

Agenda Including Addeds

Planning and Environment Committee

17th Meeting of the Planning and Environment Committee

October 5, 2022

4:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Metis and Inuit people today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

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

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact PEC@london.ca or 519-661-2489 ext. 2425.

	Pages
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2. Consent	
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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers, MPA, P.Eng.,
Deputy City Manager, Planning and Economic Development
Subject: Draft Plan of Vacant Land Condominium on the Submission
by Bluestone Properties Inc. for 7098-7118 Kilbourne Road
Public Participation Meeting on: October 5, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Bluestone Properties Inc. relating to the property located at 7098-7118 Kilbourne Road:

- (a) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 17th, 2022 to amend The London Plan to amend the Southwest Area Secondary Plan, Section 20.5.7 (Lambeth Neighbourhood) to add a special policy to permit a minimum density of 6.4 units per hectare on the site (whereas a minimum density of 15 units per hectare is required);
- (b) The proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on October 17th, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** Residential R1 (R1-8), Environmental Review (ER), Open Space (OS4), a Holding Open Space (h-2*OS4), and an Open Space (OS5) Zone, **TO** a Residential Special Provision R6 (R6-1(□)) Zone and Open Space (OS5) Zone;
- (c) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 7098-7118 Kilbourne Road; and
- (d) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 7098-7118 Kilbourne Road.

Executive Summary

Summary of Request

The requested amendments are to permit a vacant land condominium which will include ten (10) single detached dwelling units. The development will be serviced by a new private road accessed from Kilbourne Road and will include six (6) visitor parking spaces onsite.

Purpose and the Effect of Recommended Action

The recommended Official Plan and Zoning By-law amendments will permit a range of low-density residential uses which can be implemented through a cluster residential development. This will allow for the development of the proposed vacant land condominium which will include ten (10) single detached cluster dwelling units. The development will be serviced by a new private road accessed from Kilbourne Road and will include five (5) visitor parking spaces onsite.

Rationale of Recommended Action

1. The recommended amendments are consistent with the *PPS 2020*.
2. The proposed amendments conform to the former in-force policies of the *1989 Official Plan*, including but not limited to the Low Density Residential and Open Space policies.
3. The proposed amendment conforms to the in-force policies of *The London Plan*, including but not limited to the Neighbourhood Place Type and Green Space policies.
4. The recommended amendment facilitates the development of an underutilized property and encourages an appropriate form of development.
5. The subject lands are located in close proximity to arterial roads, surrounding services and access to the Dingman Creek which provides pedestrian movements north and south along the Dingman Creek Corridor.

The Draft Plan of Vacant Land Condominium application is considered appropriate and in conformity with *The London Plan* as recommended and is consistent with the *Provincial Policy Statement*. The proposed residential use is also consistent and permitted under the subject recommended Zoning By-law amendment application. Application for Site Plan Approval has been accepted and is being reviewed by staff.

Linkage to the Corporate Strategic Plan

The proposed development contributes to the Strategic Plan by helping to implement the Building a Sustainable City and Strengthening Our Community area of focus. The development is well-located in a strategic location for growth and intensification with good access to local services, amenities, public transit, and active transit. The proposed development and recommended refinements fit within, and enhance, the surrounding community.

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 infill and efficient use of existing urban lands and infrastructure within strategic locations such as the Downtown, Transit Villages and Corridors.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

There is no evidence of previous reports or applications relating to the subject lands

1.2 Planning History

On January 3, 2020, an application for a Vacant Land Condominium Development, proposing fourteen (14) single detached dwelling units, Official Plan and Zoning By-law Amendments were accepted as a complete application. The Official Plan Amendment requested to add a Specific Area Policy to Chapter 10 to permit a minimum density of eight (8) units per hectare on the site; and to amend Section 20.5.7 (Lambeth Neighbourhood) of the Official Plan (*Southwest Area Secondary Plan*), to add a special policy to permit a minimum density of eight (8) units per hectare on the site (whereas a minimum density of 15 units per hectare is required). *The London Plan* Amendment to the *Southwest Area Secondary Plan (SWAP)*, Section 20.5.7 (Lambeth Neighbourhood) requested to add a special policy to permit a minimum density of eight (8) units per hectare on the site (whereas a minimum density of 15 units per hectare is required). This is considered appropriate as the proposed Low Density Residential designation is in keeping with the Neighbourhood Place Type of *The London Plan*, which has been approved by Council and the Province outlining the future planning policies on the site.

On November 11, 2020, Development Planning Staff received a revised Draft Plan, which was recirculated on December 9, 2020. The revisions were in response to comments provided to the Applicant regarding their initial submission and based on discussion with City Staff and the Upper Thames River Conservation Authority (UTRCA) at the post-circulation meeting. The revisions were in the area devoted to residential development, which had been reduced to provide additional separation between the rear lot lines, the Dingman Creek, and associated natural features. The reconfiguration of the Condominium Plan was to accommodate City access to the sanitary servicing easement along the eastern perimeter of the property, which resulted in the reduction of condominium units from 14 to 12.

A third revised submission was received by the City on January 7, 2022 and recirculated on March 2, 2022. The report will detail the proposed changes, as well as address comments and concerns from the public.

1.3 Property Description

The subject site is a large parcel of land which currently vacant. The site is approximately 3.5 hectares (8.7 acres) in size and irregular in shape with 67.7 metres of frontage along Kilbourne Road. These lands are generally bounded by Kilbourne Road to the south; the Dingman Creek corridor to the west, a stormwater management facility to the north, low-density residential development Southwind's Village subdivision) to the east and southeast (Applegate Estates subdivision). Naturalized areas associated with the Dingman Creek corridor are located along the western limit of the property and are situated within the Regulation Limit of the Upper Thames River Conservation Authority (UTRCA). In addition, these lands are comprised of riverine flooding and erosion hazards which form part of the Lower Dingman Creek ESA. Near the project site, the Dingman Creek corridor forms the western limit of the City's Urban Growth Boundary

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

-
- *The London Plan* Place Type – Neighbourhood Place Type and Green Space
- Existing Zoning – Residential R1 (R1-8) Zone, Environmental Review (ER), Open Space (OS4), a Holding Open Space (h-2*OS4), and an Open Space (OS5) Zone

1.5 Site Characteristics

- Current Land Use – vacant
- Frontage – 67.7 metres (222.1 feet)
- Depth – 217.3 metres (713 feet)
- Area – 3.5 hectares (8.7 acres)
- Shape – irregular

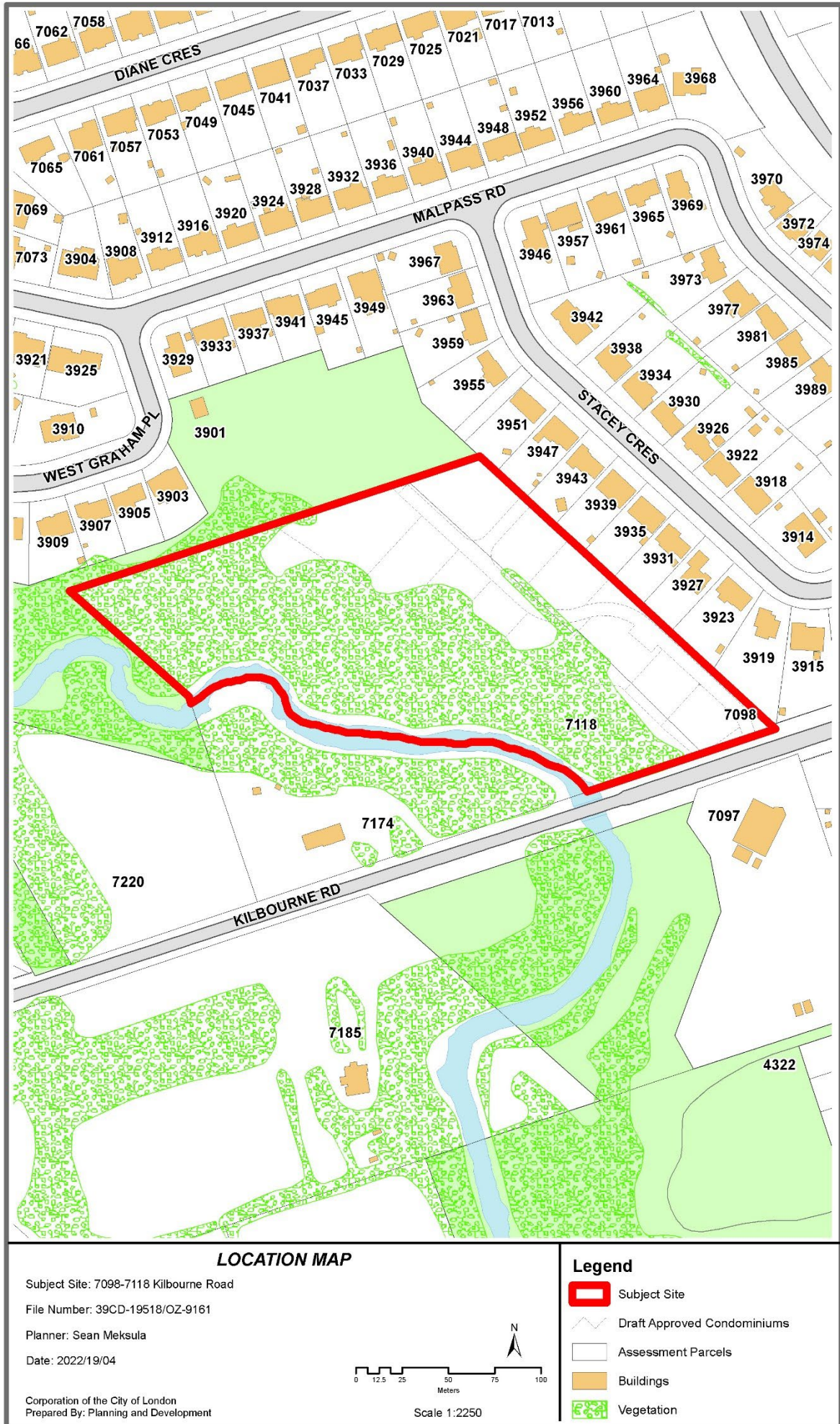
1.6 Surrounding Land Uses

- North – Residential/SWM
- East – Residential
- South – Residential
- West – Woodlot

1.5 Intensification (10 residential units)

- The proposed residential units represent intensification inside of the Built-area Boundary
- The proposed residential units are outside of the Primary Transit Area.

1.6 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The Applicant has proposed a Vacant Land Condominium comprised of ten (10) single-detached cluster dwelling units that will be serviced by a new private road accessed from Kilbourne Road. Five (5) visitor parking spaces are to be included onsite.

Figure 1: Proposed Vacant Land Condominium

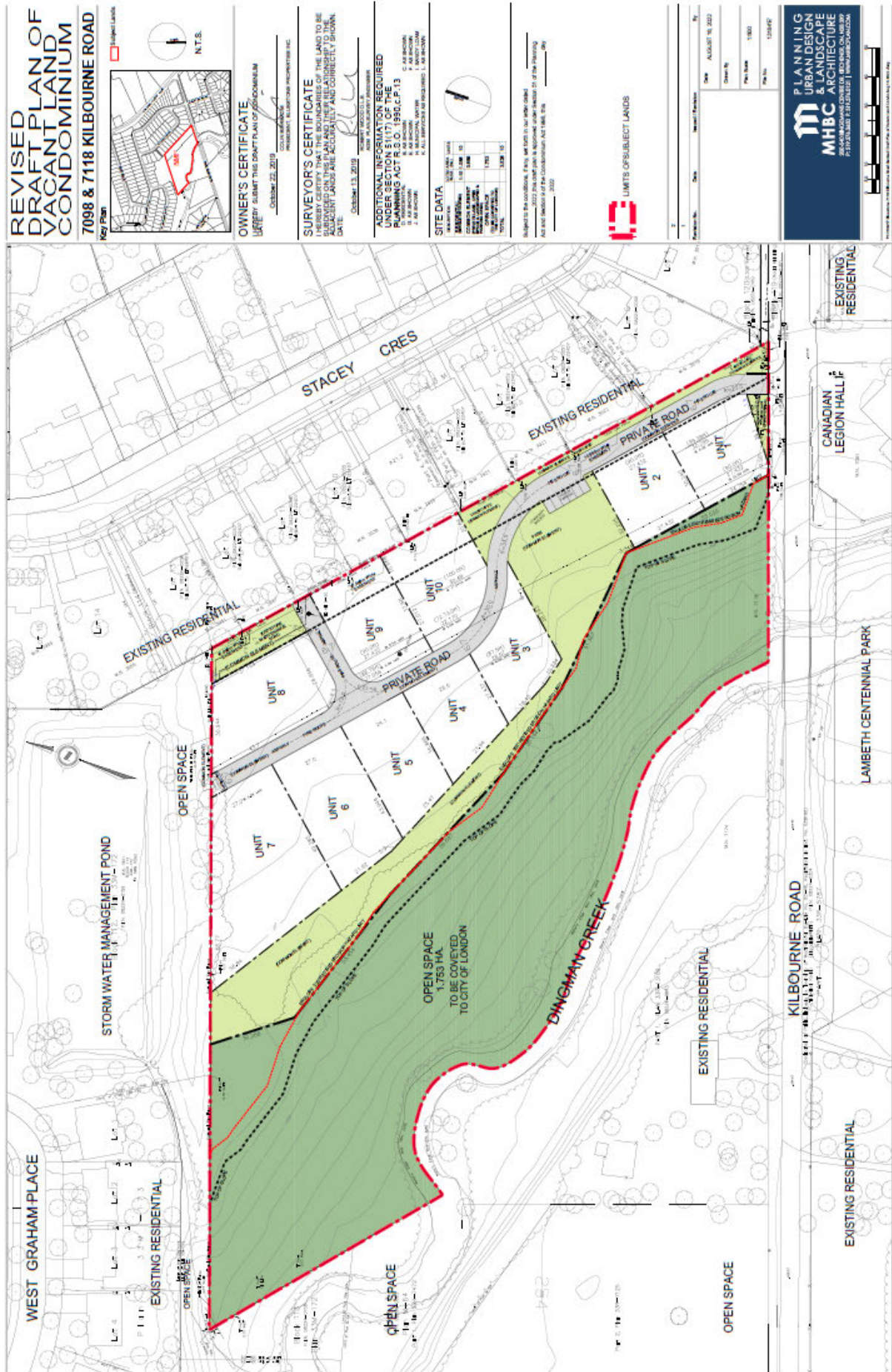
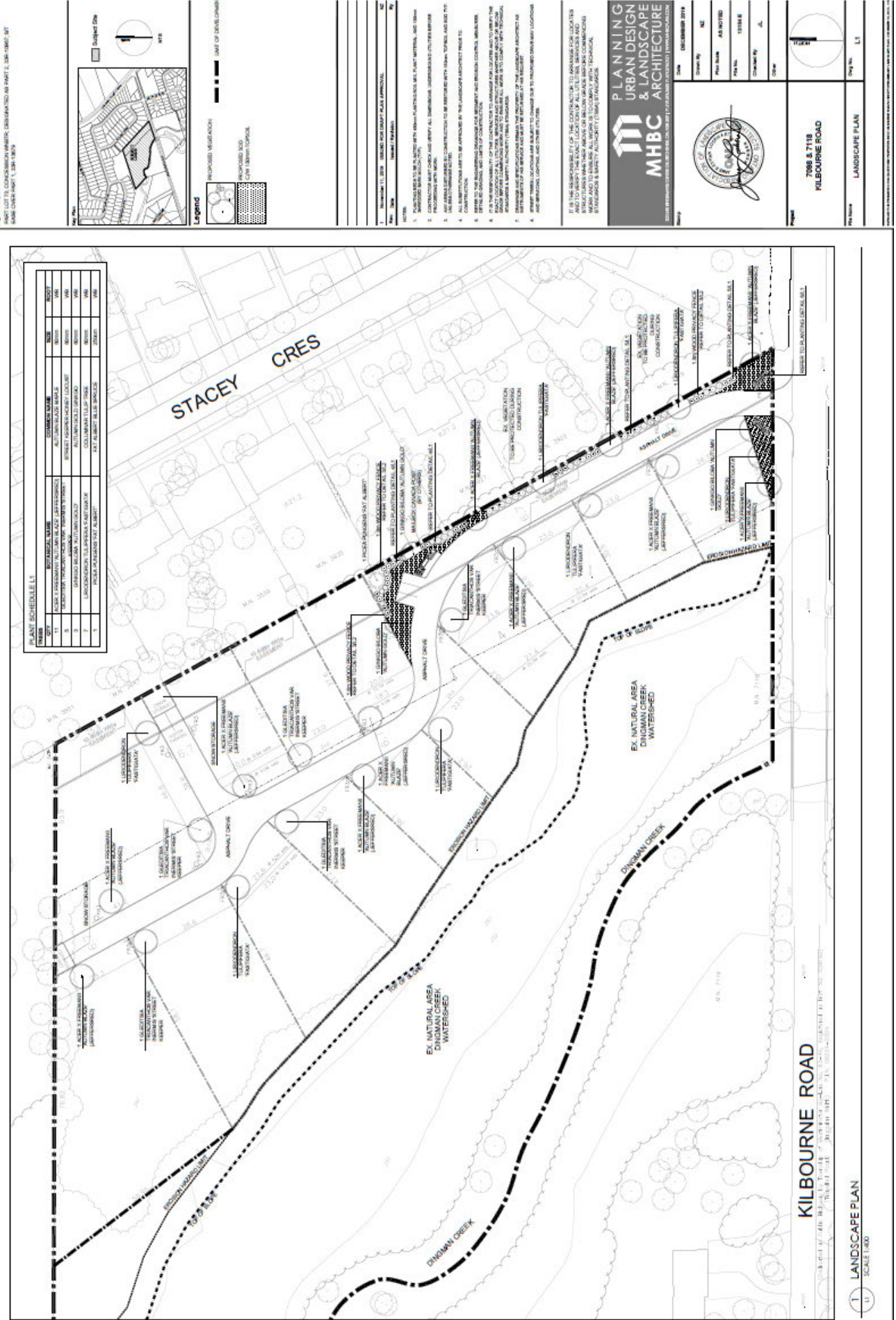


Figure 2: Proposed Site Plan



Figure 3: Proposed Landscape Plan



2.2 Requested Amendments

The London Plan and Southwest Area Plan (SWAP)

The Applicant has requested to amend *SWAP*, which constitutes a part of *The London Plan*, Section 20.5.7 (Lambeth Neighbourhoods) to add a Special Policy to permit a minimum density of 6.4 units per hectare on the site, whereas a minimum density of fifteen (15) units per hectare is required.

