure and public service facilities (Section 1.1.3) There are also polices that require planning for public service facilities to be coordinated and integrated with land use planning and growth management, and encourage co-location of public service facilities in community hubs to promote cost-effectiveness and facilitate service integration (Sections 1.6.1 and 1.6.5). The development application has been reviewed for consistency with the Provincial Policy Statement.

### **The London Plan**

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting community facilities, such as schools, community centres, places of worship and similar community-oriented facilities. The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types\* is found at Appendix D.

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

These lands are designated Low Density Residential on Schedule ‘A’ of the 1989 Official Plan. Community facilities are permitted in all Residential land use designations, which include churches, day care centres, branch libraries, schools, community centres, public parks and public recreation facilities. This proposal has been reviewed with the applicable policies of the (1989) Official Plan. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

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

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

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These lands are currently zoned Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix D.

## **3.0 Financial Impact/Considerations**

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

## **4.0 Key Issues and Considerations**

### **4.1. Use**

The recommended zoning would permit the development of an elementary school and day care centre on the subject lands. As noted previously, community facilities such as schools and day care centres are permitted in all Residential land use designations in the *1989 Official Plan* and the Neighbourhoods Place Type within The London Plan permits community facilities. The school and day care centre would provide a community use that would serve the residents of the surrounding neighbourhood and will relieve enrollment pressure at Sir Arthur Currie Public School which opened in 2017. Currently, Sir Arthur Currie has an enrollment which is almost double the designed capacity and relies on 22 portables to accommodate students. The proposed school is considered an appropriate use for the subject lands and is planned to integrate into the surrounding neighbourhood context. The future school will also serve to ease existing enrollment pressures in the northwest neighbourhoods of London.

### **4.2. Intensity**

The subject lands are sufficient in size and configuration to accommodate the development of an elementary school and day care centre. Table 11\* of The London Plan provides a minimum of 1 storey and a maximum of 2.5 storeys in the Neighbourhoods Place Type if the subject lands have frontage on Neighbourhood Street or at the intersection of a Neighbourhood Street and a Neighbourhood Connector. The applicant has submitted a proposed site plan to the City that indicates the proposed school will be 2 storey building, with a height of 10 metres, which would not be uncommon to this area. The recommended zoning would permit a building of 2 storeys in height similar to the height standard that is currently permitted, a maximum 12 metres under the NF1 Zone.

### **4.3. Form**

As previously noted, the recommended zoning for the subject lands would permit the development of community facilities in the form of an elementary school and day care centre. A concept has been included in section 2.8 of this report. The concept consists of a 2 storey building with an associated school yard including a sports field and play area. The addition of the Neighbourhood Facility (NF1) Zone requires a minimum lot area of 700 metres squared and a minimum lot frontage of 30 metres. The proposed development exceeds the minimum requirements to satisfy the zoning requirements. The recommended zoning is considered an appropriate form that is generally consistent with the proposed adjacent future residential development.

## Conclusion

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

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

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

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

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

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

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

April 11, 2022  
GB/BP/MJ/mj

Z:\DEVELOPMENT SERVICES\4 - Subdivisions\2022\Z-9458 - 1284 Sunningdale Road West (Mark J)\PECFINAL 1284 Sunningdale Road West - Z-9458.docx

## Appendix A

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

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone lands located at 1284  
Sunningdale Road West.

WHEREAS Thames Valley District School Board has applied to rezone an area of land located at 1284 Sunningdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1284 Sunningdale Road West, as shown on the attached map, from a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone to a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone.

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

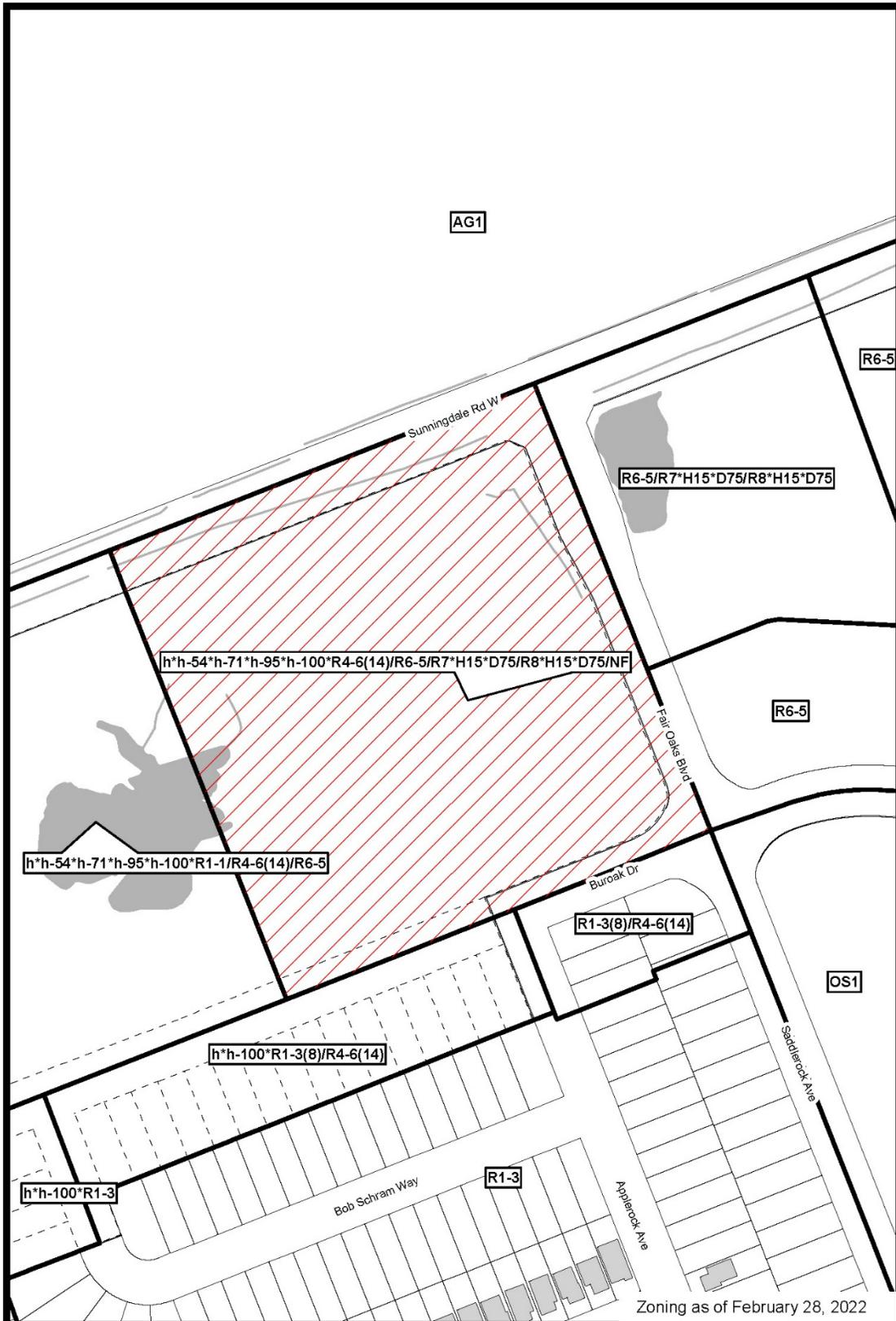
PASSED in Open Council on May 3, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – May 3, 2022  
Second Reading – May 3, 2022  
Third Reading – May 3, 2022

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



Zoning as of February 28, 2022

<p>File Number: Z-9458                  Planner: MJ                  Date Prepared: 2022/03/28                  Technician: rc                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters</p> 
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## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On January 18, 2022, Notice of Application was sent to property owners in the surrounding area, and the relevant internal and external commenting agencies. The Notice of Application was published in the *Public Notices and Bidding Opportunities* section of the *Londoner* on January 20, 2022. Notice for the Public Participation Meeting was first distributed on March 10, 2022, and published in the *Londoner* on March 10, 2022. This meeting opportunity was cancelled, which was advertised to the public in the *Londoner* on March 24, 2022. The updated Notice of Public Participation Meeting was distributed to property owners in the surrounding area and the relevant commenting agencies on March 31, 2022, and published in the *Londoner* on March 31, 2022.

**Responses:** No responses from the public were received.

**Nature of Liaison:** To consider a proposed zoning by-law amendment to facilitate the development of an elementary school and day care on the subject lands. Consideration of an amendment to the Zoning By-law Z.1 to change the zoning FROM a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone TO a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone to permit street townhouse dwellings, single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment buildings, fourplex dwelling, apartment buildings, senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, emergency care establishments, lodging house class 2, stacked townhousing up to a maximum density of 75 units per hectare and maximum height of 15 metres, and permitted uses within the NF1 zone variation that include places of worship, elementary schools, day care centres, community centres, libraries, private schools, fire stations, private club, and police station

**Responses:** No responses from the public were received.

### External Agency Comments

Upper Thames River Conservation Authority – January 20, 2022

Good Afternoon Mark.

Please be advised that this portion of 1284 Sunningdale Road West is not regulated by the UTRCA.

Yours truly,  
Christine

**UPPER THAMES RIVER**  
CONSERVATION AUTHORITY

*Christine Creighton*

Land Use Planner  
1424 Clarke Road London, Ontario, N5V 5B9  
519.451.2800 Ext. 293 | Fax: 519.451.1188  
[creightonc@thamesriver.on.ca](mailto:creightonc@thamesriver.on.ca) | [www.thamesriver.on.ca](http://www.thamesriver.on.ca)

All UTRCA offices and buildings are closed to the public to help protect them and our staff from COVID-19. I am working remotely and am monitoring voicemail and email messages. Thank you for your patience.

## **Internal Division Comments**

1. Parks Planning and Design – January 20, 2022
2. Urban Design – February 17, 2022
3. Heritage – February 17, 2022
4. Ecology – March 2, 2022
5. Environment and Infrastructure – March 4, 2022



## **Memo**

**To:** Development Services  
Mark Johnson

**From:** Craig Smith  
Parks Planning and Design

**RE:** ZBA Z-9458 1284 Sunningdale Road West

**Date:** January 20, 2022

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

- Parkland dedication has been provided through draft plan approval 39T-04510. No parkland dedication is required.

Hi Mark,

See below UD comments for **1284 Sunningdale Road West**.

#### General Comments

- There are no UD comments for the proposed zoning amendment to NF1 to allow an elementary school and day care.
- At this stage for the concept plan, consider positioning of the school to the southeast corner of the site towards the traffic circle. Narrow the surface parking northwards to reposition the soccer fields north into the open play area thus allowing for both hard and soft surface play area north of the school. This eliminates the need for the landscape area while preventing an open space near the traffic circle for children safety.
- The UDPRP and Brief are being deferred to the Site Plan stage and should be submitted before the Site Plan app. If the applicant wishes to go to the panel through the rezoning process, we would encourage that.
  - This application is to be reviewed by the Urban Design Peer Review Panel (UDPRP), and as such, an Urban Design Brief will be required. Details on the criteria for submission requirements can be found on the City of London's Urban Design Peer Review Panel web page. UDPRP meetings take place on the third Wednesday of every month and the Urban Design Brief is to be submitted to Development Services by the first Wednesday of the month. Contact Wyatt Rotteau by phone at 519.661.2500 x7545 or email at [wrotteau@london.ca](mailto:wrotteau@london.ca) in order to be scheduled for a review.
  - The applicant is to submit a completed "Urban Design Peer Review Panel Comments – Applicant Response" form that will be forwarded following the UDPRP meeting. This completed form will be required to be submitted as part of a complete application

#### Site Plan Application

A detailed review of the site plan and elevations will be provided through the Site Plan application. The following comments may be addressed at the Site Plan stage.

- 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.
- Continue the pedestrian walkway to the public sidewalk along the east drive aisle to provide a better and safe connection to Buroak Drive.
- Provide pedestrian circulation paths through the surface parking with a delineated crossing to the entrances.
- Provide visible signage on the school fronting Sunningdale Rd W as well as the southeast corner towards the traffic circle.
- Provide low lying landscape screening along the pedestrian walkways abutting the landscape area to delineate the space for further safety.
- Provide full elevations with materials and dimensions labelled. Further urban design comments may be provided after receipt of these elevations.

Many thanks,



**Yuri G. Langlois, MSc Urban Design, BES**  
Urban Designer  
Community Planning, Urban Design & Heritage  
Planning & Development  
City of London

206 Dundas Street, London ON, N6A 1G7  
P: 519.661.CITY (2489) X 1816  
[ylangloi@london.ca](mailto:ylangloi@london.ca) | [www.london.ca](http://www.london.ca)

As part of our ongoing efforts to stop the spread of COVID-19, the City of London has made changes to many City services. Visit our [website for the latest information about City services and COVID-19](#)

Good Afternoon Mark,

**Z-9458 – 1284 Sunningdale Road West**  
elementary school and day care

This e-mail is to confirm that there are currently no heritage planning or archaeological issues related to this property and associated application. Archaeological issues previously associated with this property can be considered addressed.

Best,  
Laura



**Laura E. Dent, M.Arch, PhD, MCIP, RPP**  
Heritage Planner  
Community Planning, Urban Design and Heritage  
Planning & Development  
City of London

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P: 519.661.CITY (2489) x 0267 | Fax: 519.661.5397  
[ldent@london.ca](mailto:ldent@london.ca) | [www.london.ca](http://www.london.ca)

*As part of our ongoing efforts to stop the spread of COVID-19, the City of London has made changes to many City services. Visit our [website for the latest information about City services and COVID-19](#).*

Hi Mark,

**Notice of Application for ZBA (Z-9458) – 1284 Sunningdale Road West**

This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

Regards,



**Shane Butnari**  
Ecologist  
Long Range Planning, Research & Ecology  
Planning & Development  
City of London

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As part of our ongoing efforts to stop the spread of COVID-19, the City of London has made changes to many City services. Visit [our website](#) for the latest information about City services and COVID-19.



## MEMO

**DATE:** March 4<sup>th</sup>, 2022                      **FILE:** Z-9456

**TO:** Mark Johnson  
Planning & Development

**FROM:** Development Engineering

**RE:** OFFICIAL PLAN/ZONING BY-LAW AMENDMENT  
1284 Sunningdale Road W

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

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

**Stormwater:**

- The proposed land use of Institutional will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per attached accepted drawings T045410-25,26 &27, the site at C-0.65 is tributary to the existing 675mm storm stub off of Fair Oaks Boulevard. The applicant should be aware that any peak flow beyond the allocated 2-year pre-development AxC discharge from this site will have to be accommodated on-site through SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, alternative infiltration devices, etc.
- The number of proposed parking spaces exceed 29 and although the site is tributary to a stormwater management facility, City of London SWMF's are not designed to accommodate/treat oils. 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. Bearing in mind the City of London does not support Goss Traps/Catchbasin Hoods as standalone solutions to address water quality and should only be utilized as part of a Treatment Train Design.

**General comments for sites within Medway Creek Subwatershed**

- The subject lands are located in the Medway Creek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Medway Creek Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.

- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site, ensuring that stormwater flows are self-contained and that grading can safely convey up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

#### **Transportation**

- Fully dimension access as per City Access Management Guidelines (AMG) including 6.0 radII, 6.7m width and 8.0m clear throat from property line;
- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines.

#### **Water**

- A water servicing report will be required addressing domestic water demands, fire flows and water quality.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- Further comments to be provided during site plan application.

## Appendix C – Policy Context

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

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

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

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

The PPS contains policy direction regarding the importance of promoting efficient development and land use patterns and ensuring that necessary infrastructure and public service facilities are or will be available to meet current and project needs (Section 1.1.1 (g)).

To meet public service facilities needs of current and future residents, the PPS directs new development taking place in designated growth areas to occur adjacent to the existing built-up area and should have compact form, mix of uses and densities that allow for efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). There is also policy direction that requires that infrastructure and public service facilities which are planned or available to be suitable for development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment (1.1.3.8).

There are also policies that require planning for public service facilities to be coordinated and integrated with land use planning and growth management, and encourage co-location of public service facilities in community hubs to promote cost-effectiveness and facilitate service integration (Sections 1.6.1 and 1.6.5).

The subject lands consist of a vacant site that is designated for residential uses, including the provision of community facilities, such as schools and day care centres. It represents development taking place within the City's urban growth area and is within an area for which a Community Plan has been prepared to guide future development. The proposal is located within a growing area of the city and will meet the current and future needs of the residents within the community. It will utilize full municipal services which are available to the site, and can be accessed by residents using the street network within the subdivision and also is in close proximity to a high order street. Future expansion of London Transit to the surrounding would provide an additional transportation method to serve students and parents attending the school as the community continues to build out. Based on our review, the proposed zoning by-law amendment is found to be consistent with the Provincial Policy Statement.

### **The London Plan**

*The London Plan* is the new Official Plan for the City of London (Council adopted and approved by the Ministry with modifications, and the majority of which is in force and effect. *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170700) and policies that are not in force and effect are indicated with an asterisk (\*). Policies under appeal are included in this report for informational purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

*The London Plan* includes criteria for evaluation plans of subdivision through policy 1688\* and required consideration of the following sections:

- Our Strategy
- Our City

- City Building policies
- Applicable Place Type policies
- Our Tools

### Our Strategy

This section of *The London Plan* outlines the values and vision that will guide our planning process to create an exciting, exceptional, and connected city. The Key Directions contained in this section outline the planning strategies that will help to achieve the vision. Applicable Key Directions include:

Direction #1 is to *Plan strategically for a prosperous city* (55). The proposed development provides will enhance the existing neighbourhood and recreational opportunities for residents.

Direction #3 is to *Celebrate and support London as a culturally rich, creative, and diverse city* (57). The school and day care centre will be public facilities that provide educational learning and programming opportunities that will be available to residents within the neighbourhood.

Direction #4 is to *Become one of the greenest cities in Canada* (58). The proposed development will provide additional parks resources for the neighbourhood and support active forms of mobility.

Direction #6 is to Place a new emphasis on creating attractive mobility choices (60). The community facility will serve the residents of the surrounding neighbourhood and encourage active mobility choices such as walking and cycling.

Direction #7 is to *Build strong, healthy and attractive neighbourhoods for everyone* (61). The community facility will provide a social gathering place for residents and assist in creating a complete and healthy neighbourhood.

Direction #8 is to *Make wise planning decisions* (62). The proposed development has been assessed for conformity with Provincial and Municipal planning policies, and is a good fit with the existing context of the neighbourhood.

### Our City

The policies contained in this section of *The London Plan* are designed to plan for the population and economic growth the City will experience over the next twenty (20) years. Growth and development will be in a compact form and directed to strategic locations. The required infrastructure and services to support growth will be planned in a way that is sustainable from a financial, environmental, and social perspective (65).

Planning for public facilities will be in conformity with the *City Structure Plan* (70). The proposed development has been reviewed in the context of the *City Structure Plan* and is found to be in conformity.

The adequate supply of municipal infrastructure services is required before proceeding with any development, and planning and development approval will be discouraged where planned servicing capacity is not expected to become available within a five-year time frame (172 and 173). Municipal water, stormwater, sanitary servicing, and transportation infrastructure are available for the lands and within a five-year time frame.

### City Building Policies

This section of *The London Plan* provides platform for growth that supports the *Plan's* vision and priorities, and sets out policies for the shape, character, and form of the City over the next twenty (20) years.

The City Building Policies contain several policies that provide direction for the development of public spaces and facilities within the city. The policies set out that public spaces will be designed to support the vision of the place type by providing places to meet and gather, and create connections (242). Public facilities, parks, trails, seating areas, play equipment, open spaces and recreational facilities should be integrated into neighbourhoods to allow for healthy and active lifestyles (243). Public spaces should be designed and located to help establish the character and sense of place of the surrounding area, to support the active mobility network, and have a wide exposure to public streets, this will contribute to the visibility, safety, and connectivity of these spaces (244, 246, 247). The proposed school and associated school yard, including a sports field and play area, will provide a social gathering place for residents, support the development of a healthy, active community, help create character and sense of place as the community continues to build out, and is to be bounded by three public streets to provide a wide exposure to the adjacent street network.

### Neighbourhoods Place Type

The subject lands are within the “Neighbourhoods” Place Type permitting community facilities, such as schools, community centres, places of worship and similar community-oriented facilities. A minimum height of two (2) storeys and maximum of three (3) storeys is permitted at the intersection of a Neighbourhood Connector and a Civic Boulevards (Table 11\*).

The vision for the Neighbourhood Place Type is to ensure that neighbourhoods are vibrant and exciting places that contribute to community well-being and quality of life. This vision is supported by key elements, some of which include: strong neighbourhood character; attractive streetscapes; well-connected neighbourhoods; alternatives for mobility; access to services within walking distance; and, parks and recreational opportunities. The proposal is generally in keeping with the vision for the Neighbourhood Place Type and its key elements. It contributes to the neighbourhood character, sense of place and identity, encourages active mobility choices, and a contributes to a complete, healthy community. The provision of the associated school yard including a sports field and play area provides for recreational opportunities for residents within the neighbourhood.

### Our Tools

Section 34 of the *Planning Act* permits councils of local municipalities to pass zoning by-laws, and also provides for the amendment of these by-laws under Section 34(10). Policy 1637 of *The London Plan* reflects these policies and states that

*City Council may also consider applications for amendments to the Zoning By-law from a person or public body, consistent with the provisions of the Planning Act.*

The *Planning Act* provisions, and prescribed information are required under Section 34(10.1) and outlined in Schedule 1 of Ontario Regulation 545/06. The prescribed information required under the *Act* was submitted with the application and is consistent with the provisions.

Based on Staff’s review of *The London Plan* policies, the requested amendment is found to be in keeping and in conformity with the Place Type, City Building and Design, and Our Tool policies.

### **1989 Official Plan**

These lands are designated Low Density Residential, as shown on Schedule ‘A’ of the 1989 Official Plan. Community facilities are permitted in all Residential land use designations, which include churches, day care centres, branch libraries, schools, community centres, public parks and public recreation facilities. The recommended zoning to permit single detached dwellings is consistent with and conforms to the 1989 Official Plan.