1989 Official Plan

On May 25, 2022, the Ontario Land Tribunal ordered that the *1989 Official Plan* be repealed in its entirety and *The London Plan* came into full force and effect. At the time the application was made, the Applicant has requested to add a Specific Area Policy to Chapter 10 to permit a minimum density of 6.4 units per hectare on the site; and to amend Section 20.5.7 (Lambeth Neighbourhood) of the 1989 Official Plan (Southwest Area Secondary Plan), to add a special policy to permit a minimum density of 6.4 units per hectare on the site (whereas a minimum density of 15 units per hectare is required). The requested amendment to the *1989 Official Plan* is no longer required to support the proposed development, and any Official Plan amendments required will be exclusively to *The London Plan* or applicable Secondary Plan.

Z.-1 Zoning By-law

The Applicant has requested to change the zoning from a Residential R1 (R1-8) Zone, an Environmental Review (ER) Zone, a Holding Open Space (h-2*OS4) Zone and an Open Space (OS5) Zone to a Residential R6 Special Provision (R6-1()) Zone and an Open Space (OS5) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

2.3 Community Engagement (See more detail in Appendix C)

Information regarding the requested Zoning By-law Amendment Application and opportunities to provide comments were provided to the public as follows:

- Notice of Application was sent to property owners within 120 meters of the subject property on January 9th, 2020.
- Notice of Revised Application was sent to property owners within 120 meters of the subject property on December 9th, 2020.
- Notice of Revised Application was sent to property owners within 120 meters of the subject property and published in the Public Notices and Bidding Opportunities section of *The Londoner* on March 2nd, 2022.
- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property and interested parties on September 15th, 2022.
- Notice of Public Participation Meeting was published in Public Notices and Bidding Opportunities section of *The Londoner* on September 15th, 2022.

Two (2) responses to the original Notice of Application circulation process were received, and one (1) was received following the first Notice of Revised Application. Three (3) comments were received following the second Notice of Revised Application, and they are included within this report below.

In general, the concerns were in keeping with those received through the first two circulations. These included: quality/style of privacy fencing between new and existing lots; a preference for one storey condos; privacy and light pollution; garbage pickup; location of common element (park); overland flow mitigation; drainage issues in the area; construction noise and truck traffic; and, the continuation of the Dingman Creek Trail crossing Kilbourne Road from the south to the north. Concerns were also raised about the potential loss of natural heritage features and impacts on the neighbouring Environmentally Significant Area (ESA) and woodlots, as well as potential impact on wildlife in the area. The full spectrum of comments received through the original and revised notice of applications received by Staff are attached to Appendix "C".

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1. Policy Review

Provincial Policy Statement (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

The *PPS* provides direction for land use planning that focuses growth within settlement areas, and encourages an efficient use of land, resources, and public investment in infrastructure. To support this, the *PPS* defines a number of policies to promote strong, liveable, healthy and resilient communities which are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, employment and institutional uses to meet long-term needs. These policies are set out in Section 1.0, and seek to promote cost-effective development patterns and standards to minimize land consumption and servicing costs. The *PPS* encourages settlement areas (1.1.3 Settlement Areas) to be the focus of growth and development. Settlement areas should also have appropriate land use patterns that are established by providing appropriate densities and a mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and is transit-supportive, where transit is planned, exists, or may be developed (1.1.3.2). New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities (1.1.3.6).

The *PPS* also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social health and wellbeing requirements of current and future residents. Development of new housing is directed towards locations where appropriate levels of infrastructure and public service facilities are, or will be available, to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists, or is to be developed.

The recommended amendments are consistent with the *PPS* as it is proposed within the settlement area while helping establish an appropriate land use pattern that contributes to a mix of densities and land uses in the area. An appropriate range and mix of residential uses are provided, and the alternative cluster-form of development is also cost-effective, helping reduce servicing cost and land consumption [1.1.1]. The Vacant Land Condominium will both benefit and support the existing resources, surrounding infrastructure and public service facilities in the area (1.1.3 Settlement Areas).

The subject site is located in proximity to The Wonderland Road Community Enterprise Corridor and the community commercial node at Southdale Road West and Colonel Talbot Road (Shopping Areas), which can provide convenient amenities, employment and shopping destinations. In addition, the development would be considered transit supportive as it is in close proximity to: an arterial road and highway; a passive recreation trail along the Dingman Creek Corridor for cyclists and pedestrians; and, one (1) bus route

located near the intersection of Main Street and Colonel Talbot Road South (1.1.3.2). This contributes to a healthy, livable, and safe community. The proposed development has a compact form that allows for the efficient use of land, infrastructure and public service facilities (1.1.3.6).

The proposed development is also in keeping with the PPS as it contributes to the mix of housing type in the area, which is made up of single detached dwellings on relatively large lots. The proposal provides a density that will help to meet the projected requirements of current and future residents, but will remain compatible with the existing land uses in the area while still being significant enough to efficiently use the land, resources and surrounding infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists, or is to be developed [1.4.3(d)].

Wise Use and Management of Resources

The vision defined in 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. Section 2.0 of the PPS establishes a number of policies that serve to protect sensitive natural features and water resources.

Section 2.1 Natural Heritage 2.1.1.: “Natural features and areas shall be protected for the long term”; Section 2.1.8: “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.”

The natural heritage lands adjacent to the Dingman Creek corridor are to be dedicated to the City as the required parkland dedication. In addition, a portion of the common elements block between Units 2 and 3 will be naturalized with plantings and seeding consistent with the species appropriate for the Dingman Creek Corridor.

Protecting Public Health and Safety

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. Accordingly, Section 3.0 of the PPS states a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk (1) to public health or safety or (2) of property damage. The recommended vacant land condominium does not pose any public health and safety concerns, and there are no known human-made hazards.

The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal* (LPAT) (PL170700). The *Plan* was Council adopted and approved by the ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT). Policies under appeal at the time of submission, but now in full force and effect are indicated with an asterisk (*) throughout this report.

The London Plan includes criteria for evaluating Plans of Subdivision through policy *1688 that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type in which the proposed subdivision is located
5. Our Tools

6. Relevant Secondary Plans and Specific Policies

This is relevant as *The London Plan* also requires Vacant Land Condominiums to have the same considerations and requirements for the evaluation of Draft Plans of Subdivision.

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 requested Zoning By-law Amendment helps to achieve this key direction by providing new residential growth within the Urban Growth Boundary that will be able to support adjacent commercial land uses and business.

Direction #4 is to *Become one of the greenest cities in Canada* (58). This key direction is achieved through the planned public pathway that will help to create a pedestrian link that could encourage active transportation options.

Direction #5 is to *Build a mixed-use compact city* (59). The subject lands are within the Urban Growth Boundary and within an area that is designated for growth. The proposal contributes to a mix of housing choices and densities within the surrounding context and provides for opportunities to access green space for recreational opportunities and transit services.

Direction #7 is to *Build strong, healthy and attractive neighbourhoods for everyone* (61). This key direction is achieved as the requested Zoning By-law Amendment would facilitate a development that 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. It also helps to implement “placemaking” by promoting a neighbourhood design that promotes active living, walkability, and connectedness within and around the community.

Direction #8 is to *Make wise planning decision* (62). The proposed development and requested amendments have 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.

The London Plan emphasizes growth that is “inwards and upwards” to achieve compact development (79), and residential intensification plays a large role in achieving this goal (80). 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. Residential intensification can occur in the following forms: addition of a secondary dwelling unit; expansion of existing buildings to accommodate greater residential density; adaptive re-use of existing, non-residential buildings, for resident use; infill development of vacant or underutilised lots; severance of existing lots; and, redevelopment, at higher than existing density, on developed lands (80). However, such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability. The requests made by the Application would facilitate development that provides a greater density on lands that were underutilized.

City Building Policies

This section of *The London Plan* provides a 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 layout of the proposed development facilitated by the amendment contributes to neighbourhood character and identity by orienting buildings to the street and not creating blank walls along the street edge, which contributes to an active street front (202, 229, 259, 291). This layout also helps to create a safe pedestrian environment and promotes connectivity, within the development and the surrounding neighbourhoods, which offers opportunities for active mobility (213, 255, 259, 285, 291).

As part of the natural heritage lands dedicated to the City, a future multi-use trail will be constructed from Kilborne Road to West Graham Place through the SWM block as delineated in the Bicycle Master Plan Environmental Assessment.

Neighbourhood Place Type

The subject site is located in the Neighbourhood Place Type, which permits a range of primary and secondary uses that may be allowed based on the street classification onto which the property fronts (*921_ Permitted Uses). The subject site is located on a Neighbourhood Connector which would permit single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (*Table 10). Permitted uses can achieve a height of up to 2.5 storeys when fronting a local street (*Table 11). Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (Intensity, *935_). All planning and development applications will conform to the City Design policies of this Plan (Form, *936_).

The proposed cluster residential development is in keeping with the permitted uses of *The London Plan* as the site is located along a Neighbourhood Connector which permits cluster residential developments along with the proposed single detached and townhouse dwelling uses (*921_ Permitted Uses, *Table 10). Within the Neighbourhood Place Type, intensity of development is controlled by regulating the range of permitted uses and heights based on the street classification fronting the subject site. The proposed development is in keeping with the intensity policies of the Plan as the recommended single detached dwellings and townhouse buildings will be 2.5-storeys or less in height and the proposed uses can be accommodated on the site with no need for special provisions. The proposed R6-1 Zone does permit heights of up to 10.5 metres which could accommodate greater heights, however, Staff are recommending a special provision to mirror *The London Plan*, which will restrict heights to 2.5 storeys.

The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed cluster single detached dwelling units conform to *The London Plan* policies and have access to municipal services. The access and residential uses proposed are appropriate for the site, and the abutting natural features associated with the site. There is open space directly abutting the site to the north and west. The size and style of dwellings are anticipated to contribute to housing choice and meet the community demand for housing type, tenure and affordability. All grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

The London Plan requires that all planning and development applications conform to the City Design policies. The proposed development is in keeping with these policies as the site layout is designed in a manner that is in keeping with the planned character of the surrounding lands designated as Neighbourhood (252_). The planned character is identified through policies in the Neighbourhood Place Type which permits low-rise, low-density forms of development such as the proposed cluster housing. The site layout has

also been designed in a manner which will mitigate impacts on adjacent lands (253_). A large buffer on the west portion of the site protects the abutting create appropriate separation between the development and ESA/heritage features to the west. The proposed development has identified outdoor amenity space within the cluster development and a passive recreational trail which will be developed along the westerly portion of the site (295_). A cluster form of housing provides a more efficient use of land than conventional single detached dwellings on a public street, and provides better integration and mitigation of impacts on the adjacent natural area.

Green Space Place Type

The Green Space Place Type is intended to be made up of a system of public parks and recreational areas, private open spaces, and our most cherished natural areas. It encompasses a linear corridor along the Thames River, which represents the natural heritage and recreational spine of our city (757_). The Green Space Place Type is comprised of public and private lands; flood plain lands; lands susceptible to erosion and unstable slopes; natural heritage features and areas recognized by City Council as having City-wide, regional, or provincial significance; lands that contribute to important ecological functions; and lands containing other natural physical features which are desirable for green space use or preservation in a natural state. Within the Place Type agriculture, woodlot management, horticulture and urban gardens, conservation, essential public utilities and municipal services, storm water management, and recreational and community facilities are permitted uses (762_5). *The London Plan* permits Council to acquire lands to add to the Green Space Place Type for the purposes of adding to the network of publicly accessible open space, providing protection to lands identified as being susceptible to flooding or erosion; and providing protection to natural heritage areas within the Green Space Place Type (768_).

1989 Official Plan

On May 25, 2022, the Ontario Land Tribunal ordered that the *1989 Official Plan* be repealed in its entirety and *The London Plan* came into full force and effect. At the time the Application was submitted, the *1989 Official Plan* was still in force and effect and the Application has been reviewed to ensure it is in keeping and in conformity with the applicable policies.

Low Density Residential (LDR)

The subject lands are designated LDR under the *1989 Official Plan*. Objectives of this designation are to enhance the character and amenities of residential areas by directing higher intensity to locations where existing land uses are not adversely affected, and encourage development that provides for energy conservation, public transit, and the retention of desirable natural features (Section 3.1.2). 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 30 units per hectare (Section 3.2.2). Low Density Residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law, which may vary in areas of new development according to the characteristics of existing or proposed residential uses and shall result in net densities that range to an approximate upper limit of 30 units per hectare (12 units per acre) (3.2.2. Scale of Development).

The proposed Draft Plan of Condominium is in keeping with the permitted uses for the LDR designation as it proposes single-detached, cluster dwellings. However, it is not in keeping with the density requirements. A minimum of fifteen (15) units per hectare is required under this designation, and the Applicant has submitted a request to add a Specific Area Policy to Chapter 10 to permit a minimum density of (6.4) units per hectare on the site; and to amend Section 20.5.7 (Lambeth Neighbourhood) of the 1989 Official Plan (Southwest Area Secondary Plan), to add a special policy to permit a minimum density of eight (6.4) units per hectare on the site. As the *1989 Official Plan* was repealed

in its entirety on May 25, 2022, it cannot be amended, and the requested amendment is not longer required to support the development.

Residential intensification is permitted in the LDR designation, and is defined as the development (i.e., the creation of new units) of a vacant or underutilized property, site or area at a higher density that currently exists through:

- i) redevelopment, including the redevelopment of brownfield sites;
- ii) the development of vacant and/or underutilized lots within previously developed areas;
- iii) infill development, including lot creation;
- iv) the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and,
- v) the conversion or expansion of existing residential buildings to create new residential units or accommodation (Section 3.2.3.1).