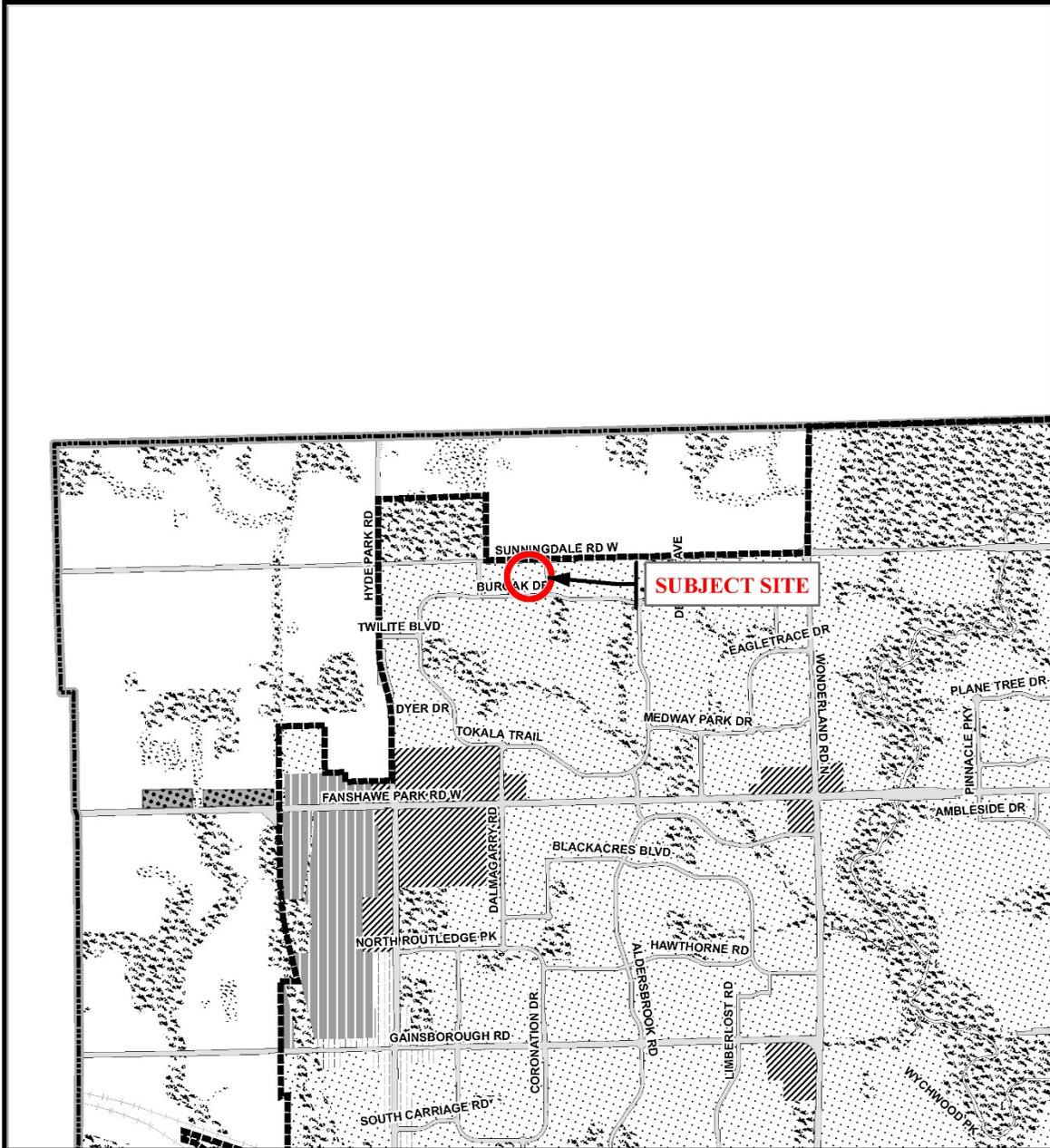
## **Zoning By-law**

The following provides a synopsis of the recommended zoning, permitted uses, regulations, and holding provisions to be applied to the subject lands. Reference should be made to the zoning amendment map found in Appendix A of this report.

It is recommended that the zoning be amended from a Holding Residential R4/R6/R7/R8 (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75) Zone to a Holding Residential R4/R6/R7/R8, Neighbourhood Facility (h•h-54•h-71•h-95•h-100•R4-6(14)/R6-5/R-7•H15•D75•R-8•H15•D75•NF1) Zone. The addition of the Neighbourhood Facility Zone will facilitate the development of an elementary school and day care on the subject lands. The Neighbourhood Facility (NF1) Zone requires a minimum lot area of 700 metres squared and a minimum lot frontage of 30 metres. The subject lands are 3.28 hectares (32,800 metres squared), and have a lot frontage of 173 metres, which exceeds the minimum requirements to satisfy the zoning requirements. The recommended zoning is considered appropriate and compatible with the residential development in the surrounding neighbourhood.

# Appendix D – Relevant Background

## The London Plan Map Excerpt



### Legend

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

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

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

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



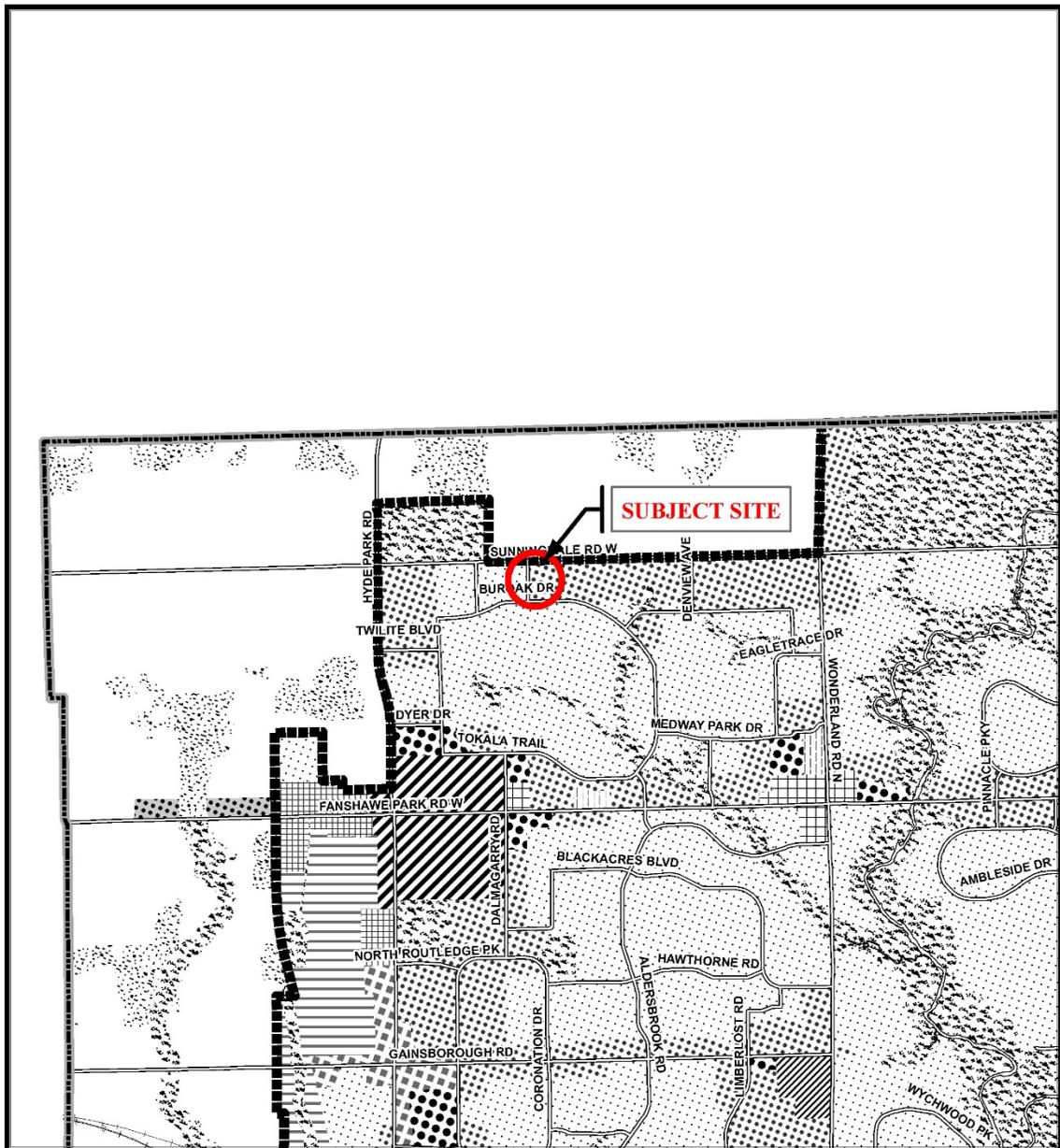
File Number: Z-9458

Planner: MJ

Technician: RC

Date: March 28, 2022

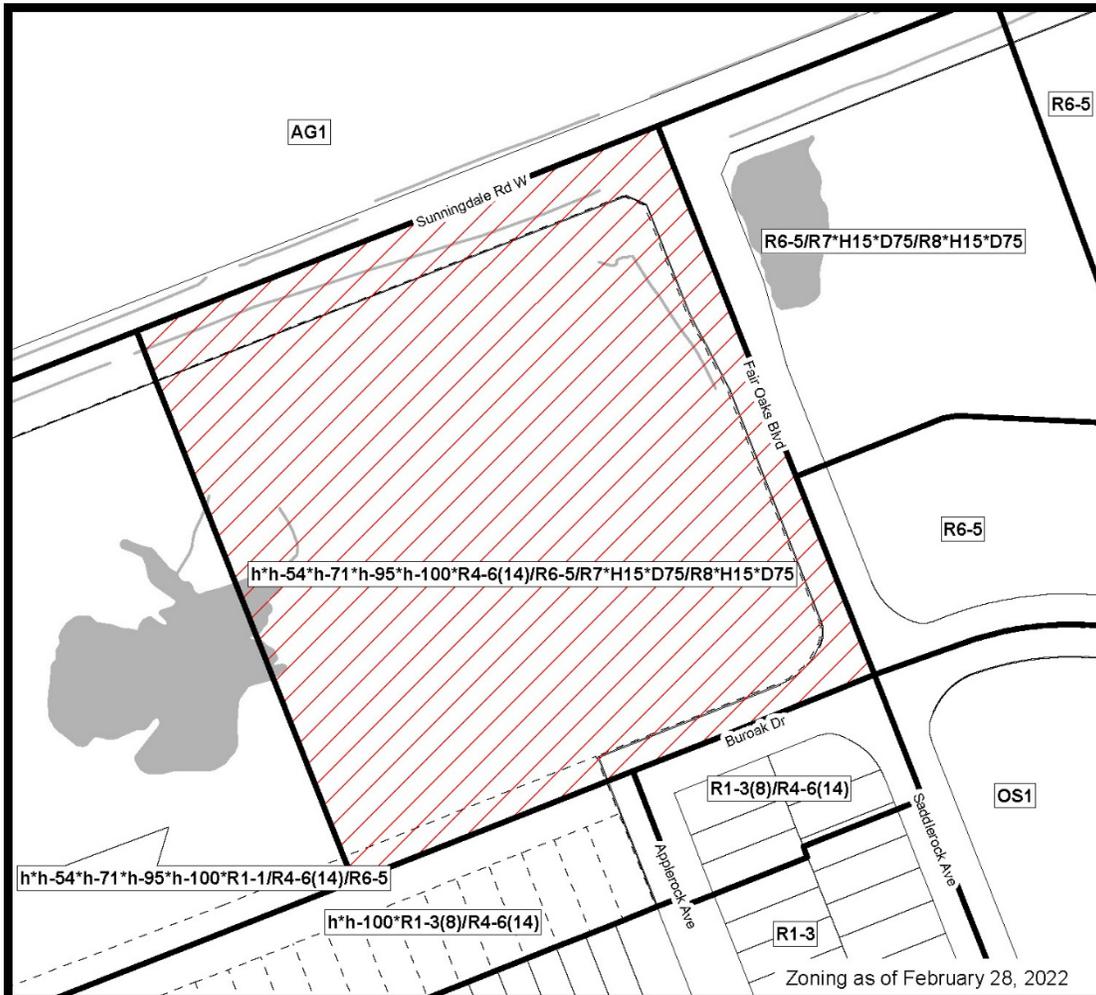
# Official Plan Map Excerpt



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	

<p><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 100 200 300 400 500 600 700 800 900 1,000 Meters</p>	<p>FILE NUMBER: Z-9458</p> <p>PLANNER: MJ</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/03/28</p>
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# Zoning By-law Map Excerpt