The density of Residential Intensification in the LDR designation will be considered up to 75 units per hectare, and may take the form of single-detached dwellings, semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments (Section 3.2.3.2). Accessory dwelling units may also be permitted. Infill applications are to demonstrate the appropriateness of the proposed change and its implications on the neighbourhood character by providing a statement of compatibility and an inventory of the urban design and natural environment characteristics of the neighbourhood (Sections 3.2.3.3 and 3.2.3.4). In addition, residential intensification will only be permitted where there is adequate infrastructure to support the proposed development: off-street parking supply and buffering; community facilities, with an emphasis on outdoor recreational space; traffic impacts and transportation infrastructure, including transit service; and, municipal services. The proposed development is consistent with the character of the neighbourhoods located to the north and east of the lands. There are also adequate municipal services to support the development, including: community services; municipal services; park and open space; and transit services

Open Space

The Open Space designation is used to protect and establish a continuous linear open space network which generally follows the Thames River and its tributaries. It will provide for linkages among open space areas throughout the City and allow for a balanced distribution of locations for both active and passive recreational pursuits. The Open Space Designation is used to protect natural heritage areas which have been identified, studied and recognized by Council as being of citywide, regional, or provincial significance. Within this designation district, city-wide, and regional parks; and private open space uses such as cemeteries and private golf courses are permitted in the Open Space designation. Agriculture; woodlot management; horticulture; conservation; essential public utilities and municipal services; and recreational and community facilities; may also be permitted (8A.2.2)

Southwest Area Secondary Plan

The site forms part of the *SWAP* and is subject to the development vision and detailed policies of the *SWAP*. Additionally, the site forms part of the 'North Lambeth Residential Neighbourhood' within the greater Area Plan.

New development in North Lambeth is to be a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood. The residential areas are intended to develop as traditional suburban neighbourhoods, with characteristics similar to those found in the older areas of the City of London, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day-to-day living experience.

The primary permitted uses in the Low-Density residential designation include single-detached, semi-detached, and duplex dwellings. Residential development shall have a

minimum density of 15 units per hectare and maximum of 30 units per hectare. The proposed density is 6.4 units per hectare, or 10 units, is less than the required minimum set out in *SWAP*. However, minor reductions to the minimum density are permitted where they can be demonstrated as appropriate. The proposal identifies a recommended rear lot line to protect the natural features identified, including the natural forested slopes of the Lower Dingman Creek ESA and significant wildlife habitat that was identified within this area. Further, the EIS has set out additional recommendations to protect the adjacent significant natural heritage features. These measures will ensure that the proposed development will not have an adverse impact upon the features and functions of the existing natural heritage system.

The Dingman Creek is a significant river and ravine corridor which represents a continuous wildlife linkage and water resources system connecting significant core natural heritage features that extend beyond the limits of the city. The corridor remains in a largely natural state, except as affected by existing agricultural practices, industrial development and the urban area of Lambeth. There are areas of distinctive and unique natural communities and species along this system, which include physical characteristics that are susceptible to erosion. The corridor is a visual amenity for the surrounding areas and provides a physical, ecological and cultural land use feature. The proposed Vacant Land Condominium design responds to certain constraints associated with the size and shape of the parcel and is appropriate for the site and meets the intent of providing a mix of housing forms and choice in the neighbourhood.

A Draft Comprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The Dingman Creek Significant River Corridor is a major component of the natural heritage system in *SWAP*. It is considered a significant river and ravine corridor which represents a continuous wildlife linkage and water resources system connecting significant core natural heritage features that extend beyond the limits of the City. The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. An ecological buffer was established based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with Section 15 of the 1989 Official Plan. Lands delineated as ecological buffers, pursuant to Subsection 20.5.3.6.i) b) and c) will be acquired by the City pursuant to Section 16 of the 1989 Official Plan as parkland dedication.

In order to enhance open space opportunities within the Southwest Area, the City will seek to locate open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trails, active and passive parkland, and stewardship opportunities. (20.5.3.6).

To ensure that the proposed development is not impacted by any flooding, the development limit was identified at the western portion of the site, and the lands abutting are zoned Open Space Special Provision (OS5). This Zone permits conservation lands, conservation works, passive recreation uses which includes hiking trails and multi-use pathways and managed woodlots and will be dedicated to the City for Parkland Dedication and the creation/extension of a pathway on the western portion of the site.

Z.-1 Zoning By-law

The subject lands are currently zoned Residential R1 (R1-8), Environmental (ER), Holding Open Space (h-2*OS4) and Open Space (OS5). Residential R1 Zones are the most restrictive residential zones and regulate single detached dwellings, and the Residential R1-8 Zone Variation is applied to the most suburban single dwelling developments. The Environmental Review zone is applied to lands that are intended to remain in a natural condition until their significance is determined through detailed environmental studies. Low impact uses, similar to those permitted under the Open Space (OS5) Zone, are permitted. The Open Space OS5 Zone is the most restrictive Open Space Zone and is applied to lands which have physical and/or environmental constraints to development. This Zone is also applied to lands with important natural features and functions that have been recognised by Council as being of City-wide,

regional, or provincial significance and identified as components of the Natural Heritage System.

The Applicant has requested to change the zoning to a Residential R6 Special Provision (R6-1()) Zone and an Open Space (OS5) Zone. Residential R6 Zones regulate medium density development in various forms, including single-detached dwellings, townhouses, and apartments. The Residential R6-1 Zone Variation specifically permits single-detached dwellings. The Residential R6 Special Provision (R6-1 ()) Zone is commonly used within Low Density Residential neighbourhoods throughout the City to implement vacant land condominiums. The proposed form of cluster single detached dwellings is a more appropriate form of development than the standard large lot singles, which is compatible with existing abutting uses in the area. The recommended zoning will ensure that the intensity of development is appropriate within the surrounding context as it provides appropriate height and density regulations which will reduce impacts on the surrounding lands and provide a compatible form of development. The OS5 Zone will be used to ensure appropriate buffers are established between land uses and the continued protection of the abutting significant valleylands is achieved. The OS5 Zone does permit multi-use pathways.

As part of the application the Applicant was seeking to remove the existing holding provision (h-2). Through the development review process and review of the EIS, an appropriate development boundary has been established ensuring that no negative impacts will occur on the abutting Natural Heritage Systems. The recommended zoning will ensure that this development limit is maintained, and abutting lands are protected. Through the ongoing site plan review process Staff will ensure that an agreement shall be entered into specifying appropriate development conditions. For these reasons Staff feel it is appropriate to remove the existing holding provision.

h-2 Purpose: 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 (identified on Schedule "B" 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.

4.2 Use

The Draft Plan of Condominium consists of open space and ten (10) residential lots to accommodate single-detached, cluster dwellings. Residential land uses surround the subject lands to the north, west and south, and further to the west beyond the Dingman Creek, although these lands are outside of the Urban Growth Boundary. The proposed development is reasonably compatible with the surrounding land uses and consistent with the permissions of *The London Plan* and *SWAP*, which both permit single-detached, residential dwellings. Lands to the west, adjacent to the Dingman Creek, are already designated and zoned to permit open space land uses to protect the Significant Valleyland. The proposed addition of open space adjacent the Dingman Creek and within the Condominium as common elements will further aid in the protection of the Significant Valleyland, as well as additional connections to City-owned open space and parks. A portion of the common elements will be naturalized with site appropriate native plantings.

In addition to access to park and open space, there are lands to the north, east and south designated Main Street and Shopping Area, providing for amenities and employment opportunities within a distance appropriate for active or public transportation. This helps to achieve the objectives of the Neighbourhoods Place Type to ensure neighbourhoods have access to amenities and facilities.

4.3 Intensity

Intensity of development is controlled by regulating the range of permitted uses and heights based on the street classification fronting the subject site within *The London Plan*.

The proposed development is in keeping with the intensity policies of the Plan as the recommended single detached dwellings will be 2.5-storeys or less in height and the proposed uses can be accommodated on the site. This is in keeping with the low-density, single-detached character of the surrounding lands. Both the *1898 Official Plan* and *SWAP* require a minimum density of fifteen (15) units per hectare, and *SWAP* also requires a maximum density of thirty (30) units per hectare. Minor reductions to the minimum density are permitted where they can be demonstrated as appropriate for the site and meeting the intent of providing a mix of housing forms and choice in the neighbourhood. Requests were made by the Applicant to amend *SWAP* through *The London Plan* and the *1989 Official Plan* to permit a density of 6.4 units per hectare. The proximity of the lands to the Dingman Creek and Significant Valleyland results in a limited amount of land viable for development, and as such, the reduction in minimum density could be considered appropriate. The proposed R6-1 Zone does permit heights of up to 10.5 metres and a maximum density of 15 units per hectare, which would contemplate greater heights. Staff are recommending a special provision to mirror *The London Plan*, which will restrict heights to 2.5 storeys.

The London Plan also provides policies on how residential intensification within neighbourhoods should develop, and is identified as fundamentally important in achieving the vision and key directions of *The London Plan*. The proposed development is considered in keeping with the intensification policies as it helps implement the vision of *The London Plan* by providing opportunities to age in place, a diversity of built form, affordability, vibrancy, and the effective use of land in the area (Residential Intensification in Neighbourhoods, *937_). Similar to *The London Plan*, the *1989 Official Plan* looks at residential intensification as an important means of providing opportunities for the efficient use of land and encouraging compact urban form. The policies identify that innovative and creative urban design techniques should be used to ensure that character and compatibility with the surrounding neighbourhood are maintained. The proposed site layout and elevations have been reviewed and determined that the proposed use, intensity and form of development are appropriate within its surrounding context (3.2.3. Residential Intensification). The previous analysis of *The London Plan* policies relating to the form of development outline how the proposed form of development is appropriate within its surrounding context.

4.4 Form

As previously noted, single-detached residential dwellings are a permitted form of development under the LDR Designation, the Neighbourhoods Place Type, and the requested Residential R6-1 Zone. It is required that all planning and development applications conform to the City Design policies of *The London Plan*. The proposed development is in keeping with these policies as the site layout is designed in a manner consistent with the planned character of the surrounding lands, which are also designated within the Neighbourhoods Place Type. Policies within the Neighbourhoods Place Type identify the planned character, which is low rise and low-density forms of development, including the cluster dwellings proposed. The site layout has also been designed in a manner which will mitigate impacts on adjacent lands (253_). A large buffer is provided between the proposed development and the Dingman Creek Significant Valleylands, and outdoor amenity space is included within the Condominium as common element. This will provide for recreational opportunities and access to the passive recreation trail to be developed in the City-owned Open Space. The LDR designation of the *1989 Official Plan* is intended to accommodate low-rise, low density housing forms of development. The proposed vacant land condominium is in keeping with this goal as the proposed uses will not exceed 2.5-storeys in height ensuring that a low-rise, low coverage form of development is achieved minimizing any problems of shadowing, view obstruction and loss of privacy as well as providing compatibility with the surrounding land uses.

4.5 Public Comments

Through the proposal circulation several concerns were raised by the community. The main concerns related to flooding in the area, traffic, park pathway, greenspace, lighting impacts, safety, contamination of Dingman Creek Trail, fencing, garbage, and impacts on

abutting land uses/natural heritage areas. These concerns have remained constant through the recirculation of the revised condominium applications.

Traffic/Parking/Safety:

Through the development review process Transportation Engineering reviews all development proposals with respect to potential impacts on traffic volumes and pedestrian safety. Through the review of the proposed application the impacts of 10 additional units are considered minimal and Kilbourne Road is able to accommodate the proposed increase in traffic. Due to the small increase in traffic that will be generated no additional studies or reports are required to justify the proposed density of the development regarding its impacts on traffic. The development provides sufficient significant parking. Each unit is proposed to have its own garage along with a driveway, and 6 visitor parking spaces have been provided.

It should be noted that many of the concerns related to traffic, parking and safety are a result of current conditions and not directly tied to the proposal. It should be noted that Council has approved an initiative to reduce speeds on local roads throughout London. Community zones are currently in the test phase, and Kilbourne Road could see a reduction in speed to 40km/hr through this process.

Impacts on Surrounding Features:

As identified, the subject site abuts the Dingman Creek ESA. Concerns were raised about the loss of trees and woodlands due to the development and impacts on sensitive features. The proposed development is providing a 10m buffer from an agreed upon drip line of the abutting trees. The majority of the lands within the buffer area will be zoned and designated as open space and dedicated to the City, ensuring the continued protection of the abutting feature. A small portion of the buffer will be located in several of the units. The boundary of the common element block between units 2 and 3 was increased in size to provide compensation for this encroachment. The block will be further naturalized with native plantings. This, combined with the proposed setbacks create an appropriate buffer and separation between land uses resulting in minimal impacts from the proposed development on the abutting ESA.

Heritage Character:

Concerns were raised about the proposed buildings and their interface with the park like setting of the area. As previously mentioned, Staff feel that with the proposed height, lot coverage, proposed setbacks and reduced lots for the development provides an appropriate response to the abutting lands and park-like setting of the area. The large more functional greenspace to the west of the development provides greater opportunity to continue the Dingman Creek Trail from Kilbourne Road to Graham Place Park at the north of this development.

Privacy, light pollution, and property values:

Building front entrances, driveways, and garages are oriented internally to the site so that impact on privacy of adjacent properties is minimized. Perimeter fencing (1.8-metre-high board-on-board fence) and landscape planting buffers will also be incorporated into the approved site plan and landscape plans to provide screening and privacy of adjacent rear yard amenity areas. The proposed 2.5-storey dwellings are not expected to cast shadowing on adjacent properties or result in any significant loss of sunlight as the topography is relatively flat so there will be no loss of natural view corridors or vistas. The proposed residential infill development is not expected to adversely affect the residential stability of this area. A light impact study will be reviewed as part of the Site Plan approval process so that on-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties.

Stormwater/Flooding:

As part of the Site Plan approval process the applicant is required to demonstrate that stormwater will not impact the surrounding lands. The stormwater management objective for this site is to limit the stormwater impacts from the proposed development to the municipal storm sewer network and the adjacent properties. A new private on-site storm sewer system will be required to collect minor storm drainage for the proposed 1.75 ha northern portion of the site to be developed, excluding the rear yards of Lots 1-7. The sewer system will direct storm runoff into a low impact development (LID) infiltration system with an overflow pipe into the Kilbourne Road right-of-way. Overland flow routes will be provided such that major storm flows are not conveyed onto adjacent property but rather to Dingman Creek to the southwest, via the Kilbourne Road right-of-way to the south.

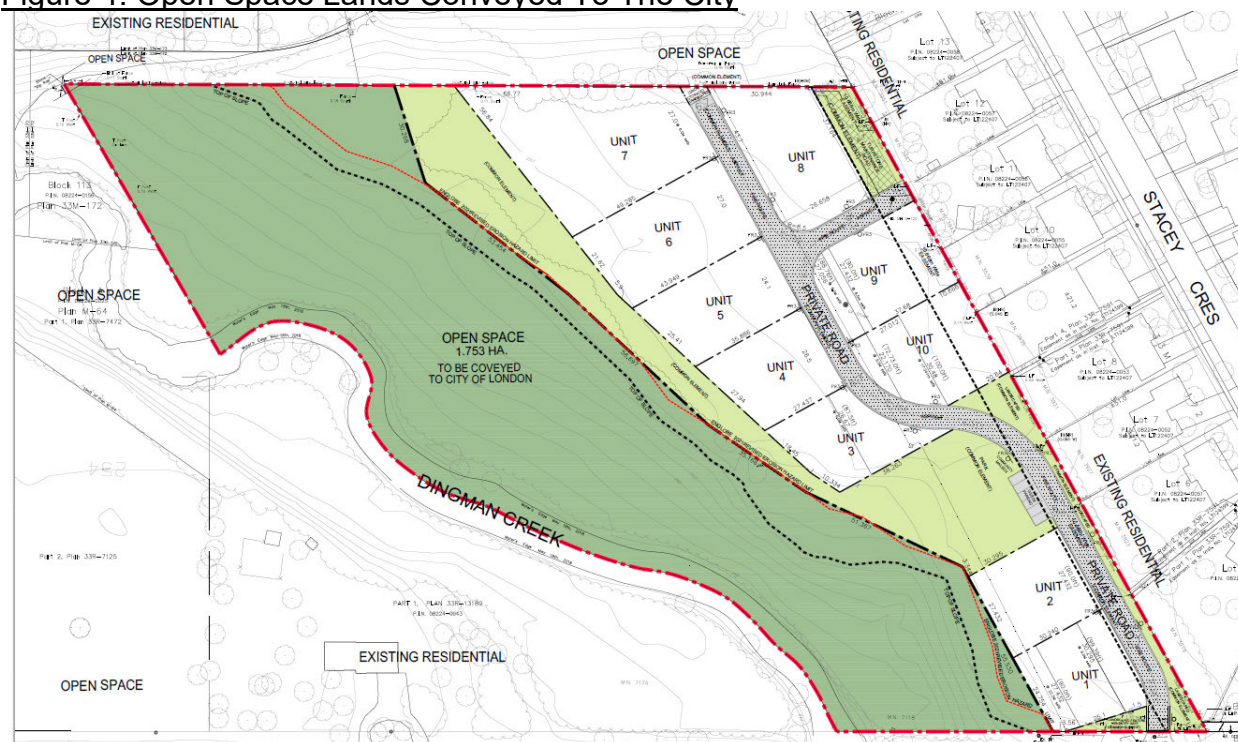
Stormwater management (SWM) controls will be required to reduce the rate of runoff in the post-development condition. Major overland flow routes have been incorporated into the site grading design to convey runoff from major storm events to Kilbourne Road to the south, which in turn directs drainage to the Dingman Creek.