Zoning as of February 28, 2022



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

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:  
Z-9458 MJ

MAP PREPARED:  
2022/03/28 rc

1:2,000  
0 10 20 40 60 80 Meters

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



Mark Fisher, Director of Education and Secretary

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April 13, 2022

Dear Members of the Planning and Environment Committee

The Thames Valley District School Board is pleased to share with the Committee that we have a signed Letter of Intent with Auburn Developments for a future school site within the Kent subdivision, located on the south side of Sunningdale Road West in Northwest London. This has been an amicable and friendly process by both Auburn Developments and the Thames Valley District School Board that will provide the fastest path forward for a much-needed elementary school and licensed child care centre in this part of our community. City of London Staff and their support have been essential in reaching this milestone.

TVDSB is supportive of the two applications before you (1284 Sunningdale Road West (Rezoning within Subdivision File No. 39T-04510) as well as 1521 Sunningdale Road West and 2631 Hyde Park Road (Subdivision File No. 39T-21506)). As mentioned, this is the most expeditious path forward for this new school and child care centre in service to the children and families of our community. Schools are critical infrastructure elements that support our city and its citizens. As everyone is aware, the need for a new school in this part of our community is extremely high and growing. Doing all we can to work together as a community in order to support the growth we are experiencing is critical.

Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Pratt", is written over a light blue circular background.

Jeff Pratt, CPA, CMA, C.Dir  
Associate Director and Treasurer  
Thames Valley District School Board

## 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:** Urban Agriculture Steering Committee  
2021 Annual Report  
**Meeting on:** April 19, 2022

## Recommendation

That, on the recommendation of the Director of Planning and Development, the following report regarding the status of the implementation of the Urban Agriculture Strategy from the Urban Agriculture Steering Committee **BE RECEIVED** for information.

## Executive Summary

In November 2017 Council adopted the Urban Agriculture Strategy. The Strategy is largely driven by the urban agriculture community, who is represented by the Urban Agriculture Steering Committee, with some City and Agency assistance and guidance. The 2019 Annual Report was received by PEC in March 2020.

This report provides an update on the implementation of the Urban Agriculture Strategy for 2020 and 2021.

## Background

### The Urban Agriculture Strategy

On November 14, 2017 Municipal Council endorsed London's Urban Agriculture Strategy. The strategy was developed over the course of 2016 and 2017 through significant urban agriculture community and City effort. At the November 14, 2017 meeting of council, Council resolved:

*That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Urban Agriculture Strategy:*

- a) *the attached revised Urban Agriculture Strategy, consistent with the Food System policies of The London Plan, **BE ADOPTED** in order to guide and support the development of urban agriculture within the City of London as part of London's food system; it being noted that reference to the provision for backyard hens was deleted from the Strategy;*
- b) *the Terms of Reference for an Urban Agriculture Steering Committee appended to the staff report dated November 6, 2017 **BE ENDORSED**; and,*
- c) *the Managing Director, Planning and City Planner **BE DIRECTED** to implement the Urban Agriculture Steering Committee;*

*it being noted that the initiatives in this Strategy that are the responsibility of the City can be accommodated within existing budgets and any new initiatives may be considered in future multi-year budget cycles; and,*

*it being further noted that the Planning and Environment Committee reviewed and received a communication dated November 2, 2017, from M. Woods, Chief Operating Officer, Western Fair District, with respect to this matter.*

The **Goals of the Strategy** are to:

- *Develop a strategy to direct urban agriculture efforts in the City of London;*
- *Address all aspects of urban agriculture within the city and present policy and regulation amendments where necessary;*
- *Determine the roles and responsibilities of the City and community in the implementation of the strategy;*
- *Address gaps that may exist in providing for urban agriculture; and,*
- *Outline criteria for pilot site selection and/or urban agriculture projects*



### **The Urban Agricultural Community Role**

The Urban Agriculture Strategy identified the roles of the City and the Urban Agriculture Community in the implementation of the Strategy. The City's primary role was to support the initiatives and, where required, address municipal policy and regulation roadblocks to implement the strategy.

The Urban Agriculture Steering Committee was tasked with guiding and monitoring the implementation of the City of London's Urban Agriculture Strategy.

The Urban Agriculture Steering Committee was also tasked with providing on-going coordination and direction of City, agency and community efforts. The approach taken establishes a steering committee to provide leadership, monitor implementation and report to Council on progress over the life of the Strategy. The committee is comprised of community members, including representation from Council's advisory committees

which involve agriculture, and maintains connections with the groups in London active in urban agriculture and the Urban Agriculture Strategy's development.

The first meeting of the Urban Agriculture Steering Committee was held March 9, 2018 and there have been fourteen (14) meetings since then. COVID impacts reduced the number of meetings held in 2020 and 2021. The meetings are open to the public to allow for community attendance and input. Committee members are requested to disseminate and share the results of committee meeting with their respective community groups and organizations. Membership on the Committee has changed over the years as members left and new members came, largely due to personal shifting priorities.

The Urban Agriculture Strategy was adopted by Council in November 2017 and this will be the second in a series of Bi-Annual Reports for Council. The report provides an update of what has happened since 2019. Appendix 1 is the report from the Urban Agriculture Community. Appendix 2, attached to this report, provides a detailed update on each of the Strategies Actions with respect to the urban agriculture community progress, City/Agency progress, identified roadblocks to review, progress evaluation measures and the next steps/to do list.

### **The City Role**

The Urban Agriculture Strategy is an urban agriculture community driven process, led by growers, processors and distributors in the industry and those with an interest in urban agriculture. The role of City staff is to:

- Co-ordinate agendas for the Steering Committee and provide technical support for the Committee;
- Attend Steering Committee meetings to answer questions and provide advice as requested; and,
- Review City Policies, Zoning By-laws and processes to support urban agriculture. Changes may include making it easier to sell fresh food to the general public, allow more "pop-up markets", allow urban farms etc. and generally implement the Urban Agriculture action items.

City staff include representatives from Long Range Planning and Research; Neighbourhood, Children and Fire Services; Parks and Recreation; and, Solid Waste Management from Environmental and Engineering Services. Building, By-law Enforcement and Zoning also provide information, as well as other City staff, through City Planning to the Committee.

The London and Middlesex District Health Unit also provides a staff resource person to the Committee. One Planning and Development staff member, plus the MLHU staff member from UASC, also sits on the Middlesex-London Food Policy Council to better co-ordinate consideration and discussion of issues related to urban agriculture.

The City of London Strategic Plan for 2019-2023 includes "*to promote and invest in urban agriculture initiatives*". These actions by City staff to support implementation of the Urban Agriculture Strategy are consistent with the Strategic Plan.

### **City Projects Completed in 2020 and 2021**

The Urban Agriculture Strategy identifies a series of actions to implement the strategy and assigns a lead group for each action. Below is a summary of actions where the City was identified as the lead group. Other action items are led by the Urban Agriculture Community, a partnership between the urban agriculture community and the City and those where the City enables the urban agriculture community.

With regard to the City led projects;

1. Completed 2019 Urban Agriculture Strategy Annual Report (PEC-April 27, 2020)
2. Completed City-wide review to change the definition of Household Sales in Zoning By-law Z-1 to allow produce grown on site to be sold as part of a "garage sale" up to 20 times a year. (PEC-July 22, 2020).

3. City Food Security Team formed in April 2021 to co-ordinate various City departments to improve residents access to fresh food.
4. Completed comprehensive review (OZ-9332/Encouraging the Growing of Food in Urban Areas) of London Plan policies, Zoning By-law Z-1 regulations and the site plan review process to allow the growing of food more widely in more areas, on rooftops, in greenhouses and in shipping containers. (PEC-November 22, 2021)
5. City processed private application at 512 McCormick Boulevard to allow food to be grown in multiple shipping containers (Z-9374-PEC- November 1, 2021).

### **City Pending Projects**

The following are projects are to be completed in 2022 and early 2023.

1. In response to changes by the Province as a result of COVID, review of Zoning By-law Z-1 to allow more flexibility in the processing and preparation of food as a home occupation.
2. Review of Parks Definition in Zoning By-law Z-1 to allow a broader range of activities in City parks, including possibly agricultural growing and sales, regulated by the Parks and Recreation By-law (Z-9469/City of London)

## **Urban Agriculture Strategy Implementation Progress and Results**

The Urban Agriculture Steering Committee and the urban agriculture community has reviewed the Strategy and provides the following update on the progress made in 2020-2021 implementing the Strategy on action items they are involved in;

The Urban Agriculture Communities report is contained in Appendix 1.

## **Conclusion**

In November 2017 Council adopted the Urban Agriculture Strategy. The Strategy is largely driven by the urban agriculture community with some City assistance and guidance. Since that time implementation of the Strategy has progressed with Urban Agriculture Steering Committee direction.

This report provides an update on the implementation of the Urban Agriculture Strategy. It includes a status report on the implementation of the action items by the various groups involved in Urban Agriculture.

The Urban Agriculture Steering Committee has provided input for the report and updated Appendix 2 and the Committee members have indicated their concurrence with the staff recommendation.

**Prepared by;**                    **W.J. Charles Parker, M.A.,**  
**Senior Planner, Long Range Planning and**  
**Research**

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

**Recommended by:**        **Gregg Barrett, AICP**  
**Director, City Planning and City Planner**

**Submitted by:**              **Scott Mathers**  
**Deputy City Manager, Planning and Economic Development**

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

March 24, 2022

Y:\Shared\policy\Urban Agriculture (Inside UGB)\Steering Committee\Annual Reports\2021 Annual Report-PEC April 19 2022 combined.docx

## Appendix 6 – Urban Agriculture Steering Committee Report

### Complete Updates from Each UASC Member for 2020-2021

#### Urban Roots London

##### **1. What was done from 2020-2021**

We worked in collaboration with another organization to set up a tiny farm. Started a small orchard on this site. We grew 16,000lbs of fresh produce in 2021 all donated to community organizations and distributed to people. We hired 11 workers at a living wage for 2021. We expanded the community composting program at Norlan. Norlan expansion of 2 more field blocks to grow more food. We used season extension caterpillar tunnels.

We helped support a community pop up market for several weeks to eliminate barriers to accessing markets. It was held in the Hamilton Road community.

##### **2. What is currently in progress**

More field blocks in rotation at Norlan farm site, looking at erecting high tunnels on site and also getting water and hydro on farm site. At our Siloam site we are planting pollinator habitat native plants along with more fruit bushes/shrubs and trees. We are in talks to hold 4 community pop up fresh food markets in various communities supported by organizations already in those communities as to remove any barriers to accessing affordable healthy veggies.

##### **3. What this group wants to complete in 2022.**

We are looking at site specific invasive species management

Increasing food production and diversifying the fruit on site.

Supporting affordable markets in the community

Community building

Infrastructure at Norlan site

Creating Pollinator habitat

Wetland restoration and enhancement at Norlan site with UTRCA

#### Middlesex London Food Policy Council

##### **1. What was done from 2020-2021**

With a primary mandate of facilitating collaboration and discussion among all sectors of the food system within London and Middlesex County, MLFPC began in 2020 by formalizing its relationship with Western Fair District and The Grove, a collaboration to support The Grove's growth and MLFPC's community connections. Like everyone else, MLFPC's focus changed to building virtual connections once the Covid-19 pandemic hit.

##### **Community Gardens**

MLFPC worked with Sustain Ontario to have community gardens deemed essential services in April 2020, as they initially were not included in the provincial government's list. Gardens were able to open under public health guidelines for the summer of 2020 and 2021, providing much needed sources of fresh food amid concerns about the supply system.

Support for local food producers.

Particularly during the summer of 2020, support for local food producers, suppliers and distributors looked like: sharing information from official and trusted sources (i.e. MLPHU), reducing uncertainty among the community, and building healthy long-term relationships between local food producers and consumers. MLFPC connected with local market operators and agri-food producers to share guidelines and best practices on safety and social distancing and promote the benefits of buying from local producers including farmer's markets, farmgate sales, and U-pick operations. A [local agri-business directory](#) was also developed and shared on MLFPC's website, and a series of radio ads encouraging Londoners to shop locally was created and launched. MLFPC partnered on successful marketing campaigns developed by Middlesex County to promote local food through billboard ads, online campaigns and the Middlesex Culinary Guide.

In fall 2021, MLFPC reintroduced the [Food System Champion Awards](#), engaging the community in the nomination process and recognizing local initiatives, groups and individuals for their work in all sectors of the local food system.

### [London-Middlesex Restaurant Support Fund](#)

Partnered with Pillar Nonprofit Network, McCormick Canada, rTraction and Western Fair District to administer micro-funds for restaurants impacted by closures during COVID-19. A total of \$37,500 was awarded to 38 restaurants. Profiles of the businesses who received funds and the donors were produced by MLFPC student volunteers and shared on social media.

### [Resources for Western Fair District's Agri-Week](#)

Summer 2020: MLFPC and the City of London partnered to develop lesson plan guides for ages 5--18, focusing on what kids can do to lessen food waste at home, including general information and specific activities like a plate waste audit, storage tips and food waste prevention recipes.

Summer 2021: a video showing the path of food waste through the life of a tomato was added to the resources (all are available on the Agri-Week site and on MLFPC's website).

### Information Sharing

- Hosted two online public forums in 2021, with support from London Environmental Network.
- [Finding Room to Grow](#) explored the loss of local farmland, London's urban boundary and the impact of both on local food security issues.
- The second session led participants through the city's Making Urban Agriculture Easy report and collected input for the city on the report's recommendations.
- MLFPC also provided a response to the city's Climate Emergency Action Plan in 2020 and participated in the mayor's task force during the pandemic.
- Chair Jessica Cordes was a presenter in LEN's Green in the City series, and contributed to London Community Foundation's comprehensive 2021 Vital Signs report.

### Advocacy

- In 2020, MLFPC was part of a collective of food policy councils advocating for the adoption of Ontario's Bill 216, *Food Literacy for Students Act*.
- During the pandemic lockdown, MLFPC initiated regular meetings with MPs and MPPS in London and Middlesex County, bringing forward a range of issues on behalf of community partners and fostering open communication with decision-makers.
- MLFPC joined the Ontario Student Nutrition Program as a partner in planning a pilot project in 2021.

## 2. What is currently in progress

MLFPC was contracted by the city of London in 2021 to lead one of the action items recommended in the London Community Recovery Network report: Increasing focus on addressing food security. At this point in the project, a community food assessment (CFA) report is being developed, to update results from an initial CFA completed in 2016 and focused particularly on the impact of the pandemic on accessibility of food.

## 3. What this group wants to complete in 2022.

- The CFA will include public surveys and key stakeholder interviews, with the final report expected in fall 2022.
- Along with the CFA, work on this project will include community consultation and drafting policies around long-term, ongoing food security and food system issues, including a framework for a regional agri-food network.
- MLFPC is also completing an update of its original strategic plan, including the possibility of pursuing non-profit or charitable organization status.

## Friends of Urban Agriculture London (FUAL)

### 1. What was done from 2020-2021

- In January of 2020 FUAL adopted an Operational Structure and Procedures Policy.
- FUAL members created a [map of Fruit and Nut trees](#) in London.
- In February an Executive Committee was voted in consisting of a Committee Chair-person, Secretary-Treasurer or Secretary and Treasurer, Communications Chair, Membership Chair and two Observer positions.
- FUAL Executive Committee began work on a Strategic Plan.
- Supported an Emergency Response Garden Kit project with Greenhouse Academy & Beautiful Edibles
- Promoted the London Public Library's "Growing in the City" program.
- FUAL members hosted and participated in a [January](#) and [March](#) Fruit Tree Pruning



FUAL  
Friends of Urban  
Agriculture London

Workshop.

- Many FUAL members exhibited and attended Seedy Saturday March 7<sup>th</sup> 2020
- FUAL urged members to sign an Open Letter from Sustain Ontario calling on the Province to declare Community Gardens as Essential. Signed on to an OP-Ed report created by Benjamin Hill and the MLFPC
- April 2<sup>nd</sup> FUAL sent a letter to Premier Doug Ford and cc'd all MPPs.
- April 16<sup>th</sup> FUAL sent a letter to the Mayor requesting to be represented on both the Mayor's Economic Impact Recovery Task Force and the Mayor's Social Impact Recovery Task Force.
- No reply was received in regards to either of these requests.
- May 4<sup>th</sup> FUAL sent a letter to the Mayor and Council urging them to adopt the recommendations from the Planning Department for the Sale of Produce at Homegate, implement Urban Food Scaping and increase Funding for more Community Gardens.
- Promoted Local Food Week June 1<sup>st</sup> to 7<sup>th</sup> 2020
- FUAL members took advantage of the revised Yard Sale Bylaw allowing them to sell home grown produce, curb side, up to 20 times per year.
- September 12, 2020 FUAL assisted with organizing a Food Forest Maintenance workshop

in collaboration with Western Fair District at their Food Forest

- Promoted Ontario Agriculture Week. October 5<sup>th</sup> - 11<sup>th</sup> 2020
- In December FUAL hosted an inspiring presentation from George Akomeah about his work with [Roots Without Borders](#), a non-profit organization focused on sustainable food and sustainable building that operates out of Ontario and Ghana.
- FUAL members hosted and participated in a [January](#) and [March](#) Fruit Tree Pruning Workshop.
- January 28<sup>th</sup> 2021 Jacob Damstra shared an informative discourse about his work with Urban Roots, a non-profit Urban Farm, focused on revitalizing underused land for sustainable Urban Agriculture.
- Partnered with Western Fair District and The Grove to establish The Libro Knowing Growing Garden
- February 25<sup>th</sup> 2021 John Fleming presented the Removing regulatory barriers to growing food plan. Jana Keller, from Beautiful Edibles by Spencer Creek, presented a Seed Saving history of Civilization.
- April 22<sup>nd</sup> 2021 Chuck Parker, Sr. Planner with the City of London presented OZ-9332 - Notice of the Application - Encouraging the Growing of Food in Urban Areas - City Wide
- Promoted Local Food Week June 7<sup>th</sup> to 13<sup>th</sup> 2021
- October 21<sup>st</sup> 2021 Presentation by William Wang & Dan Nejman from Terra Optima
- Jessica Lamckey, joining from Sudbury, working with Uof Guelph, presented an Urban Ag project that has a circular economy perspective looking at Farm Gate Sales and building zone bylaws.
- Members adopted a new Mission Statement and Operational Goals and Objectives.
- Promoted the London Public Library's Green in the City program.
- January 20<sup>th</sup> 2022 Presentation by Gabor Sass of the PATCH Project - Review of the vision, site plans, community partners
- Other Work done by FUAL members:
  - **Beautiful Edibles:** Giant seedling operation and selling veggie plants.
  - Workshops: balcony gardens at Hutton house for youth at risk of food insecurity, consulted periodically with Merrimount Children's centre about rejuvenating their raised bed gardens., harvesting and learning to have fun learning the celebrations toward real good food and knowing one's outdoors. Beautiful Edibles recruited for workshops for seniors and other residents through North East community association. Hutton House food security planning meetings for continuous youth workshops, growing and processing supports. support and planning meetings for building a broader project support network.

## 2. What is currently in progress

- The Patch Project in partnership with Hutton House, Western Fair District & [Nathan's Urban Farm](#)
- On-going monitoring and maintenance of Fruit Trees planted with funding from the 2017 NDM. A majority of the trees have been lost due to the City's grass mowing operations.
- On going maintenance and renovation of an Apple Orchard through the Adopted A Park program.

### **3. What this group wants to complete in 2022.**

- Continue hosting a [January](#) and March Fruit Tree Pruning Workshop.
- Build capacity to better amplify the benefits of Urban Agriculture
- Gain a formal membership commitment from groups that FUAL members belong to.

## **Petersville Community Garden**

### **1. What was done from 2020-2021**

The original plan for the Petersville Community Garden (PCG) was to have a hybrid garden consisting of individual garden plots and a large communal section. We found it challenging to establish a viable communal garden so instead we carved up what was the communal section into individual plots. The garden went from 10 to 22. All the plots were spoken for and it was a successful garden season. However, over the summer a handful of plots were abandoned.

### **2. What is currently in progress**

The majority, 15 out of 22 2020/21 garden plot holders, will be returning this year. We will carve out 2 additional plots from strips of land remaining from the original communal garden. We plan to start signing up new members in February.

### **3. What this group wants to complete in 2022.**

This year we are going to work more closely with the city in order to align PCG's and the city's community garden policies and procedures. In 2024 there are plans for a major water management project in the vicinity of the garden. Since we don't know how this work will impact the garden we are holding off on any permanent garden projects. In the future we hope to set up a composting system to deal with garden waste and we would like to build a shed to store tools etc.

## **Advisory Committee for the Environment**

### **1. What was done from 2020-2021**

2020 began with updates on Farm Gate Sales, a new print of ACE's Pollinator Friendly Gardens flyer for distribution, and an extensive reply to the City's Climate Emergency Action Plan survey. Advisory committees ceased operations between March 2020 and February 2021 given City Covid-19 protocols. In the late spring of 2021, ACE discussed Growing of Food in urban areas by-law amendments, and an ACE member facilitated a session in the City's study (June 2021) entitled 'Making Urban Agriculture Easy', a brainstorm on existing barriers to growing food in local urban areas given policy and regulatory obstacles.