4.6 Additional Amendments

The above analysis relates to the developable portion of the property however, additional Official Plan amendments and zoning regulations are required to ensure the continued protection of the abutting natural heritage features. As part of this application an EIS was submitted, and the applicant worked with City Staff on achieving appropriate buffers to the abutting lands. As part of this process, the applicant has provided a 10-metre buffer from the established dripline of the existing woodland abutting the proposed units. Most of the lots are located along the edge of the feature (seven of ten), all seven of those lots are located within the identified dripline. The applicant has provided additional open space lands to the City of London to compensate for this minor encroachment of the proposed lots.

Within the open space to be conveyed to the City, portions of land have been identified to accommodate a multi-use pathway (See image below). Additional setbacks also exist along the northern property line where additional open space lands exist. As a result of the proposed open space lands staff are recommending that these lands be designated as a Green Space Place Type in The London Plan. and zoned Open Space (OS5) Zone in the Zoning By-law.

Figure 4: Open Space Lands Conveyed To The City



Lands west of the Development Limit (common element) shall be dedicated to the City

Conclusion

The recommended amendments are consistent with the Provincial Policy Statement, 2020 and conform to the relevant policies of The London Plan. The proposal facilitates the development of an underutilized property and encourages an appropriate form of development. The subject lands are also located in close proximity to arterial roads ensuring easy access to Colonel Talbot and other areas and services within the City. The proposal will permit a small residential infill development that is appropriate for the subject lands, and compatible with the surrounding land use pattern. The extension of the Dingman multi-use pathway provides accessible open space and pedestrian movement from the Lambeth area to the City core.

The application for Approval of Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan. The proposed vacant land condominium in the form of single detached units also complies with the recommended Zoning By-law.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Planning and Development

Alison Curtis, MA
Planner 1, Planning and Development

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

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/sm

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By-law No. C.P.____

A by-law to amend The London Plan for the City of London, 2016 relating to 7098-7118 Kilbourne 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 October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading - October 17, 2022
Third Reading - October 17, 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 new policy in Section 20.5.7 to The London Plan (Southwest Area Secondary Plan) for the City of London to permit a minimum density of 6.4 units per hectare on the site (whereas a minimum density of 15 units per hectare is required);

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 7098-7118 Kilbourne Road.

C. BASIS OF THE AMENDMENT

Section 20.5.7 of The London Plan is the Southwest Area Secondary Plan which includes more specific policy guidance for the plan area. The recommended amendment will permit a reduced density than what is permitted by the Southwest Area Secondary Plan policies.

D. THE AMENDMENT

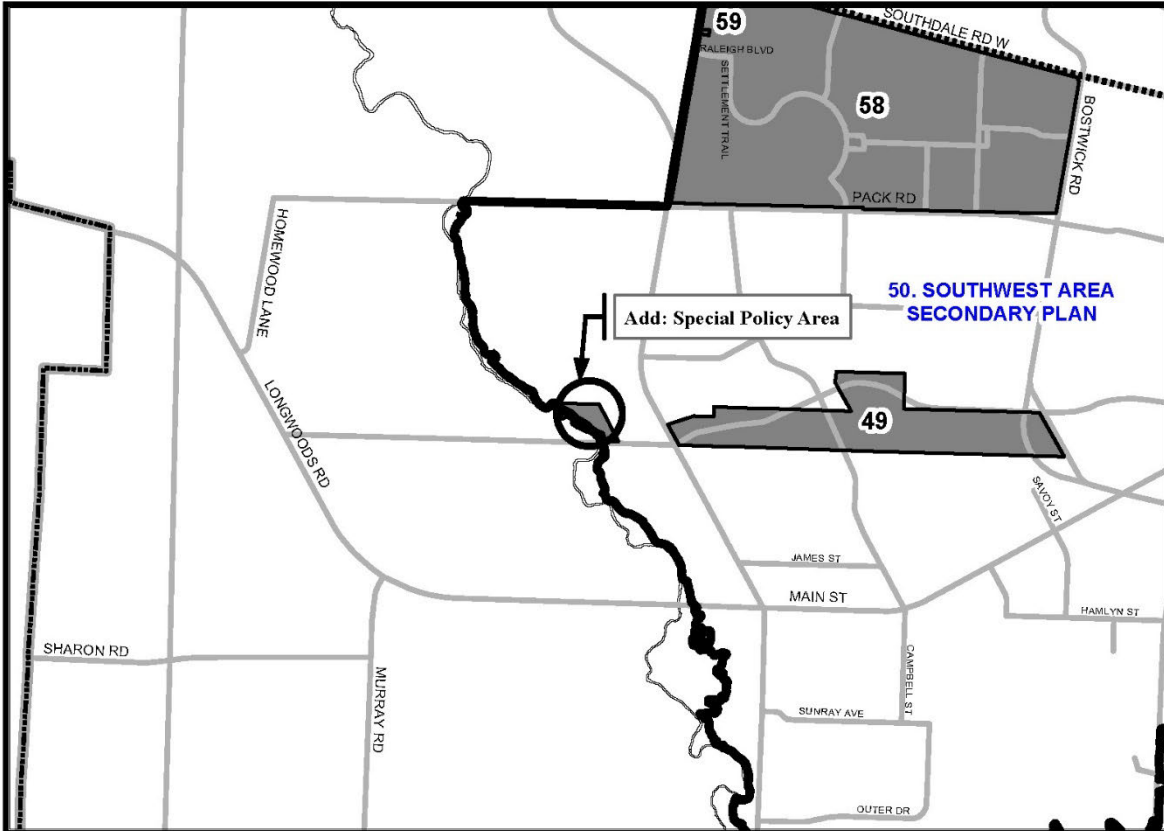
The London Plan (Official Plan) for the City of London is hereby amended as follows:

1. Section 20.5.7.1.iii “North Lambeth, Low Density Residential – Residential Built Form and Intensity” of The London Plan – Southwest Area Secondary Plan for the City of London is amended by adding the following:





7098-7118 Kilbourne Road

For the single detached dwellings within the vacant land condominium development, notwithstanding policy 20.5.7.1.iii.a), for minimum density, a minimum density of 6.4 units per hectare will be permitted on this site.





AMENDMENT NO:



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

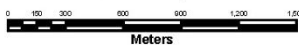
**SCHEDULE 1
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



Scale 1:30,000

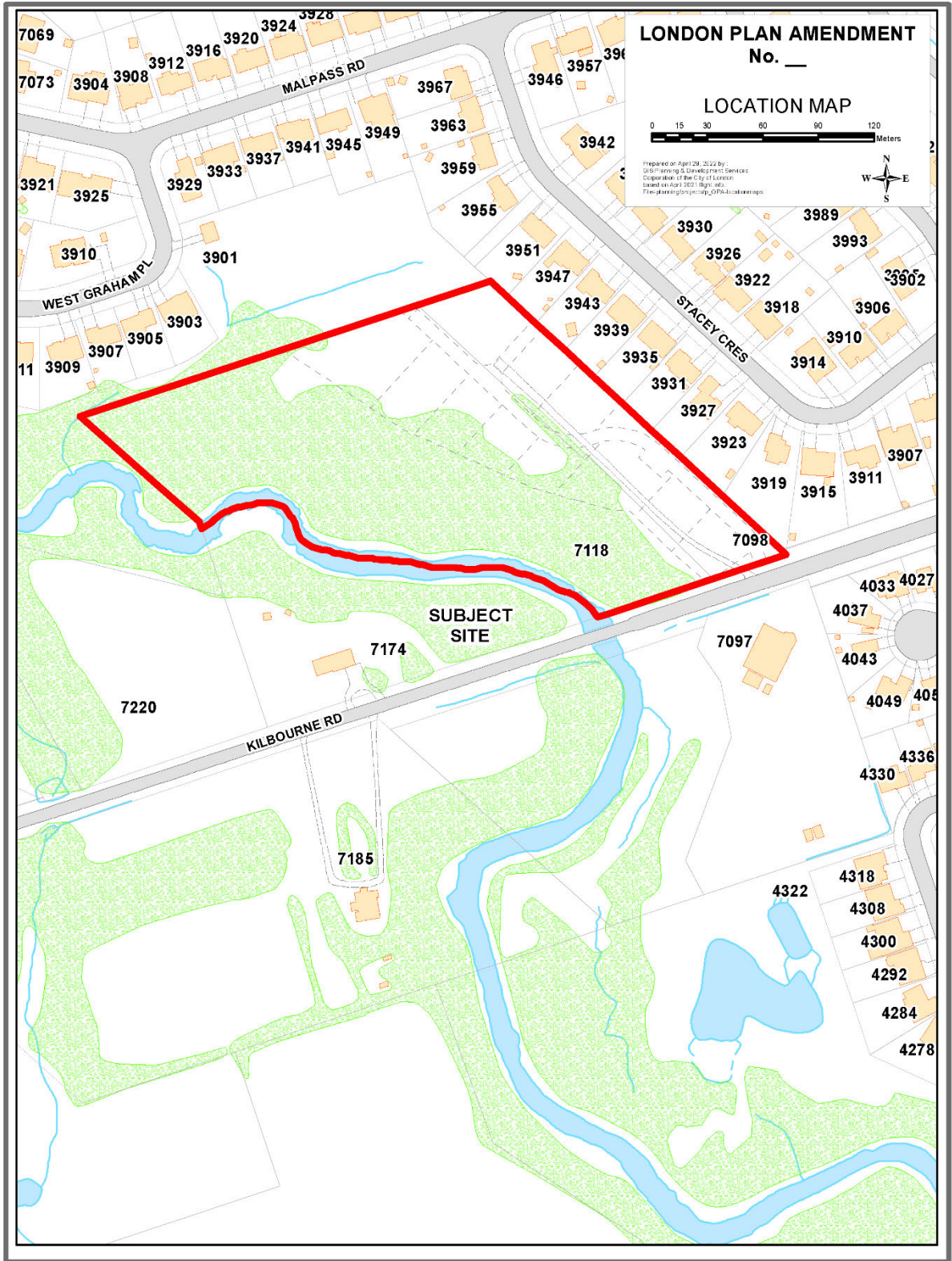


FILE NUMBER: 39CD-19518/OZ-9161

PLANNER: SM

TECHNICIAN: RC

DATE: 4/19/2022



Appendix B

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

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 7098-
7118 Kilbourne Road .

WHEREAS Bluestone Properties Inc. has applied to rezone an area of land located at 7098-7118 Kilbourne 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;

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 7098-7118 Kilbourne Road, as shown on the attached map comprising part of Key Map No. A.110, from Holding Open Space (h-2*OS4), and an Open Space (OS5) Zone, to a Residential Special Provision R6 (R6-1(*)) Zone and an Open Space (OS5) Zone.
- 2) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(*) 7098-7118 Kilbourne Road

a) Regulation[s]

i)	Height	2.5 storey (maximum)
ii)	Lot Coverage	30% (maximum)
iii)	Lot Frontage	22m (minimum)
iv)	Rear Yard Depth	1.2m (minimum) for units 7 and 8

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.

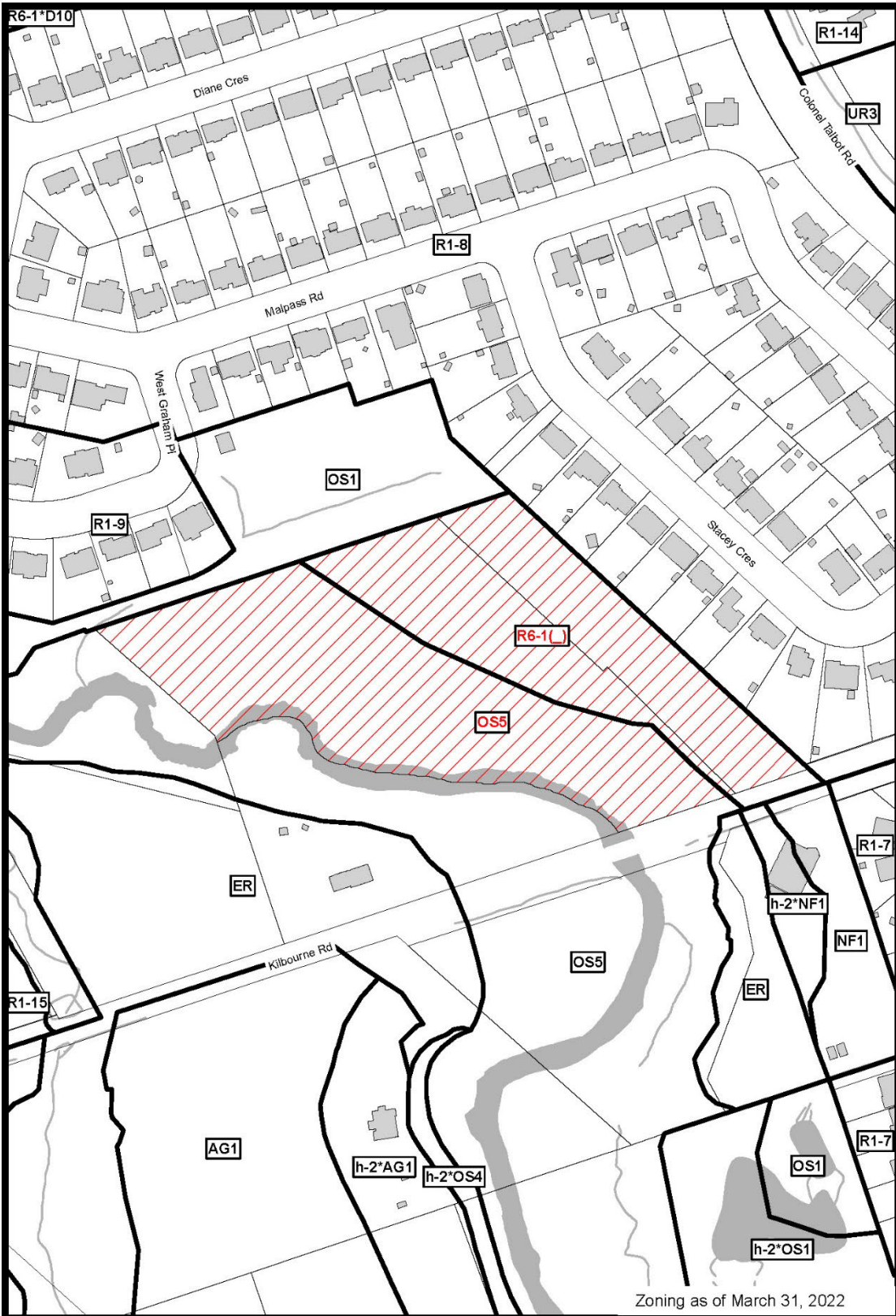
PASSED in Open Council on October 13, 2020.




Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

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



<p>File Number: 39CD-19518/OZ-9161 Planner: SM Date Prepared: 2022/04/12 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
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Geodatabase

Appendix C – Public Engagement

Community Engagement

Information regarding the requested Zoning By-law Amendment Application and opportunities to provide comments were provided to the public as follows:

- Notice of Application was sent to property owners within 120 meters of the subject property on January 9th, 2020.
- Notice of Revised Application was sent to property owners within 120 meters of the subject property on December 9th, 2020.
- Notice of Revised Application was sent to property owners within 120 meters of the subject property and published in the Public Notices and Bidding Opportunities section of The Londoner on March 2nd, 2022.
- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property and interested parties on September 15th, 2022.
- Notice of Public Participation Meeting was published in Public Notices and Bidding Opportunities section of The Londoner on September 15th, 2022.