### **2. What is currently in progress**

Council has had an agenda of an advisory committee review through a governance working group for the last couple of years. Recommendations were forwarded in January 2022 to Council after additional consultation with advisory committees' members. Merging ACE and Forestry committees is recommended.

### **3. What this group wants to complete in 2022**

Committee timeframes are under discussion having traditionally been a four year period aligned with Council's term. ACE has been in flux this fall regarding its future format given the City's governance review. In the interim ACE requested updates from both London Hydro and Enbridge Gas to better understand local impacts and utilities' plans for dealing with climate change. ACE originally set the climate emergency declaration in motion with a recommendation approved in 2019. It is hoped a new agenda can be planned early on in 2022.

## **TREA**

### **1. What was done from 2020-2021**

Over 2020 through 2021, new projects - TREA created a number of online tools to support waste reduction and composting with elementary curriculum modules, youth group exercises, surveys and interactive workbooks. As well as a series of take action on climate change how-to videos with community leaders including: How to Compost, Building Raised Beds, Community Gardens, Nurturing your Garden, Building/Managing a Greenhouse, Resiliency Gardening, and

Homesteading Gardening. Lastly, TREA supported a local tool library start-up, now hosted and managed by Reimagine Co. Over 2020, resources came together and in the fall of 2021, a coordinator was hired, who has been developing processes, storage and borrowing protocols, inventorying tools to date, organizing more tools underway, recruiting volunteers, and developing a membership and education strategy.

## **2. What is currently in progress**

TREA online tools and videos are expected to be promoted actively to the public come the spring. TREA continues to oversee its public composting demonstration site. The Reimagine tool library is moving ahead, currently trialing the library in February, for an expected spring 2022 launch.

## **3. What this group wants to complete in 2022.**

Both organizations, TREA and Reimagine, look to share their best practices that support Urban Agriculture.

### **Western Fair**

#### **2020-2021 Urban Ag:**

- Expanded the Wormery (started in 2019), bringing in new kitchen scraps contributors from across London. Over 30 tons of greens collected and processed through the worms.
- Bat houses installed in Queens Park for all the right reasons.
- 2 food forests installed onsite, one in Queens Park focused on Carolinian plant species (Nannyberry, Elderberry, wild strawberry), and one on Ontario St featuring more obscure plants (multi-species pear and apple trees, dwarf blueberry and raspberry bushes).
- started to mix vegetables with annuals in planters-the public are encouraged to help themselves to produce in planters (with mixed results).
- not really Urban Ag focused, but we started pretreating our parking areas with beet juice ahead of snow events with the intention of decreasing our salt usage. More of a conservation story.

- Our community garden at the Agriplex was started with the help of Fisher Topsoil and FUAL, with 17 bushels of produce donated to St Joseph's Hospitality Centre in 2021 (after being picked over by the public at our annual Fair).
- We had beehives before the pandemic (we plan to get more this year), plus 4 pollinator bee houses were installed across our site.
- We added Carolinian zone seeds to our naturalized planting areas across our site from St Williams Nursery. Most of our unused, unpaved areas have been converted to Carolinian planting areas (sloped areas, storage areas, etc).

#### **Urban Ag in Progress:**

- The Wormery is growing steadily with over 30 regular compost contributors and over 60 tons of greens collected annually in addition to our straw used in the composting process. We hope to secure an in-vessel composter from Biovator this year, allowing us to increase our capacity for compost production. The compost is feedstock for our worms, the all-stars that make our beautiful castings. We now have school and adult tours of the Wormery and its processes, hoping to steer more people towards more sustainable organic diversion. We hope to collect close to 80 tons of greens in 2022.
- We've partnered with Growing Chefs and we now have an amazing greenhouse in our Raceway infield. This greenhouse is used to grow healthy food for those who need it, while educating people on the growth and use of fruits and veggies. We (with the help of Ilana from Growing Chefs), will be hosting tours of the greenhouse as the weather improves.
- Just outside the greenhouse but still in the infield we're building The Victory Garden in recognition of 2022-The Year of the Canadian Garden. This garden is an exercise in remediation of soil on an old, overused commercial site. The Fair dates back to 1867 and has hosted everything from rock concerts to army barracks and a plunge of a shovel into the dirt proves it. Together with A & L Labs, Terra Optima, Fisher Topsoil, London Middlesex Master Gardeners and Growing Chefs we plan to test the soil in the area determining a course of action. Then we'll amend the soil over time using organic soil remediation and bioaccumulators and along the way we plan to educate as to the importance of victory gardens to past wars, and how they should fit into our lives in current times.
- We've partnered with Type Dia-beat-it (Mystery Furtado), to convert our Community Garden to a new production garden producing food for the less fortunate. This garden will have a couple unheated hoop-houses to encourage seedlings along, and is already planted with a lot of fruit and berry producing plants.
- Our Knowing and Growing Garden (in partnership with Libro and FUAL), will be producing produce for our own Food and Beverage team which will be included in a video series that will feature cooking with what's at hand, from sunchokes to dandelions and Jesuit pears to elderberries). This garden features urban ag projects such as rainwater collection, 3-bin composting, and usage of waste materials such as pipe planters.

#### **Urban Ag to be completed in 2022:**

- Biovator in-vessel composter (to be used for feedstock production for the Wormery and for educational tours of the Grove)
- The Victory Garden Project (details to follow)
- Knowing and Growing Garden with FUAL
- Type Dia-beat-it Garden and greenhouses
- planting of Carolinian species trees onsite (10-12 trees), to replace older Norway Maples and Mugo Pines
- One last project we'll be helping with is the Cavendish Street Park (Hutton House). We'll be providing planting medium and compost/castings, plus materials and labour as needed to get this amazing project off the ground.

## **London Food Bank**

### **1. What was done from 2020-2021**

In 2020, despite the beginnings of the pandemic, the London Food Bank undertook construction of a greenhouse to add additional capacity to our food-growing operation. Our outdoor gardens, which grew just shy of 2 000 lbs of produce in 2019, were also expanded by constructing 8 more raised beds, giving us a total of 14. The construction of the greenhouse was a major disruption to our regular gardening efforts.

In 2021, thanks to wonderful community partnerships, we were able to distribute around 20 hoopouses to various groups across the city to grow their own food locally to help our neighbours experiencing food insecurity. We initiated our "Adopt a Plot" program to engage community members to take ownership of our raised beds as well as a number of on-ground garden beds to grow food for our clients. We also added two more fruit trees (thanks to ReForest London) to our food forest. 2021 brought us just under 600 lbs from the gardens and 272 lbs from the greenhouse.

We also had an outstanding volunteer step forward to take on composting operations. He is our "compost technician" and has constructed bins for us, and advised on best practices on handling our annual amount of about 40 000 lbs of compost that is directed from our food rescue operations ("Community Harvest" and "Community Refresh").

### **2. What is currently in progress**

We are looking at adding more trees to our food forest. We are also exploring constructing a new garden shed with a green roof. Our compost technician is also constructing more compost bins for us, and we have been generating compost for use in the greenhouse throughout the winter.

### **3. What this group wants to complete in 2022.**

Now that the learning curve and construction disruption from the greenhouse is behind us, we expect 2022 to be an excellent growing year for us in the gardens and in the greenhouse. Our "urban farm" is ever evolving!

We also want to have our cisterns primarily filled by rain water (we currently fill with city water), which will require eavestroughing on our drive shed.

### **1. What was done from 2020-2021**

- UASC had 4 meetings a year (4 in 2020 and 4 in 2021)
- See [Appendix 1 below](#) for full updates from each UASC member organization
- Reviewed minutes from previous meetings
- UASC members are part of various community groups that are working on UA in the city - you can see all the great work they've done in the past 2 years below in the chart.
- Students from the MES program at Western completed the [Guide to Urban Agriculture](#) and uploaded to various UASC member sites - with the goal that the final location will be the City of London site, when the guide has been AODA reviewed.
- Food security became an important issue over COVID-19, and is included in the [LCRN process](#) (3.3) and the [LCF Vital Signs report](#).
- UASC members have been requesting reviews and updating of specific bylaws that were barriers to urban ag production
  - See City report portion of this report for specific bylaws that were requested for review.

### **2. What is currently in progress**

- UASC member groups continuing to work on UA and food security in their various capacities
- Reviewing City bylaws that impact urban ag production

### **3. What UASC wants to complete in 2022.**

- Update Terms of Reference, emphasis on EDI
- Recruit new members for attrition
- Make the meetings public
- Support the Middlesex London Community Food Assessment, run by MLFPC

**Appendix 2 – Urban Agriculture Steering Committee Action Items Working Table (as of February, 2022)**

GROWING					
Urban Farms (in the plan)	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Determine community interest in and capacity for involvement in an urban farm.	<p>Two active Urban farms (Urban Roots) operate locally very successfully. Grew 16,000 lbs of food in 2021</p> <p>Western Fair has interest in urban farming initiatives.</p> <p><a href="#">Cavendish Park is opening an Urban Farm with Hutton House.</a></p>	<p>Changing bylaws to allow for container farms in OEV.</p> <p><a href="#">See various bylaw recommendations here.</a></p>	<p>Various land use policies.</p> <p>Available land.</p> <p>Soil test costs.</p> <p>Capacity of existing groups to expand.</p>	<p>Various farms have been implemented across the city.</p>	<p>Have consistent rules for acquiring land, bylaws for all urban farms to comply with etc.</p> <p>Find more partners and locations for farms across the City.</p>
Develop a vision and model (including management structure), and identify lead partners for the farm project.	<p>Urban Roots operating under nonprofit / social enterprise vision.</p> <p>Western Fair has a vision for an urban farm model on site, within the Grove Strategy.</p>		<p>Various land use policies.</p> <p>Available land.</p> <p>Soil test costs.</p>	<p>Various farms have been implemented across the city.</p>	
Develop a business plan to implement the proposed vision and model.	<p>Urban Roots operating using a 1/3 donation, 1/3 local affordable, 1/3 wholesale model</p>		<p>Various land use policies.</p> <p>Available land.</p> <p>Soil test costs.</p>	<p>Various business plans have been implemented (Urban Roots, Cavendish Park, London Food Bank etc.)</p>	

<p>Determine the most appropriate location and size for an urban farm, and if the City could facilitate access to a suitable area of land.</p>	<p><a href="#">Community map of all Urban Ag locations in London.</a></p> <p>Urban Roots purchased their land at 21 Norlan. Agreement with Siloam Church for land.</p> <p>Cavendish Park will be a urban farm (city owned land)</p>		<p>Long-term land security is an issue for many community farms.</p>		
<p>Evaluate bylaws and zoning rules with respect to their role in enabling urban farms.</p>	<p>The Grove is zoned for growing.</p> <p>21 Norlan Ave zoned for urban ag uses.</p>	<p><b>Various bylaws have been implemented (see list below)</b></p> <ol style="list-style-type: none"> <li>1. Z-9060 Allowing Farm Gate Sales on Lands Not Zoned Agriculture</li> <li>2. Z-9111 21 Norlan Avenue</li> <li>3. Z-9166 Amend Section 4.11 (Household Sales/Garage Sales)</li> <li>4. OZ-9332 Eliminating Barriers to Growing Food in Urban Areas</li> </ol>			<p>City – continue updating bylaws as needed.</p>
<p>Ensure access to reasonably priced soil tests.</p>		<p>Basic testing available at under \$500 for nutrients</p>			<p>City to clearly offer support for soil tests as needed for community projects.</p>