Two (2) responses to the original Notice of Application circulation process were received, and one (1) was received following the first Notice of Revised Application. Three (3) comments were received following the second Notice of Revised Application, and they are included within this report below.

Nature of Liaison: 7098-7118 Kilbourne Road– The purpose and effect of this application is to develop a condominium consisting of 10 residential units. Consideration of a proposed draft plan of vacant land condominium consisting of 10 single detached residential units with a private access driveway, private internal services and a common element for open space/floodplain. Consideration of a possible amendment to the 1989 Official Plan to add a Specific Area Policy to Chapter 10 to permit a minimum density of (6.4) units per hectare on the site; and to amend Section 20.5.7 (Lambeth Neighbourhood) of the Official Plan (Southwest Area Secondary Plan), to add a special policy to permit a minimum density of (6.4) units per hectare on the site (whereas a minimum density of 15 units per hectare is required). Consideration of a possible amendment to The London Plan (New Official Plan) To amend the Southwest Area Secondary Plan, Section 20.5.7 (Lambeth Neighbourhood) to add a special policy to permit a minimum density of (6.4) units per hectare on the site (whereas a minimum density of 15 units per hectare is required). Consideration of a possible amendment to the Zoning By-law to change the zoning from a Residential R1 (R1-8) Zone, an Environmental Review (ER) Zone, a Holding Open Space (h-2*OS4) Zone and an Open Space (OS5) Zone to a Residential R6 Special Provision (R6-1()) Zone to permit cluster housing in the form of single detached dwellings, with a maximum lot coverage of 30%, a maximum height of 10.5 metres, a minimum lot frontage of 22m, and a 1.2m rear yard depth for Units 7 and 8; and an Open Space (OS5) Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails, multi-use pathways, and managed woodlots. File: 39CD-19518/OZ-9161 Planner: S. Meksula (City Hall).

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

From: Jennifer McNabb
Sent: Mon 1/27/2020 11:19 AM
To: Pasato, Nancy, Hopkins, Anna

Good morning Nancy and Councillor Hopkins,

I am writing regarding the planning application for 7098/7118 Kilbourne Road.

Overall, I am supportive of the application, mainly because I prefer this over any high density housing (townhomes, apartment building, etc.). With that said, my concerns are as follows:

1. My backyard is one that will be visible to the new proposed houses, especially the lots at the front of the property near Kilbourne Road. I am concerned about privacy as I have two small kids and our backyard is our oasis where we spend all of our time, especially in the summer. We moved to this area for the neighbourhood, huge lots, and to avoid 'being looked down on' from someone else's home. I know there isn't anything that can probably be done about limiting the houses to one story homes, but that would help immensely with my privacy concerns.
2. Several trees bordering the edge of the property beside the backyards of Stacey Crescent were cut down in the last year. This greatly reduced the privacy the backyards might have from these homes. I would like to suggest replacing many of these trees to assist in maintaining privacy for our backyards and to reduce the environmental impact this development may have.
3. What will the overall esthetic of the houses be? The homes in our area are mainly traditional brick homes. This is a personal opinion but I cannot stand the modern looking homes. I am hoping there can be something implemented to ensure the homes maintain a traditional look, consistent with the neighbourhood.
4. Will there be any impact to the water drainage in the area or bordering properties? Our neighbourhood is known for having water issues due to the high water table and it has been my understanding that our backyards should be draining towards the stream, which would then be blocked by the new houses. What will be done to prevent any impact to, or increase, the water drainage in the area?
5. Was there ever any consideration given to maintaining the property's open space designation and instead of developing, creating a park or environmental area? There aren't many environmental areas (similar to the ones along the Thames, Hamilton Road, Springbank, etc) in this part of the city. An open space park or environmental area could connect with the City of London paths to the Lambeth Community Centre all the way through to the creek behind the homes on Malpass Road and West Graham Place, which would then connect through to Clayton Walk's path, to the new Silver Leaf paths. I much prefer this option, and as my kids get older, would use this all the time. I am confident several members of the existing neighbourhood would use and prefer this as well. I understand a park or open space environmental area doesn't bring in any tax revenue for the city, however, the benefits to the area, environment and its current residents are unmeasurable.
6. Has there been any consideration to the increased traffic on Kilbourne Road? I am aware in viewing other planning applications that Kilbourne Road is set to be extended through to Bostwick Road, then to Wonderland Road South. As indicated in one of the surveys on the planning application, Kilbourne Road is designated as neighbourhood access only, which by definition and in my opinion, should mean low traffic. When this extension goes through the traffic will be easily tripled if not more, used as a freeway as the 60km/h limit is never adhered to (80-90km/h would be the average), used as a cut through to bypass Lambeth/Main Street, and the noise coming from the road will make my backyard almost unbearable during high traffic times. I would suggest this road would no longer be solely a neighbourhood access only road. We already went through this during the Main Street construction closure when Kilbourne Road was designated as the alternate route. Getting out of our subdivision was bordering on dangerous and the volume from the traffic made conversations hard to hear in my yard. After many complaints to the city, they temporarily added traffic calming measures that were very ineffective - we would sit in our yard and count how many were knocked over by the speeding cars and construction vehicles. Adding another 14 homes (on average 2 cars per home, 28 cars) using the road daily will have an impact on the traffic, however, my bigger concern would be for the first lot within the proposed development once Kilbourne Road extends through. The noise level for that house will be terrible. If nothing can be done about Kilbourne

Road's planned extension or preventing it from being used as a freeway/cut through, I would suggest either sound walls be installed in preparation for the traffic increase or the development gets rid of the first lot to allow for a sound barrier between the road and the first home.

I look forward to hearing from you.

Thank you,

Jenn McNabb

From: Paul Davison
Sent: Sat 2/1/2020 7:05 PM
To: Pasato, Nancy
CC: Hopkins, Anna, Paul Davison

Dear Nancy,

The following is a reply to your Notice of Public Planning regarding 7098-7118 Kilbourne Road, London Ont..

My name is Paul Davison. I live at 3919 Stacey Crescent, London, Ont..My backyard would border on Unit # 1 of the Requested Draft Plan of Vacant Land Condominium that was mailed to my residence.

Your accompanying letter solicited homeowner input on the proposed development project, and is included here.

1. I have lived in my residence since Feb 1994. Most of the homeowners on Stacey have lived here for quite a while. I have watched the forest of trees behind my house cut down, when the easement went in to service the new homes that were built on the east side of Kilbourne Road. The privacy and seclusion I had enjoyed disappeared with the trees.

Now a land development is proposed. With the further reduction of privacy. I would like to see any property development proposed be designed to maximize my privacy and enjoyment of my property.

2. When construction begins, will there be a nice privacy fence installed between the construction and the back yards on Stacey, or will there just be that black 2 foot high border that is often used. I have a dog, and this construction will be very disruptive to her. The noise, truck traffic, and construction workers coming and going will cause my dog great anxiety. A proper privacy fence is required. This permanent privacy/noise mitigation fence should be built pre construction, and should be a quality fence.

3. I have a concern regarding garbage pick up for the proposed condominium project. Would a garbage truck drive around the development on garbage day, or will there be a designated garbage drop for pick up. And where would the garbage drop be ?

I suspect it would be near Kilbourne, and therefore right next to my backyard fence. I don't want to smell the garbage of 14 residences, not to mention dealing with the rodents that are attracted to garbage. Plus the risk this would expose my dog to.

4. Will the access road through the development be illuminated ? Will there be overhead lights on all night long ? And will the light reach into my backyard ? I think any road lights should not produce light pollution to homeowners backyards on Stacey, and actually should not be visible to homeowners on Stacey.

5. Ideally I would like to see only one story condominiums built, since a two story home would open up my backyard to a further reduction in privacy. But I realize a proper privacy fence could help.

Thank you for considering my comments.
Paul Davison

From: D & T Frizzell
Sent: Sat 12/19/2020 7:44 AM
To: Meksula, Sean

We are good with this proposal and would like to be kept informed on any updates & the final decision, thanks.
Dave & Tracey Frizzell

From: Jennifer McNabb
Sent: Wed 3/16/2022 9:53 PM
To: Meksula, Sean, Hopkins, Anna

Good evening,

I reside at Stacey Cres, in close proximity to this proposed development.

While I prefer this lot remains greenspace (it would make for a beautiful park and could continue the walking path south of Kilbourne, attaching it to the greenspace north of the lot), I support the plan so long as my concerns below be addressed.

This area is prone to water issues, which is not news to anyone who lives here. After every major rainfall, you will see at least 1 neighbour tearing out basement carpet/drywall due to a flood. This has happened to us several times, resulting in us putting over 100k into waterproofing and refinishing our basement this past year. Because of this investment into our home, I want to ensure that this development does not create any additional water issues. I have attached pictures of the rear of our yard and circled where water collects and the direction in which it flows out of the yard. The water flows to the west, out our neighbours yard to through this proposed development (lots 1 and 2) to Dingman Creek. Could you please advise (or provide if they are done) what water studies have been done? And could you please advise what water mitigation/drainage will be in place so as the driveway and houses on lots 1 and 2 do not block the flow of water out of our yard?

Keeping with water, I would also like to know whether being in the Dingman Creek watershed, and backing on to Dingman Creek, have been taken into consideration? Have barrier free access and flood plain been considered?

I am also concerned regarding lighting with the entrance driveway as it will be very close to our backyard, and the view from our backyard that will be changed by lots 1 and 2. We enjoy the feeling of being at the edge of the city and the view it comes with. With how our neighbours house is situated, looking out from our deck feels like we live in the country. One of the benefits to this is the night sky, which we enjoy frequently year round. I would like to ensure that the night sky and our views are not changed. What is the plan for lighting and what impacts/studies have been done to ensure neighbours and the environment are not impacted?

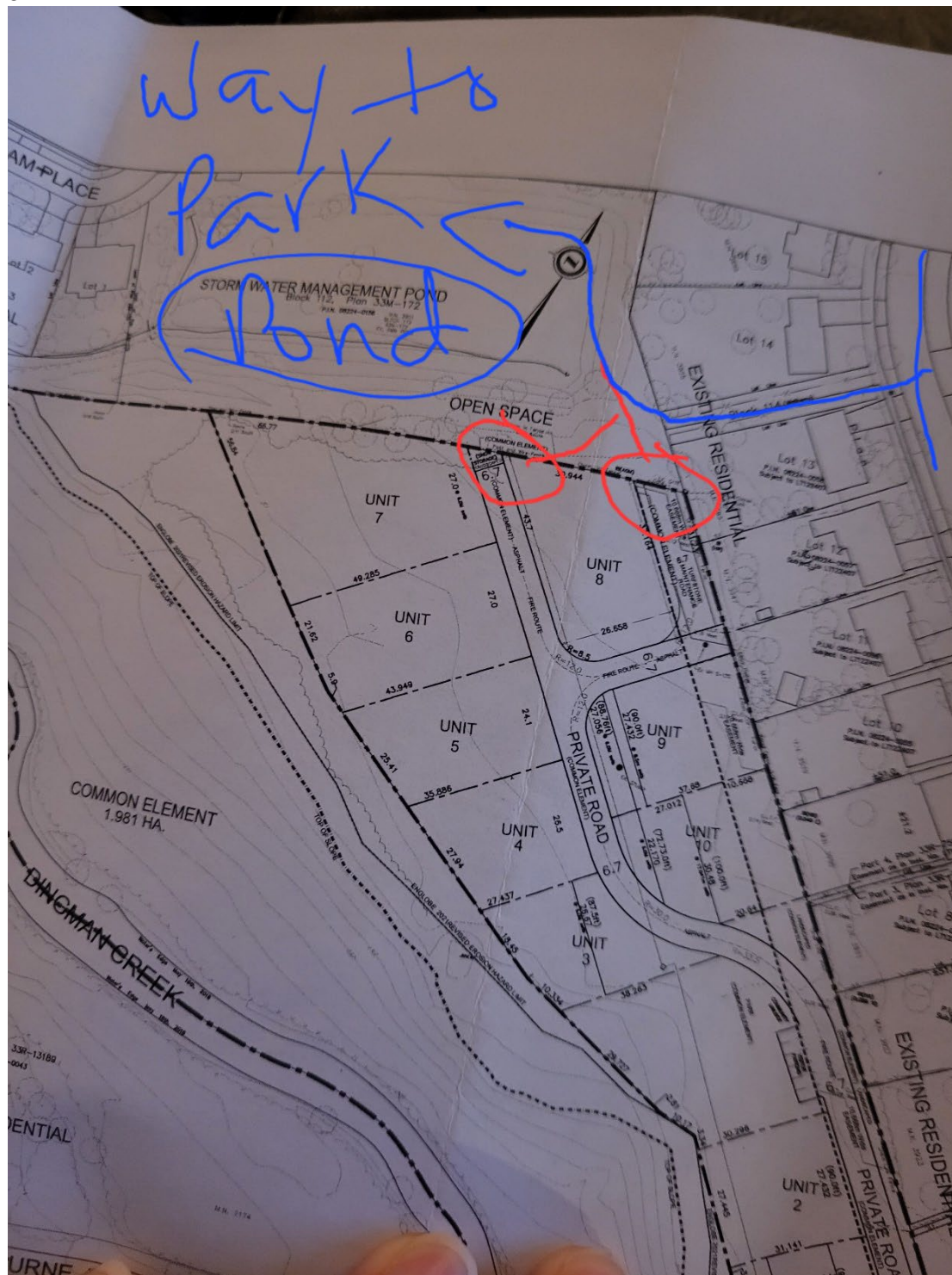
I am also wondering if the existing back fence at the rear of the lot will be opened at all to allow access through to the pathway and greenspace? I have attached a picture of the plan and circled where an opening could attach to the existing pathway.

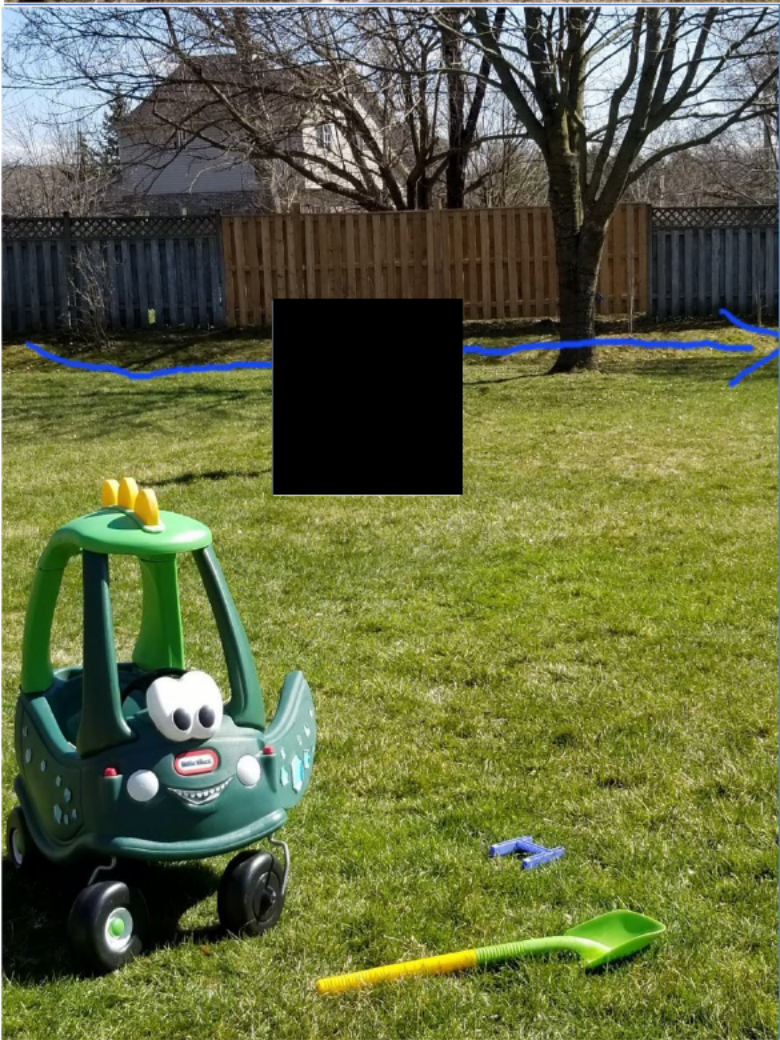
I appreciate that the developer wishes to reduce the allowable units on the land from the City's desired density, and wishes to keep with a similar property valuation as the

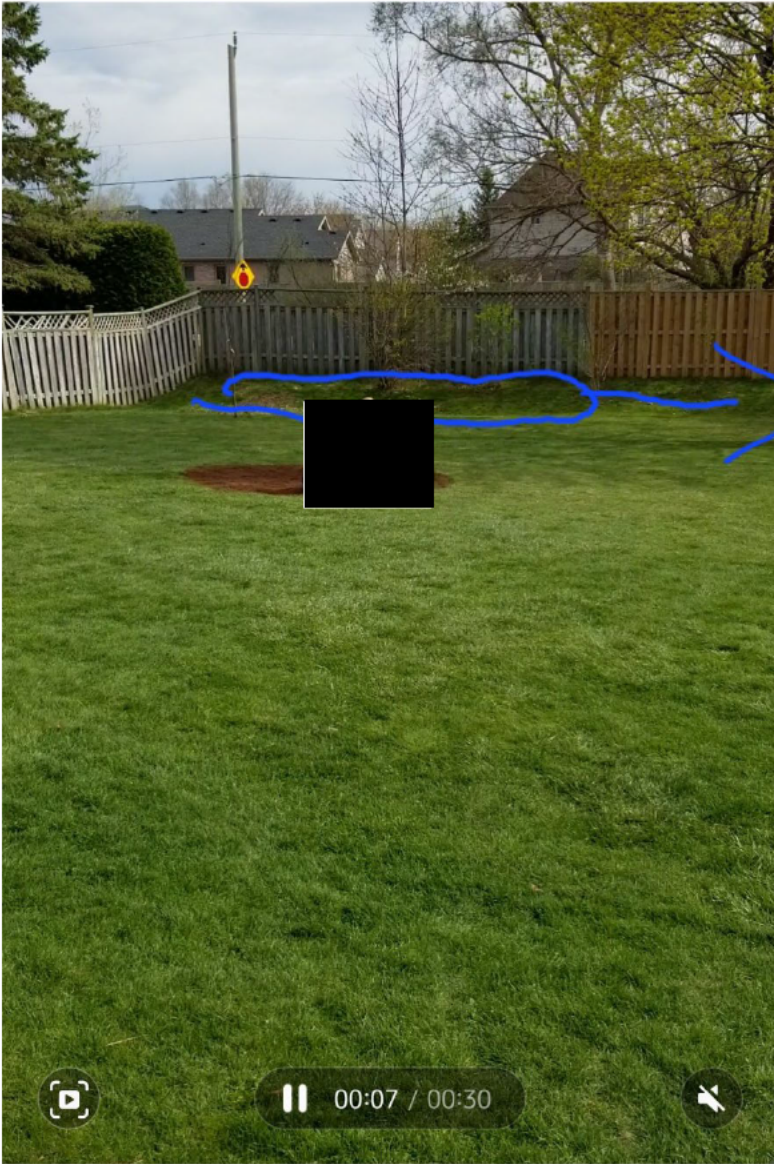
existing neighbourhood as to not impact the value of our homes. For this reason alone (preventing high density), I support the plan so long as my concerns above are addressed. My preference is a greenspace or park, but I prefer this plan as outlined over another developers high density plan.

I consent to this email being included in the public record/planning committee submissions/council submissions.

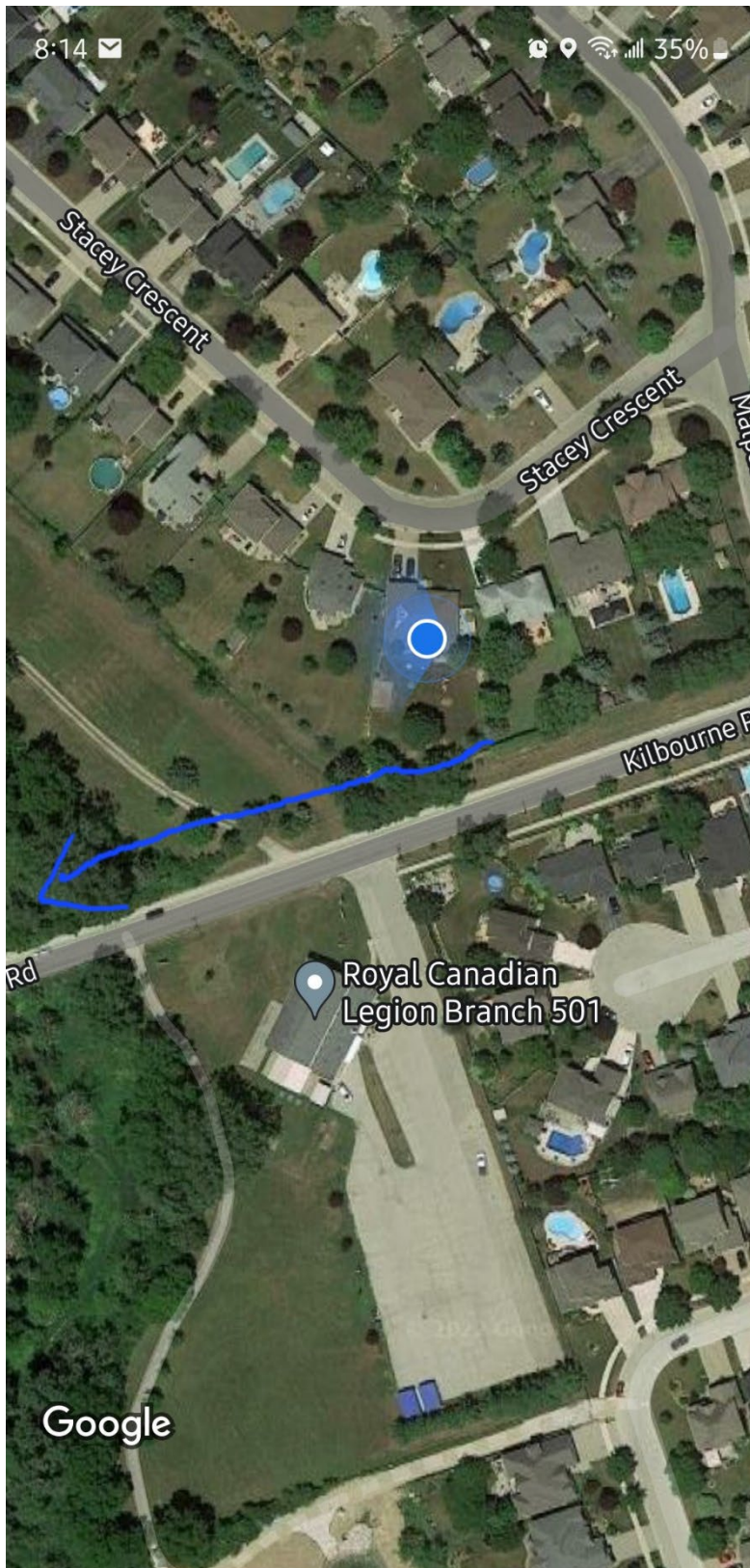
Thank you,
Jenn McNabb











From: Stanley Waring
Sent: Thu 3/24/2022 1:45 PM
To: Pasato, Nancy

Good afternoon Nancy,
A few questions about File: 39CD-19518/OZ-9161 7098-7118 Kilbourne Road.
- Will this development include public-land dedicated to the City of London to continue the Dingman Creek trail?
- Will the project included a pedestrian crosswalk with warning lights?
- Way are there several separate applications on property?
- What stage is the application in the approval process?
2 x attachments
Best regards
Stan



From: Paul Davison
Sent: Saturday, March 12, 2022 10:25 AM
To: Meksula, Sean
CC: Paul Davison

Hello,

My name is Paul Davison.

I am replying to your request for comments on the a/n proposed property development. My backyard is directly opposite Lot 1 on the proposed draft plan of Bluestone Properties Inc.

My concerns about the proposed condominium development follow:

1. Fencing

I am worried about the style, quality and sound inhibiting characteristics of the fence that will be directly behind my residence. Whatever fence Bluestone installs must be Zero maintenance and be well made, since the residents on Stacey Crescent will have to look at it every day. The fence must be a height which reduces traffic noises coming from the proposed condo development. The proposed access road will run right behind my residence, and will expose me to condo traffic and pedestrian noise. Plus many residents of Stacey Crescent, including me, own dogs. This project will take a couple of years to complete, so a proper and suitable fence would reduce the stress to family pets.

2. Garbage Pickup

A proper fence installed will reduce nuisance noises like garbage trucks, delivery and construction vehicles, and should be a consideration when a fence design is contemplated.

3. Condo road lighting

I'm concerned that I will be exposed to light pollution coming from whatever road lighting system is planned. Street lights mounted on poles will undoubtedly expose me and my property to unwanted bright light and take away from my enjoyment of my property. Any road lighting options should be designed to not interfere with residents living on Stacey Crescent.

4. Park Common Element

The proposed Park area is between lots 2 and Lot 3. It seems to me that Lot 7 would be a better place for the Park. Lot 7 is bigger and more private, and putting a park there would relieve owners of Lot 2 and 3 of additional park related noise.

Thank you

Paul Davison

Appendix D – Agency/Departmental Comments

Enbridge Gas – March 3, 2022

Thank you for your correspondence with regards to draft plan of approval for the above noted project. It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

London Hydro – March 3, 2022

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

Bell – March 28, 2022

Dear Sir/Madam,

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

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

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

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

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

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

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

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

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca

Urban Design – April 1, 2022

- Provide enhanced elevations with similar level of details as found on front elevation (in terms of porches, windows, articulation etc) for any end units (Unit '1') facing Kilbourne Road.
- Provide full elevations with materials and dimensions labelled of Unit '1' facing Kilbourne Road. Further urban design comments may be provided after receipt of these elevations.
- The design of the site should have regard for any significant mature trees, in particular when located adjacent to existing development. This may require a larger setback for the units once it has been determined which trees should remain and how much separation would be required to ensure their survival.

EEPAC – April 8, 2022

Geotechnical Engineering Report Comments

1. Continuous groundwater flows to wetland area and Dingman Creek throughout the year with less than 1m water table variation. Unclear how short-term localized dewatering activities and/or sub-excavation will not have an impact on slope stability given moisture content and substrate size in the sampled boreholes, especially in sections D and F. Further, the organic thicket swamp is sensitive to changes in hydrological change as noted in the Scoped Hydrogeology Study Report. Dewatering is not supportable and basements should not be permitted.

Scoped Hydrogeology Study Report Comments

1. It is not clear why groundwater chemistry samples were unfiltered if this positively biased metals concentrations. This calls into question the exceedances of Aesthetic Objectives (AOs) and Operational Guidelines (OGs) observed on the site for metals that preferentially do not dissolve (e.g. aluminum, iron, and manganese).
2. The report notes a 17.5 % decrease on the local recharge and a 72.6% increase in runoff would be caused by the development. EEPAC's main concern is contamination of groundwater and wetland - mitigation options are in LID design prioritizing de-icing salt management and runoff management. However, introducing clauses around salt use for de-icing for residents seems to shift the responsibility of reducing contamination to residents rather than have a prior solution developed by the proponent. What ability is there in the conditions of development to ensure protection of the wetland features? Further, though the report assesses the magnitude of hydrologic changes will be low, but the wetland is highly sensitive to change in hydrology, so what does a 17.5 % decrease on the local recharge mean for this sensitive habitat? The report is silent on this issue.
3. Warmer water temperatures due to the infiltration of runoff water through LID system, and though there may not be an overall increase in groundwater temperature, would specific points of infiltration from the LID system impact the habitat quality in the wetland? This is also not addressed in the report.
4. De-icing with salt and subsequent contamination of ground/surface water is likely to be greater during freeze/thaw periods during winter months (assuming November to March) by salt runoff from roadways and use by residents. Beyond post-construction monitoring, what adjustments or enforcements can be made in the conditions of development if salt contamination is found to increase during year one of monitoring?
5. Consider implementing a plan for sodium and chloride reduction. For example, homeowner education for proper discharge of pools (including non-saltwater pools) and use of de-icing salts and working with the City of London to reduce de-icing salts on public and private roadways, where safely implementable. Frankly, a condition of the condominium agreement is that no pools should be permitted as it is likely they will discharge to the ESA.
6. Because the report suggests that the adjacent SWM facility might be a contributing factor to high sodium and chloride levels, the City of London should consider what corrective actions can be implemented if this turns out to be the case.

Ecology – April 22, 2022

Hi All, please see my comments for 7098 & 7118 Kilbourne Road updated EIS (December 9, 2021):

- 1) While the EIS has updated the figures with the driplines and some of the text compared to the previous Report, it still has not satisfactorily addressed some of the key comments identified by the City on **February 3, 2021**.
 - - a. City Comment #3 – While the Common Element (park) has addressed part of this issue, this is not reflected in the text and some of the units are still well within the dripline. Tableland vegetation contiguous with the Significant Valleyland is part of the feature and should be identified as such, however this section continues to indicate this area is not part of the feature.
 - b. City Comment #5 – Dripline has been addressed, however the EIS figure does not show that the ESA feature extends to include these areas identified and should be zoned and mapped as such. The EIS figures need to show the appropriate OS5 zone up to the development limit, so that all of the features/ buffers are included in the zoning and City Map 5 and Map 1 will need to reflect this change showing the ESA limit.
 - c. City Comment #6 – Has not been addressed, no changes in the EIS were identified. The EIS still does not acknowledge the potential snake Hibernaculum identified in the feature and the 30m radius centered around hibernaculum. The City also disagrees with certain species not being sensitive to development in general and to the cumulative impacts of development around NHF.
 - d. City Comment #7 – Has not been satisfactorily addressed, while the EIS now identifies an area for ‘restoration’ this area is not very large and it does not take the place of a permanent minimum buffer that provides various protection over the long term. The majority of the lots are located along the edge of the feature (seven of ten), all seven of those lots are located within the City’s dripline. It is difficult to indicate support for a project that does not provide the minimum 10m setback (or greater than the minimum given the ESA and other features present) for any of the seven lots and the minor/ limited restoration works do not make up for this large discrepancy.
- 2) As stated at the beginning of this process given the small size of the property, the recognized ESA, Significant Valleyland, Wetland, Significant Woodland, SAR present/ potential, the best approach for this development was to have a single loaded road that runs along the top of the site with the lots backing onto the feature and providing that minimum setback that could be achieved with a single loaded road. In this case, some of the intrusion into the buffer/ dripline for lots 1 and 2 for example (road entrance pinch point) could be acceptable as additional buffer beyond the minimum could be provided for other lots further back from the road (i.e. Lots 6 and 7, which are very large lots relative to the others in the development). This would allow for implementing minimum protections identified in the EMG while providing development to proceed with seven of the ten lots proposed.

Parks – April 28, 2022

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 2% for commercial uses. Parkland dedication calculations for the proposed development are listed in the table below. It is the expectation of E&PP that the majority of the required parkland dedication will be satisfied through land dedication with the remainder as a cash-in-lieu payment.

- The table below summarizes the information as per the submitted Plan.