		\$5,000 range for boreholes and contaminated sites			
Urban “Foodscaping”	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Distribute supportive resources such as topsoil, mulch, compost, and rain barrels to public food-growing projects along with education materials to ensure proper and safe usage of the resources.	TREA, Boys and Girls Club, Food Bank LURC – Compost Day. Gardens groups run Spring Plant Sales, compost sales and 15+ rain barrel fundraising sales in 2021	City sells topsoil/mulch/compost through Try Recycling	Access is on a as requested basis		More community compost days in urban areas for those without cars?
Coordinate seed exchanges through community centres, libraries, etc.	Seedy Saturday continues. Gardening groups offer plant and seed swaps in spring. Native plant sales through local ENGO’s Local nurseries sell items				Confirm status of local seed libraries
Explore ways to encourage institutional involvement in foodscaping of landscapes at places such as churches, hospitals, etc.	Greening Sacred Spaces has launched locally - might be good to approach to gauge interest on UA projects				
Consider education, awareness, and information-exchange events between municipal staff and community volunteers					

regarding foodscaping opportunities in the city.					
Examine existing food forests for potential expansion.	West Lions food forest is planning for expansion				
Ensure good management practices are undertaken to prevent pests and locate edible trees in locations where they can be safely maintained over the long-term.	<p>ReForest London continues to provide fruit trees to the community and offers annual fruit tree workshops.</p> <p>Various community led food forests exist (West Lions, Wood St, Meredith Park).</p> <p>2017 NDM Fruit Tree Planting Project.</p> <p>Friends of Urban Agriculture London members have created a map of <a href="#">Fruit &amp; Nut Trees in London</a> and hosted Fruit Tree Pruning Workshops in 2020</p>	<p><a href="#">Accepts suggestions</a> for trees on city owned land (ex. boulevard) - but only has 1 fruit tree option (serviceberry).</p>	<p>A majority of the community garden trees have been run over by the City's lawn mowers and there has been a small amount of vandalism.</p> <p>There is a cost to maintaining this project.</p>	<p>2018 - 81 Fruit Trees Planted at 9 Community Gardens Pruning and maintenance. 2020-2021 Some fruit was harvested.</p> <p>Community members have added and identified Tree locations.</p>	<p>City to investigate adding to list of acceptable trees that they will plant.</p> <p>Future locations for food forests to be determined</p> <p>Seek replacement of Trees lost to the City's lawnmowers.</p> <p>There is potential to layer another Urban Agriculture map currently hosted by the City.</p>
Evaluate the potential of public land available in the city for public foodscaping.	Kensington Village has many veggie patches on front lawns / boulevards.	City allowing Cavendish Park on municipal land.			City to follow up on City's urban food planting approach
Replace municipal planter box plantings with native fruit/nut/edible species where	Pollinator boxes in place at Civic Gardens.	Some fruit tree plantings as part of			

appropriate and where a maintenance program is in place.	Pollinator flower beds and Covent Market.  Pollinator beds and (2) food forest gardens on WFD grounds/Queens Park.	Dundas East street renewal.			
<b>Urban Pollinators</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Support for urban beekeeping in appropriate locations in the City of London.	London Urban beekeepers establishing first site at Boler Mountain Western University is Bee Canada certified. LOLA Bees started in OEV and has hives at Westminster Ponds ESA. Urban Roots has bees. Beehive onsite at Western Fair District, with education opportunities at the Annual Western Fair		Provincial regulations limit location options.		
Increased pollinator habitat within the City	Pollinator Pathways projects in various neighbourhoods TREA Pollinator Garden at Grosvenor Lodge  Through the Pollinator Pathways Project and London Environmental	Pollinator corridor approach in the works			City to report out pollinator plantings

	<p>Network's Incubator program, 15 pollinator urns were delivered to businesses along Dundas St.</p> <p>Pollinator Gardens installed at Museum London and Western Fair District</p>				
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PROCESSING					
Community Kitchens	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Work with public health to provide food handler training for community kitchen users.	Saturday, July 13 <sup>th</sup> , 2019 at the London Training Centre. Group training offered through Neighbourhood Good	City subsidized 50% of individual costs. \$20 + \$20 = \$40 The test was included that day.	-Cost to user -Having to renew every 5 years -Wait time to write test		Contact with Health Unit for status
Continue to make upgrades to kitchen facilities (in both City and community spaces) to enhance food safety.		City Grants provided – details to follow	Consistent access to Family Centers and Churches		
Investigate health regulations related to food safety in the context of community kitchens and other forms of food processing.	The Ontario government is supporting Home Based Food Business. <a href="https://news.ontario.ca/en/release/59861/ontario-supporting-home-based-">https://news.ontario.ca/en/release/59861/ontario-supporting-home-based-</a>		<u>4.10 HOME OCCUPATION:</u> ««(Link to London Bylaw) 11) No food preparation or food service shall be		Contact with Health Unit for input.

	<a href="https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/selling_low_risk_food.pdf">food-businesses-during-covid-19 https://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/selling_low_risk_food.pdf</a>		permitted as a home occupation.		
Inventory existing inspected facilities that could be used for community kitchens and community garden programs. Make this information available to the public.	MLFPC investigating an approach  The Grove at WFD researching requirements and costs.	Health Unit to provide basis of this inventory	Difficulty gathering facility information for asset map from Recreation Services supervisor staff. Nov 15, 2019 -Mar 5, 2020		MLFPC and City to co-ordinate with MLHU
Facilitate community access to appropriate kitchen spaces.	MLFPC investigating an approach	City Grants provided – details to follow			MLFPC and City to co-ordinate with MLHU
<b>Resource Sharing</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Investigate existing tool libraries and tool- and resource-sharing projects in other cities to see if these models could be used in London.	Tool Library from TREA and Reimagine Co launching 2022		Minimum size of operation expected to be viable  Covid-10 protocols		Reimagine Co is connecting with other communities on best practices
Inventory possible locations and community partners to facilitate a site(s) for sharing of resources.	These are 2 community initiatives to date. TREA received a seed grant. Reimagine Co is hosting and managing it.		Non-City grants available to help incorporate non-profits		Reimagine Co tool library launch is March 2022
Provide grants to support the purchase of key tools for shared use.	Reimagine Co is addressing staff, tool purchases, partners,	City to respond to a proposal for tools			

	and membership at its location				
Mobile Assets	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Investigate the feasibility of mobile cider presses, bake ovens, and other forms of mobile food processing that would also support community events.	Kensington Village has a cider press. NDM application for mobile oven submitted in 2017				- Cindy Bircham contact, has a mobile oven in St Thomas
Consider grants to facilitate the purchase of shared assets in the community.		City already offers various granting opportunities (multi year, innovation, NDM and small events fund)			

DISTRIBUTION					
Farmers Markets	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Work with community members and local farmers to assess the feasibility of starting new markets where there is a demand for new farmers' markets across London.	Western Fair expanding to outdoor space London ICHC looking at a mobile market approach Covent Garden Market staff conducting research on Farmers Market networks  <a href="#">Farmer's Market List created, see here.</a>		SoHo and Southdale markets not a success. Permit costs can deter Farmer require minimum traffic to attend  Certain vendors require business license- City contact: Municipal Policy 519-661-2489 x 7650 eling@london.ca	Western Fair Market researching regulations to qualify for outdoor seasonal farmers market	Need more financial support for farmer's markets in low-income areas

	Urban Roots did a community pop-up market in the Hamilton Rd area in 2021 and are supporting 4 community led markets in neighborhoods along with support from community resource centers in 2022				
Provide support for farmers' markets in public places and community hubs.	Stormstayed had a market in 2019.		Liability insurance for individuals selling product.		
Expand the Middlesex-London Health Unit's Harvest Bucks program for use at more markets across the City.			New organizations need to join in 2020 (investigate model with MLHU)		-New farmers markets, food box programs, fresh food stores contact harvest bucks committee to become a retail recipient of harvest bucks -(Food Fund Inc. potential candidates)
Assess the current zoning and bylaw requirements for markets and the potential for allowing temporary food and other pop-up markets at locations such as community gardens, etc.	Covent indicates that insurance is centralized and assumed by the market organization rather than vendors.				City to examine -Permitting costs -Use of community resources Centres
<b>Local Food Procurement</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Review how other municipalities and institutions have approached	This document was shared with the city in				

local food procurement policy development.	June 2020: <a href="https://docs.google.com/document/d/13eluM0GYpumMnp6LKcfBc_DjcmRyFlqa/edit">https://docs.google.com/document/d/13eluM0GYpumMnp6LKcfBc_DjcmRyFlqa/edit</a>				
Partner with other groups and organizations interested in expanding local food procurement in the Middlesex-London region	MLFPC is examining other regional models  Western Fair looking into food procurement opportunities.				
<b>Direct Food Sales</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Investigate bylaw issues related to food sales on private property and community gardens.	Allowed to use entire backyard as a garden and sell at markets - no city bylaw impacts this. If processing the food - the Health Unit.  Community gardens sales have to make a request to Parks & Rec to get permission. Case by case decision.  Community gardens (owned by the city) guidelines indicate no sales allowed.	City updated their farm gate sales bylaws (to allow farm gate sales in Urban Reserves) Completed rezoning for 21 Norlan Ave.	Community garden guidelines don't allow for sales.		City looking at updating Garage Sale bylaw to allow people to sell produce more often through Garage Sales (currently citizens only allowed 2 garage sales a year)
Investigate health and safety regulations related to food sales on private property and	Health unit would need to get involved if food is	Sales are not permitted on Park land.			Adding information to guidelines that are accessible to the

community gardens and methods of education on requirements applicable to direct food sales.	process (ie. made into jam).				public, allowing for increased self-initiated movement in community
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### FOOD LOSS AND RECOVERY

Food Waste Reduction & Recovery	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Investigate the feasibility of instituting a food waste reduction and recovery project with partners such as restaurants and grocery stores, including health and safety issues.	London Food Coalition has established an anti-food waste recovery mode; Foodbank following suit. New Organization: Food Fund Inc Other Inspiration:: Hidden Harvest				
Provide public education promoting the idea of reducing food waste.	Plan for WFD and MLFPC to work together for education at the Annual Western Fair/events.  Videos on food waste jointly produced for online AgriWeek in 2020 and 2021	City will review options to increase further waste diversion through food waste avoidance as part of larger waste diversion strategy	Challenges inherent in bringing about sustained behaviour change		Part of waste diversion strategy being drafted for summer 2018
Community Composting	Community Updates	City Updates	Identified Roadblocks	Progress Indicator	Next Steps – To-do List
Investigate potential linkages between rural compost production and urban users of compost in food-growing projects.			Provincial regulations present challenge		