Land Use	Area (ha)	5% Area (ha)	Expected Dedication (ha)
Site Area	3.528	0.176	0.176
Required Parkland			0.176
Parkland Dedication (ha)			0
Open Space dedication (constrained) (ha)			0
Total Dedication on Plan (ha)			0
Outstanding Over Dedication Balance (ha)			0.176

- A multi use pathway corridor as identified on the London Plan Map 4, Active Mobility Network and in the Cycling Master Plan is to be located on the lands. The multi use pathway corridor will extend northerly from Kilbourne Road along east side of Dingman creek in the ESA on these lands and connect to the City owned lands at 3901 West Graham Place.
- Parkland to accommodate the multi-use pathway corridor shall be 15 metres in width as per as per City of London Standard Contract Documents (SPO 1.6, 1.7) and Section 1750 of the London Plan.
- The multi use pathway corridor shall be located wholly outside of any ecological feature. As per the Environmental Management Guidelines, the multi use corridor is expected to be located within the required (and adequately sized) buffer to the adjacent ESA lands and will be taken at a 1:16 rate consistent with open space land dedication.
- The location of the multi use pathway corridor shall be consistent with an approved EIS for these lands.
- The City will require fencing as per SPO 4.8 on all residential lots backing onto the park/pathway corridor

UTRCA – March 12, 2021

UPPER THAMES RIVER
CONSERVATION AUTHORITY

"Inspiring a Healthy Environment"



March 12, 2021

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

Attention: **Sean Meksula** (sent via e-mail)

Dear Mr. Meksula:

Re: File No. 39CD-19518/OZ-9161 – Application for Draft Plan of Vacant Land Condominium – UTRCA Comments - 2nd Round of Technical Studies
Applicant: Bluestone Properties Inc.
7098 & 7118 Kilbourne Road, London

In correspondence dated February 13, 2020, and March 9, 2020, the Upper Thames River Conservation Authority (UTRCA) provided comments regarding the Planning Act applications and the first submission of supporting technical studies. We have received updated reports including a response summary table to address our initial comments. We offer the following comments on the second round of technical submissions.

Environmental Impact Study

The UTRCA has reviewed the *Environmental Impact Study Report 7098 & 7188 Kilbourne Road, London ON* prepared by MTE dated November 6, 2019 as amended November 4, 2020. We support the the reduction in the number of condominium units from 14 to 12 for this site. We have the following main concerns:

1. As was discussed at the May 15, 2018 site meeting, referenced in the Biologic Memo of May 29, 2018, and commented on in both the February 13, 2020 and March 9, 2020 UTRCA correspondence, the limit of development was to be determined by the review of Englobe's stable top of slope by the ecological consultant. According to Section 4.2.2.2 of the Nov 4, 2020 amended EISR, the project archaeologist concluded that community 3b is an area of disturbance and not of historical value. However, it is our opinion that an archaeologist is not qualified to determine the ecological value of the features, nor to evaluate valley land systems which is the goal. This is to ensure that the physical top-of-slope, not just the stable top-of-slope has been properly identified. Furthermore, the ground layer of community 3a, which is located beside 3b, needs to be evaluated by the ecological consultant as does the rest of the historically maintained edge of the lawn that defines the boundary between Community 2 and Community 3. This evaluation must occur at the appropriate time (please refer to Comment 2) and is required in order to determine how much of the 50m habitat from the retainable Butternut needs to be considered under the ESA Act.
2. Section 4.2.2 of the Nov 4, 2020 amended EISR states that fieldwork was conducted by Will Huys, MNR certified in ELC, on December 7 2017 and finalized through subsequent field visits on May

15, 2018. Section 4.2.5 states that field visits took place on December 7, 2017 (preliminary visit only), May 15, 2018, June 8, 2018, July 11 2018, Sept 21 2018. However, Appendix E has ELC sheets for December 7 and June 8. There are no dates provided for the summary lists of floral species in Appendix I. **Where are the May 15, 2018, July 11 2018, and Sept 21 2018 data sheets? This has been an outstanding comment in both the February 13 2020 and March 9 2020 UTRCA correspondence. Please ensure that the floral data sheets in Appendix I have a complete list of plant metrics (CC, wetness, weediness, etc.)**

3. In the March 9 2020 correspondence we asked whether Monarch and its habitat was recorded on site. According to Appendix I of the Nov 4, 2020 amended EISR, *Asclepias incarnate* (Swamp Milkweed) was present in Community 1. **Please include Monarch (SC) habitat as SWH in the appropriate sections of the amended EISR and discuss how it will be protected from the impacts of development.**
4. **The City of London's email of August 20, 2018 in Appendix A states that a buffer must be addressed. This has also been an outstanding comment in both the February 13 2020 and March 9 2020 UTRCA letters. Not only do buffers provide additional physical distance between sensitive features and development impacts, but they are an area that can be modified with additional mitigation solutions, if need be. As stated in Section 7 of the Nov 4, 2020 amended EISR, "The erosion hazard setback, or the forest community (Vegetation Community 2 FOD7), whichever is greater, forms the ESA boundary [Figure 11]. Given that there are no buffers from this boundary, it also is the limit of development. Section 5.4.3 of the Nov 4, 2020 amended EISR, states that "the expansion of the ESA boundary to include the Erosion Hazard and access allowance, which adds additional setbacks beyond the ESA boundary along the southern half of the site, has expanded the development limits in the south half of the property.**

Furthermore, Section 5.4.3 states that the main defining characteristic of this section of the Dingman Creek ESA that needs protection is the groundwater seepage and associated wetland habitat. We disagree with this opinion. There are many important characteristics/features as listed in Section 5.0 in addition to groundwater seepage and wetland habitat, including significant woodlands, significant valleylands, SWH, fish habitat, butternut habitat, groundwater recharge areas, Eastern Wood Pewee habitat and Green Dragon habitat. **Please remove the sentence "none of these features is sensitive to development" in Section 5.4 and discuss how all of these features will be protected.**

5. Sections 5.4.2 and 6.0 of the Nov 4, 2020 amended EISR states that "the plan for this application is to maintain the proposed area of ESA and adjacent areas (e.g. Dingman Creek Corridor) as a Common Element in a Condominium Agreement. Within the agreement, the long-term maintenance of the protected area by the landowners next to the feature, monitoring and ongoing preservation of the ESA and naturalization area will be defined. Education, appreciation, preservation of valley slope lands and long-term maintenance, will be the key to preservation in the long term". Recommendation 3 in Section 7.1 of the Nov 4, 2020 amended EISR states that "annual inspection of the water quality measures including inlet filter bags, floatable traps, sumps, filter socks and the Etobicoke infiltration system is needed to ensure long term maintenance. This requirement will need to become part of the Condominium Agreement." Recommendation 7 in Section 7.2 states that "The NH Condominium Declaration should include requirements for protection of the Common Element (Open Space/ESA)." Section 7.3 also has a number of monitoring recommendations that require technical expertise. **While we agree with the intent of these recommendations, we are concerned about the level of knowledge of the**

condominium corporation in ensuring these recommendations are carried out appropriately. To ensure that the ESA, valley slopes and other important natural heritage features are protected, the EIS must develop recommendations that will be communicated to the residents and the condo board about:

- i. The qualifications / expertise required to conduct these inspections, in order to ensure that they are completed, and reported, correctly; or that they provide details as to how these recommendations are to be carried out.
 - ii. The management of the common element area to protect the natural features or mitigate impacts must also include:
 - a. tree preservation fence should not have any gates
 - b. reduced mowing in common area
 - c. enhanced naturalization of common area and
 - d. no pools, snow storage, trails, or fire pits allowed in these areas.
 - iii. Who is responsible for the “on-going education” of the Condo Board and residents which is noted in the Net Effects Table? How will this be resourced in the long term? How will it be monitored?
6. Is it possible to relocate Block 4 closer to the road, further away from the edge of the ESA boundary?
 7. Please describe the natural feature located immediately adjacent to the north east of the subject lands (between the residential development and the subject land boundary). Will there be any impact from the proposed development on this feature?
 8. Section 7.1 of the Nov 4, 2020 amended EISR states that “additional LID measures to maintain water balance and provide quality control for surface water slated for infiltration are recommended and are detailed in the hydrogeological report prepared by Englobe (2020a) and outlined by DELL, 2020 in the SWM report. Did Englobe consider temperature, sediment and erosion? As requested in both the February 13 2020 and March 9 2020 UTRCA letters, please summarize how temperature, sediment and erosion will be addressed and / or provide a recommendation that these need to be addressed to protect the natural features in Section 7.1.
 9. Please show the horizontal distance from the rear lot lines to the following features along the entire length of the ESA boundary:
 - i. High water mark of Dingman Creek
 - ii. Wetland boundary
 - iii. Vegetation Community 2
 - iv. Maximum hazard limit
 10. Figure 12 of the Nov 4, 2020 amended EISR shows the tree preservation fence situated within the ESA boundary (i.e. the ER and OS4 zones). Please ensure that the tree preservation fence does not encroach into the ESA boundary.
 11. Ensure the list for the monitoring plan discussed in Section 7.3 of the Nov 4, 2020 amended

EISR includes monitoring for each of the features and functions identified in Table 2, Section 7.0 and in the Net Effects Table. Note that the baseline data taken as part of the amended EISR or prior to development must be included in monitoring reports.

Editorial Comments

12. Please include the pre-consultation that has occurred to date with the UTRCA in Section 1.4.
13. The appendices – B & D do not include the revised 2020 reports.
14. The MECP Response in Appendix H states that general habitat protection for Butternut is 50m from the tree, not 25 m as suggested in Recommendation 9 and in the Net Effects Table in Section 8. Please revise Recommendation 9 and the Net Effects Table in Section 8.
15. Please include a discussion of Candidate Bat Maternity SWH in Section 5.1
16. Section 5.3 should describe which areas are regulated by the UTRCA.
17. The following comments pertain to the Figures in the Nov 4, 2020 amended EISR:
 - i. The erosion hazard limits, OS4, OS5, erosion plus setback lines are not consistent between the Figures 6 -12. For example, the OS and the ER lines appear flipped between Figure 6 and Figure 9. Another example, the erosion setback in Figure 8 does not match either the OS or the ER lines.
 - ii. Please include the orange dotted line in the legend for Figure 6.
 - iii. The setbacks from the retainable Butternut are mislabeled in Figure 9.
 - iv. Please clearly label the location of snow storage on Figure 10. Note that snow storage should be placed away from natural features, given the contaminants found in ploughed snow.

Hydrogeology & Water Balance

The UTRCA has reviewed the *Scoped Hydrogeology Study Report – Final Report, 7098-7118 Kilbourne Road, London Ontario* prepared by Englobe dated September 2020. We offer the following comments.

Hydrogeology

At the meeting held on March 11, 2020 at the City of London, the additional study requirements were discussed. The UTRCA outlined that its reviews use a feature based approach. A number of report deficiencies were previously identified. There are a number of good elements incorporated in this updated recent report but further work including interpretation and revisions are required.

There has been considerable discussion with regards to groundwater quantity. The water level maps appear to be an accurate representation of the seasonal conditions. There is a significant discussion on water quality. Further discussion is required regarding how to maintain the thermal regime. The groundwater quality is affected by past land use which will be discussed in more detail.

The wetland is an organic, thicket, swamp and groundwater indicator species are present. The proponent took a precautionary approach that the community is slow to recover from hydrological change and has a high sensitivity rating that requires protection.

There appears to be one sand/silt aquifer across the Site and in communication with the wetland area and Dingman Creek. In addition, this reach of Dingman Creek is a cool water creek (water quality) and groundwater temperatures and the period of arrival of thermal regimes must be maintained.

Detail Discussion:

Water Quantity (and Thermal Regime): As noted, the wetland area was defined as wetland thicket swamp (SWT3) and it includes groundwater dependent species. This community is slow to recover from hydrological change and has a high sensitivity rating due to its stringent habitat needs. Any proposed structures/features to replace or change recharge or runoff must have regard for the hydroperiod.

1. Hydroperiod refers to the pattern of water level change within a wetland (& seeps) or feature over time, both above and below ground. It is the measure of the net sum of interaction between the water balance components. The hydroperiod is a measure to track changes in the water balance over time and is the primary focus or measurement of wetland hydrological monitoring outlined in (Toronto and Region Conservation Authority 2017). It is important to define the hydrology such as the proportion of total inflow derived from surface water or groundwater, timing and duration of inflows, and the timing of water level drawdown over the growing season that maintains the ecological function.
 - a. Water levels and groundwater temperatures need to be displayed for each monitoring location and a brief discussion of each attribute needs discussion and how they reflect on the hydroperiod. For example, groundwater recharge is generally cool and helps define the period of recharge. The size of the water level graph included in Appendix C Figure 7 and Table 101 and Draft P16027 (Levellogger Measurements) Appendix D is presented at a scale difficult to compare the wetland to the upland area monitors with respect to contribution to the hydrograph and to compare or contrast the recharge and discharge and relate it to the water budget and hydroperiod. (The graph of MP02D looks different in the Draft P16027 (Levellogger measurements) to Figure 7.
 - i. The frequency of manual water level measurements is inadequate as the correction for some of the graphs is limited.
 - ii. The Draft figure does not include a year of data (September 2018-July 2019).
 1. MP02D-18 appears to have a subdued hydrograph compared to BH01-18, BH02-18, and BH05-18. Discuss.
 - iii. Detailed discussion of hydroperiod should refer to groundwater temperature and water level data at each monitoring location. For example BH01-18: Based on groundwater temperature (declining) and water level (increasing) variation, recharge occurs between approximately January 1 2019 and May 1, 2019. Further example: MP02D-18 has limited variation in water level but recharge appears to occur between mid-November and mid-March 2019 and appears to be somewhat different from the up-gradient wells in length of recharge and magnitude of water level variation. The coolest period of groundwater discharge in the seeps declines below 0 at times in January and February and reaches as 15-16 degrees in the summer months. The groundwater temperature remains below 5 degrees C

between January and March 2019 and between mid- November 2019 and February 2020.

- iv. Make a direct comparison between the hydroperiod and the water level variation on a monthly or seasonal basis and how does this compare to Table 105. For example, based on the water balance when should water levels be rising and when should they be following.
- v. Recharge should be maintained pre and post construction. Identify which months will be most affected by the loss or increase of infiltration and explain how the LIDS will attenuate these differences.
- vi. The data provided in the form of excel datasheets was not corrected (required) and did not resemble the water level figures in the Appendices. Date format needs to be consistent on excel data provided. Additional data was provided in excel form that is not included in Draft P16027 Appendix D. Graphs need to be updated.

- b. Figure 7: MP02D-18 hydroperiod needs corrections and more discussion. Correction needs to be provided and make a brief discussion of assumptions made to alter the levels (there do not appear to be enough manual measurements to make all the necessary adjustments).

Water Quality:

Water quality is included to define the sensitive needs of the wetland and match/supplement the hydroperiod. Thank you for the inclusion of the additional Stiff diagrams - a supplement to the Piper diagram. There are significant discussions about the possible contamination sources on Site (sodium chloride primarily). Possible sources were identified in the report: septic system/ tile bed, de-icing materials (private and municipal), stormwater management pond, residential pool discharge, and previous use of the Site- e.g. salt storage. We are unlikely to know all previous anthropogenic uses.

The UTRCA requires all major anions and cations and a full dissolved metal suite as observed in the 2018 information of both surface and groundwater. The analysis can be used to make a direct comparison of surface water and groundwater contribution to surface water and to determine the contribution of groundwater to the wetland and to complement groundwater (and to some extent surface) flow patterns. Dissolved metals were not acquired (was included in 2018), potassium (considered a major ion) pH were not measured. Detailed chemistry can provide indications of sources and locations of contaminants on Site. Dissolved metal (including heavy metals) analysis is used to identify pathways such as that most commonly accumulate in habitats adjacent to roads (Schuler and Relyea 2018). Dissolved metals can be used to identify water softener use (arsenic) from septic systems and pool chemical discrimination (boron from borate for pH buffering). pH lower than 8 is common in a sand plain in London (modern groundwater as indicated).