<p>Promote backyard composting of residential food and garden waste, through an education campaign that includes information about proper</p>	<p>TREA has online tools, videos and demonstration site - facilitates workshops as requested. Over the last 2 years, has visited 3</p>	<p>City will review options to increase further waste diversion through home composting</p>	<p>Obtaining support for program. Effectiveness of program based on progress indicator</p>		<p>UA- part of waste diversion strategy being drafted for summer 2018</p>
<p>composting methods to reduce the potential for pests.</p>	<p>neighbourhoods door-to-door to discuss waste issues and composting. Interest in a larger role in working with residents</p>	<p>programs as part of larger waste diversion strategy</p>			

<p>Provide public education regarding composting.</p>	<p>TREA has developed compost materials and has a school program strategy currently constrained by Covid-19 criteria</p> <p>Over 2020 through 2021, new projects - TREA created a number of online tools to support waste reduction and composting with elementary curriculum modules, youth group exercises, surveys and interactive workbooks. As well as a series of take action on climate change how-to videos with community leaders including: How to Compost, Building Raised Beds, Community Gardens, Nurturing your Garden, Building/Managing a Greenhouse, Resiliency Gardening, and Homesteading Gardening.</p>	<p>City will review options to increase education, subsidies, as part of larger waste diversion strategy</p>	<p>Obtaining support for program.</p>		<p>Part of waste diversion strategy being drafted for summer 2018</p>
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<p>Investigate the potential for community, vermi-, and mid-scale composting.</p>	<p>Western Fair - Wormery Urban Roots - Community Composting</p>	<p>City will review options to increase access to community composting as part of larger waste diversion strategy</p>	<p>Obtaining support for program.</p>		<p>Part of waste diversion strategy being drafted for summer 2018</p>
<p>Investigate the feasibility of composting at restaurants and grocery stores.</p>	<p>Jessica and Matthew Robertson have restarted Village Compost and are available for compost collection. Contact info <a href="mailto:matt@villagecompost.com">matt@villagecompost.com</a></p> <p>Wormery picks up from various restaurants.</p> <p><a href="#">Urban Roots London has a Community compost program.</a></p>	<p>City will review options to increase further waste diversion through food waste avoidance as part of larger waste diversion strategy</p>	<p>Challenges inherent in bringing about sustained behaviour change</p>		<p>Part of waste diversion strategy being drafted for summer 2018</p>

**EDUCATION AND CONNECTION**

<b>Food Hubs</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Identify a leadership group that would manage the development and implementation of multiple food hubs.	London Food Incubator operating. The Grove at Western Fair has launched.		LFI – exclusive to entrepreneurs	The Grove is working through its strategy and working with new partners in development	
Research and prepare a food hub feasibility study and business plan.	Western Fair researching models and determining long-term role for WFA				
Investigate various food hub models and consider which models would work best in London and at what locations.					
<b>School Gardens</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Engage school boards to increase the number and capacity of school gardens.	Erin Mutch contact @ TVDSB - various school gardens exist.		Summer maintenance. Funding		
Understand food systems-related curriculum linkages relevant to elementary and secondary school education.	Summer 2020: MLFPC and the City of London partnered to develop lesson plan guides for ages 5--18, focusing on what kids can do to lessen food waste at home, including general				

	information and specific activities like a plate waste audit, storage tips and food waste prevention recipes.				
Support the development of curriculum connections and teacher training materials related to school gardens.	Growing Chefs teaching programs in schools on cooking skills and the local food system.		Seasonality of Schools Support from Staff		
Support teachers and schools to bring agriculture into the classroom through connections with farmers.	Western Fair works with AgScape for Fair- would be a good resource: <a href="https://agscape.ca/">https://agscape.ca/</a>				- Andrew Campbell contact; farmer who visits schools and skypes into schools regularly
Create linkages between school boards, the City, community groups, and parent councils in order to promote the goal of a garden in every school.	Sungold Organics Update: Western University and Fanshawe College have both reached out with interest in supporting more local food producers				-Contact Chad Stewart, Kyle Fee (Fanshawe College)
Integrate school gardens with school food and nutrition programs so that food grown in schools is served and eaten in schools.					-TVDSB Contact: Erin Mutch
<b>Community Education and Training</b>	<b>Community Updates</b>	<b>City Updates</b>	<b>Identified Roadblocks</b>	<b>Progress Indicator</b>	<b>Next Steps – To-do List</b>
Develop city-wide community events focused on urban agriculture and food literacy in order to celebrate food	Western Fair District initiatives: - Community teaching and involvement garden		Plans and information currently exist,		Bring industry resources and tools to help WFD develop educational

<p>growing and community gathering around cooking and eating together.</p>	<p>along the Agriplex to display urban farm practises with signage</p> <ul style="list-style-type: none"> <li>- Annual Western Fair- looking to enhance education on Urban agriculture within the main agriculture “Barn”</li> <li>- Working with MLFPC to develop new outreach opportunities</li> <li>- Agri-Food Week- events for students to learn about the local food system and food literacy skills. Partner with Growing Chefs and assistance from MLFPC.</li> </ul> <p>MLFPC Hosted two online UA public forums in 2021, with support from London Environmental Network.</p> <p>FUAL promoted Local Food Week (June), Ont Ag Week (Oct)</p>		<p>lack of personnel for support</p> <p>Costs to hold and run events.</p> <p>Need volunteers to educate (10 days)- Fair</p> <p>Agri-Food: High interest with students, but costs of food/supplied/event operations keep growing. Need more chefs/assistance with food prep for Growing Chefs .</p>		<p>display at the Fair in September.</p>
<p>Develop workshop and training materials related to ecologically sustainable urban agriculture that promotes no-till production, biodiversity, heritage seeds, organic methods, and pollinator</p>	<p>Western Fair is doing UA workshops (2021)</p>				

health, among other environmental issues, and their links to urban agriculture.					
Develop educational materials around composting, soil health, sustainable food production, and food processing in various languages, and distribute these materials to the community at large.					

**From:** Skylar Franke

**Sent:** Monday, March 28, 2022 1:16 PM

**To:** PEC <[pec@london.ca](mailto:pec@london.ca)>

**Cc:** jeremy; Parker, Charles <[CParker@London.ca](mailto:CParker@London.ca)>

**Subject:** [EXTERNAL] Urban Ag on City Owned Land - Memo and Request

Hello members of PEC,

In October 2017, City Council endorsed the Urban Agriculture Strategy (“the Strategy”). The goal of this strategy is to provide guidance to the municipality and the diverse communities of London in creating a positive and enabling environment for urban agriculture by working together and supporting each other.

The purpose of the Urban Agriculture Steering Committee (UASC) is to support the implementation of the Urban Agriculture Strategy, to increase resident engagement, and to empower residents and community groups and institutions to participate in implementing the strategy by engaging in, promoting, supporting and otherwise ensuring the completion of action items set out within the strategy. We meet 4 times a year to discuss the Strategy and next steps.

As such, in order to continue eliminating barriers for urban agriculture production in the City, the UASC is submitting the attached letter for review and consideration of PEC to direct City Staff to provide a report to PEC that outlines the following:

- A clear process to apply to use city-owned land for urban agriculture
- An inventory of available land and a process to work with city staff to inquire
- A standard licensing agreement and a standard rate for a licensing agreement (ex \$2/year)
- A transparent and equitable approach to determine who can enter into agreements
- Standards for expected outcomes and uses of the City land to ensure productivity and impact
- Ensure cost of this process is low to reduce financial barriers

Please connect with [jeremy@urbanrootslondon.ca](mailto:jeremy@urbanrootslondon.ca), who is a member of the UASC if you have any further questions. If possible, we would be happy to send a delegation to PEC to speak to this item.

Skylar Franke

Co-Chair of the Urban Agriculture Steering Committee

# Urban Agriculture on City-Owned Land

## **PREAMBLE:**

On Tuesday, March 1, 2022, the Community and Protective Services Committee approved a proposed Licencing Agreement for the Creation of a Food Hub in Cavendish Park to move forward to City Council on March 22, 2022.

We are encouraged to see the City of London continuing to embrace urban agriculture and anticipate this as a precedent-setting agreement between the City and local organizations to utilize city-owned land for urban agriculture.

However, it is unclear how this project and these organizations were able to access this opportunity when others in the City have been denied the same opportunity. It is critical that the City of London ensures a fair and equitable process is used when determining who can access city-owned land for food production.

In the past, as recently as fall 2021, when organizations, including those led by underserved and underrepresented populations, have approached the City to grow on city-owned lands, such as parks, they have been told that the city doesn't license land for urban agriculture or that there isn't a process in place at this time that would allow them to do so.

The City of London needs to develop a transparent and equitable process to ensure other organizations and community groups can bid to license and use city land in other areas of the city for non-profit urban agriculture, so together, we can all work to improve food access.

## **THE IMMEDIATE ASK:**

Council directs City Staff to provide a report to Council that outlines the following:

- A clear process to apply to use city-owned land for urban agriculture
- An inventory of available land and a process to work with city staff to inquire
- A standard licensing agreement and a standard rate for a licensing agreement (ex \$2/year)
- A transparent and equitable approach to determine who can enter into agreements
- Standards for expected outcomes and uses of the City land to ensure productivity and impact
- Ensure cost of this process is low to reduce financial barriers

## **RECOMMENDATIONS:**

Some longer-term considerations recommended by Urban Agriculture Steering Committee:

- The development of procedures for urban agriculture to be considered when parks or open spaces are being looked at by city staff for redesign
- Open community discussions on what areas in a neighbourhood could be used for urban agriculture.

- Development of resources for urban agriculture start-up projects, such as soil testing info, native crop information.
- Focus on nonprofits and social enterprises that are or will make a social impact, especially those led by members of equity-deserving groups and on organizations that serve underrepresented populations and city areas, being mindful and consistent with the Diversity and Inclusion Policy for the City of London

Dear colleagues,

I am seeking your support to begin the process of building upon London's UNESCO designation as Canada's first, and only, 'City of Music.'

As outlined in my most recent State of the City address, this designation provides incredible opportunities, especially as our economic and social recovery from COVID begins to take hold in a major way. Music can and will serve as an important contributor to London's community recovery and renewal, while offering a sustained economic boost to our city.

The Core Area is uniquely positioned to lead the revival of these sectors as a contributor to wider economic benefits for the city as a whole.

Supporting the hardest hit sectors of arts, culture, tourism and hospitality has been highlighted as a priority by the London Community Recovery Network. The LCRN has pointed to the rebound of these important sectors as key for London's overall recovery and renewal over the next three years and are taking steps to measuring this within the LCRN Framework.

As such, I am seeking your support on the following:

- 1.) STAFF be DIRECTED to report back, in a timely manner, on specific geographical borders for a Core Area Entertainment District, while also defining what such a District may constitute.
- 2.) STAFF be DIRECTED to report back on tangible actions to be taken for late spring, summer, and fall months to demonstrate how music, entertainment, and culture can aid in fueling our community's ongoing economic and social recovery. Some of these actions may include, but should not be limited to, pursuing additional supportive investments from federal and provincial government partners.

While recognizing this is an ongoing process, requiring partnerships and collaborations across multiple sectors, I believe there are several time sensitive steps which can be taken during the summer, and fall months. A multitude of medium to long-term opportunities can be considered and explored afterwards.

By taking deliberate, and timely action to embrace and support our music and cultural industries, we will generate new energy and excitement in the core, drive economic benefits, and increased business engagement. The time for action is now. Canada's City of Music is ready to start living up to this important designation.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Ed Holder', with a stylized flourish at the end.

Ed Holder, Mayor