- a. pH greater than 8 normally indicates influence by glacial till (MP02-D pH 8.33 is anomalous from other samples in 2018).
- b. The March 2020, chloride in MP02D-18 at 141 mg/l is higher than any up-gradient wells (BH01-18 126 mg/l and BH04-18 10.9 mg/l) and higher than the creek (108 mg/l). The chlorine levels in August 2018 are somewhat lower in MP02D-18 (87.2 mg/l) than BH01-18 (152 mg/l).
- c. MW02-18, MW04-18 and MW05-18 in March 2020 plot in the groundwater range portion of the Piper diagram however, MW01-18 and MW03-18 are shifted to the salt apex of the diamond and indicate mixing of groundwater with salt water which appears to have seasonal shifts. In August 2018, MW01-18, MW03-18 and MW05-18 have shifted towards the salt apex. A simple review of the variation in chlorine values reflects the salt influence. This difference is also observed in the contrasting Stiff diagrams for MW05-18 (31.8 vs 200

- mg/l). BH05-18 (MW05-18) has considerable variation in chlorine levels despite its distance from roadside and an up-gradient location.
- d. Magnesium can be utilized as a conservative tracer to estimate the relative importance of precipitation and groundwater and appears unaltered by de-icing or pool chemicals. Magnesium is low in precipitation (Thobaben and Hamilton 2014) and see (Rutherford 1967) for an indications of magnesium levels in SW Ontario levels (approximately 2 mg/l). If you correlated the magnesium across the Site, it mimics the water level contours and magnesium increases downslope further indicating that the seeps and wetland are dominated by groundwater input.
 - e. Pools: Salt water pools are generally operated between approximately 2700-3400 ppm which is significant. Pool water is dissolved making it easier to move to the water table. Borate is a chemical used to stabilize the pH of salt water pools. Boron is observed in both MP01D and MP02D in August 2018 and is not present in any other 2018 samples. Calcium is significantly lower in MP02D and the calcium/magnesium ratio in MP02D is very low as compared to all other samples and plots on a trend towards the water softened axis of the Piper. No arsenic was measured in the 2018 samples, indicating that water softened water is likely no longer present.
2. Implications: The City of London guidance for salt water pool discharge is to be directed to sanitary sewers. It is unlikely that the discharge of water is directed to the sanitary sewer. Generally pools are not drained completely (except to replace a liner), the level is lowered below the intake pumps for the winter. Throughout the operating season, pool water is replenished and maintenance of the operating system is required which would also discharge water between May and September. Salt water pools are now more common than traditional pools for new pool installations and upgrades.
 3. Salt is very mobile and the house has not been used in a number of years, so the salt that varies on Site is likely not based on historical anthropogenic uses. Salt spillage from de-icing activities on Site and spillage from snow plowing can also elevate salts- (back yard salt loading).
 4. The water quality reaching the wetland area has a high salinity hazard and will have negative implications for the wetland prior to development.

Further Requirements for Consideration:

1. Provide a comprehensive water balance that incorporates post development changes on a monthly basis. The monthly water balance in its current form does not seem to directly compare to the water level variations (recharge or decline) seen on Site. Recharge (based on water level and temperature) occurred in the data provided between approximately November 1, 2018 and May 15, 2019. Recharge has ups and downs and does not seem to be a continuous upward trend in contrast to the falling limb. For example, there are distinct recharge events that occur in February, March and April. These appear to be recharge events associated with snow melt. How will this be mimicked in the LID design? How will the development impact the thermal regime of the Site?
2. How can the LID design reduce salt inputs? Make further recommendations to reduce salt loading. These will need to be monitored for the applicability post development.
3. The suggestions included for monitoring will likely be required. In addition, continue to monitor water quality (including temperature) before and after approval for Site development. A monitoring network will need to be maintained post development to ensure that measures employed to reduce salt loading are being managed. Water quality includes all major anions and cations, full suite of

dissolved metals for both surface and groundwater. Presumably, if pool de-watering is occurring, that practice will end once the development is in place (presumably).

4. To reduce impact of thermal regime to the Dingman, avoid basement installation and increase ground level insulation.
5. Remove and decommission on Site septic tank. Any possible source of contamination from a septic system will also be reduced following removal.

Water Balance

Section 4 of Englobe's *Scoped Hydrogeology Study Report* (September 2020) which pertains to the water balance was reviewed.

1. In Section 4.1.1 it is mentioned that the overall catchment size is not well defined in the available documentation. The UTRCA recommends identifying the catchment area to the seeps/wetland. A water balance analysis should be completed using the pre-development catchment and post-development areas showing the various annual volumes of the various components of the water balance to make sure that the base flow has been maintained to the seeps/wetland. How will the base flow to the seep in the southwest portion of the site on the slope be maintained?
2. In Section 4.2.3 it is mentioned that the combined infiltration factor is 0.525. With an available water surplus of 413.3 mm/yr, this results in an average infiltration rate of 234.4 mm/yr. However, Table 4 titled Pre-development Water Balance for the site shows an infiltration value of 217 mm/year. Please provide an explanation for the discrepancy.
3. Please add a table similar to Table 5 and 6 reporting the hydrologic components of water balance with the proposed SWM LIDs on the site.
4. Please add details of how the proposed SWM LIDs will help in maintaining the base flow to the seep/wetland on the site.
5. In Section 4.2.5 it is mentioned that the purpose of the LID measures is to increase the infiltration to catch runoff water caused by the project and increase infiltration to a natural rate. However, this method does not block contamination. Additional treatment would be required to ensure that water quality and quantity are maintained after the development. Please provide details of how the dissolved pollutants will be stopped from entering into the groundwater before infiltration.
6. Please ensure the monitoring phases described in Section 4.2.7 are undertaken.
7. Please describe the affects on the base flow requirements to the seeps/wetland if any as a result of the proposed dewatering.

Geotechnical

The *Geotechnical Engineering Report 7098 Kilbourne Road, London, Ontario – Revised Report* prepared by Englobe dated November 2020 was reviewed.

1. In Ssection 2 it is mentioned that fill was observed on the site and was penetrated to a depth of 2.1 m. Please confirm if the fill on the site/slope was considered in the Factor of Safety (FOS) analysis for stable slope.

2. In Section 3.1 it is mentioned that a site visit was undertaken on February 11, 2019 and frozen seepage from the slopes was observed at the location and elevation shown on the profiles. The report mentions observation of mid slope water levels in some of the bore holes on the site for all the cross sections. Please add details of the mid-level presence of the groundwater/seeps on the slope and its contribution to the local seeps if any.

Also, please confirm if the effects of the ground water and seeps were considered in the Factor of safety (FOS) analysis for the stable slope.

Please describe the nature and occurrence of groundwater and provide an opinion on the likely seasonal variations in groundwater levels or flows and the possibility for changes from those encountered at the time of exploration and its effects on the stability of the slope.

3. Please update Drawing No 002 - Site Plan by adding line work to show the toe erosion, the toe of the existing slope, the top of the existing slope and the 6m erosion access allowance and the top of stable slope.
4. Please update all of the cross sections showing the existing toe of the slope, the top of the existing slope and the 6m erosion access allowance and the top of stable slope.
5. Please update cross-section DD by extending the stable slope line based on the FOS analysis all the way up and identify the top of stable and then add 6 m erosion access allowance. Please resubmit cross-section DD and show the stable slope line and the top of the stable slope line. The stable slope shall be extended from the proposed 5 m toe erosion. Also, please show the stable line of slope and the stable top of the slope from cross-section FF. Please address.

The following geotechnical comments from our February 13, 2020 correspondence were not addressed. The UTRCA requires responses to the following comments:

Comment #5

Section 3.1 mentions the excavation of side slopes which will need to be flattened or adequately braced to provide stability where groundwater seepage or sloughing may occur. Please note that the UTRCA does not permit grading and excavation within the 6 metre erosion access allowance which is part of the natural hazard lands.

Comments #6

Section 3.3 mentions that there are spongy zones on the site that are to be excavated and refilled with the approved on site sand and gravel. Does this mean that the groundwater will be pumped out during excavation and then refilled with sand and gravel material? Will this have any effect on local groundwater volume and the fluctuation of the groundwater etc.? The UTRCA suggests that the proposed excavation and refilling of the local soil should occur outside of the 6 metre erosion access allowance and shall not negatively impact the existing slope.

Comment #10

The report shall include a discussion on the proposed/post-development site drainage including surface runoff and seepage. The location and proximity of any nearby drainage features or water bodies (i.e. marshy ground, gully, wetland etc.) should be noted. The UTRCA does not support the use of ditches or swales within the 6 metre erosion access allowance which forms part of the natural hazard lands. Please indicate how the surface runoff from the site will be discharged under the post-development conditions.

Comment #11

The development limit shall be based on the greater of the floodplain, stable slope and natural heritage setbacks. Please consider the three and apply the maximum of the three setbacks in order to establish the development limit for the site.

Stormwater Management

The *Stormwater Management Report 7098 & 7118 Kilbourne Road, London, Ontario* prepared by Development Engineering Ltd dated August 2020. We offer the following comments.

1. Table 1 "Existing Conditions Site Characteristics (Developable Area)" shows zero building foot print area with 100% imperviousness and 0.9 runoff co-efficient. Please check and provide an explanation.
2. In Section 2.3 it is mentioned that drainage from approximately 1.07 ha of the subject site is to be routed through an existing 600mm diameter culvert in the north boulevard of Kilbourne Road. Please make sure to consider the capacity of the existing 600 mm dia culvert. The drainage from the 1.07 ha shall not cause any capacity or conveyance issue. Please confirm.
3. In Section 3.1 it is mentioned that the remaining 0.48 ha rear-yard area (0% imperviousness; comprising 31% of the development area) is to continue to sheet runoff southwest to Dingman Creek, in conformance with existing drainage patterns. The proposed sheet flow under the post-development conditions should not cause any erosion issue which may jeopardize the stability of the slope. Please confirm.
4. In Section 3.1 it is mentioned that to help mitigate the increase in peak runoff rates, SWM quantity controls/low-impact development (LID) measures will be provided on-site. Please provide details.
5. In Section 3.2 it is mentioned that quantity control for the subject site is to be provided via an Etobicoke system (a perforated pipe exfiltration system) within the condo road right-of-way. Drainage from the development area, excluding the 0.48 ha consisting of the rear yards of Lots 1-10, is to be directed to the perforated pipe system. Please consider the effects of the dissolved pollutants specifically salt proposed on the groundwater quality.
6. Erosion and Sediment Control (ESC) drawings with all the notes, standards, monitoring, reporting and inspection will be required at the detailed design stage of the project signed, sealed and dated by P.Eng.
7. Please submit a drawing showing the catchments areas supported by contour and grading information under the existing and proposed conditions.
8. The revised draft plan of vacant plan condominium signed October 13, 2020 by MHBC planning shows the top of the slope and the erosion limit. Please confirm that the lots line are outside the 6 m erosion access allowance as the site does not show the stable top of the slope and the 6 m erosion access allowance.

RECOMMENDATION

Given the UTRCA's ongoing concerns and comments, we continue to recommend deferral of the application and suggest that a meeting be arranged with City staff and the applicant and their consulting team.

UTRCA REVIEW FEES

We remind the applicant that the Conservation Authority’s peer review fee includes one comprehensive review and one revised report review. Accordingly, additional fees will be collected for subsequent technical reviews.

Thank you for the opportunity to comment. Please contact the undersigned at extension 293 if there are any questions,

Yours truly,
 UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
 Land Use Planner
 IS/LN/TT/MF/CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

- c.c. Sent via email -
 - Applicant – Bluestone Properties Inc.
 - Agent – MHBC – Carol Wiebe
 - UTRCA – Brent Verscheure, Land Use Regulations Officer



UTRCA – August 12, 2022



"Inspiring a Healthy Environment"



August 12, 2022

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

Attention: Matt Feldberg and Bruce Page (sent via e-mail)

**Re: Conceptual Pathway Alignment Options
Applications for Draft Plan of Vacant Land Condominium, Official Plan Amendment, and
Zoning By-law Amendment
File No. 39CD-19518 and OZ-9161
Owner & Applicant: Bluestone Properties Inc.
7098 and 7011 Kilbourne Road, London, ON**

To date, the Upper Thames River Conservation Authority (UTRCA) has been actively involved in the review process of various *Planning Act* applications on the subject lands. From pre-consultation which initiated in 2018, progressing through to various submissions for Draft Plan of Vacant Land Condominium, Official Plan Amendment, and Zoning By-law Amendment applications. As previously identified, the subject lands contain riverine flooding and erosion hazards associated with Dingman Creek.

Aside from the various meetings and email correspondence that has occurred on these files over the course of the last four years, a history of the UTRCA's formal written comments is as follows:

April 12, 2018	Comments for Proposal Review Meeting/Initial Proposal Review
June 25, 2018	Technical Review Comments on the Geotechnical Engineering Report
February 7, 2020	Technical Review Comments on the Environmental Impact Study
February 13, 2020	Consolidated Comments on the circulation of the Draft Plan of Vacant Land Condominium, Official Plan Amendment, and Zoning By-law Amendment applications and associated reports
March 9, 2020	Additional Technical Review Comments on the Environmental Impact Study
March 12, 2021	Additional Consolidated Comments on the Second Submission package of the <i>Planning Act</i> applications

Since the onset of development proposal discussions on these lands, and consistent with the approach taken on new development applications across the City, the UTRCA has maintained the position that pathways and trails shall be located outside of the natural hazard lands, including the 6 metre erosion access allowance.

The purpose of this letter is to identify the policies applicable to the development of pathways and trails within and adjacent to natural hazards, from both a Provincial level and at the UTRCA. As well, this letter will provide for potential considerations that can be applied to this specific development scenario.

A breakdown of the policies reviewed to aid in our decision making process are as follows:

Provincial Policy Statement (PPS), 2020
Section 3.1.1 of the PPS states:

Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and...

The language in this Section of the PPS is generally consistent between 2014 and 2020, with the exception of the reference made to the guidance developed by the Province. Additional guidance can be found within the MNR Technical Guide for River and Stream Systems: Erosion Hazard Limit, as referenced below.

It should also be noted that the 2020 preamble to Section 1.13 (Settlement Areas) includes new language regarding public infrastructure, as follows:

... It is the intent of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities, and minimize unnecessary public expenditures.

Conservation Authorities Act (CA Act), R.S.O. 1990

The UTRCA relies on the definition of development from the CA Act, and carries this language in our own Environmental Planning Policy Manual referenced below. The CA Act defines development as:

- a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- b) *any change to a building or structure or increasing the number of dwelling units in the building or structure,*
- c) *site grading, or*
- d) *the temporary or permanent place, dumping or removal of any material, originating on the site or elsewhere*

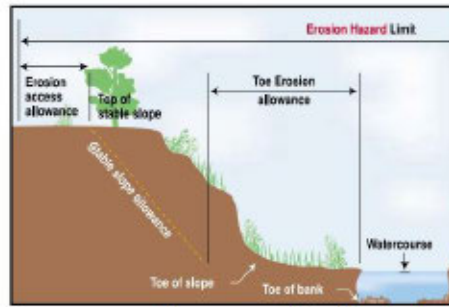
As per this definition, activities in the form of site grading and site alteration are recognized by the Province as a form of development.

MNR Technical Guide, River & Stream Systems: Erosion Hazard Limit, 2002

The purpose of the technical guide is to provide a consistent and standardized procedure for the identification and management of riverine erosion hazards in the Province of Ontario.

First, the corridor associated with Dingman Creek meets the definition of a confined river valley or stream system that is visibly detectable from the surrounding landscape. These areas are susceptible to erosion from natural river processes associated with flowing water. It is recognized that the stability of these systems can be aggravated by activities such as earth moving or land grading, as well as the construction of buildings or protection works.

Second, and by definition, the erosion hazards limit is based on the combined influence of: toe erosion allowance, stable slope allowance, flooding hazard limit or meander belt allowance, and erosion access allowance. Please refer to Figure 95b pulled from page 35 of the technical guide:



The basis for including the erosion access allowance within the limit of the hazard lands are captured under Section 3.4 and include: emergency access, construction access for maintenance or in the event of failure, and providing protection against unforeseen conditions or processes.

UTRCA Environmental Planning Policy Manual, 2006

The policies and information summarized above are from Provincial documents which have been carried forward into the UTRCA's Environmental Planning Policy Manual. As such, a summary of those applicable policies will not be provided.

Additional policies that are contained with this manual and impact these discussions include:

2.2.3 Guiding Principles for Natural Hazards

In making decisions regarding natural hazards, the Authority considers the following guiding principles:

... development and site alteration for passive public uses will be provided more flexibility because of the public good that may be achieved...

4.2.1 General Policies for Hazard Limit

4.2.1.8 Passive Low Intensity Recreational Uses – Erosion Hazards

Passive low intensity recreational uses associated with public parks, outdoor recreation and education, pathway and trail systems, watercourse access points or conservation activities may be permitted within erosion hazards provided that it can be demonstrated that:

- there is no feasible alternative to locate the development outside of the erosion hazard and that the development will be located in an area of least (and acceptable) risk as determine through appropriate technical reports (e.g., topographic survey, geotechnical study);*
- there is no negative impact on existing and future slope stability;*
- the potential for erosion has been addressed through the submission of proper drainage, erosion and sediment control and site stabilization/restoration plans; and*
- the use will not prevent access into and through the valley in order to undertake preventative actions of maintenance during an emergency.*

The UTRCA's definition of a passive low intensity recreational uses states:

Such as passive parks, trails and river access points and other uses deemed appropriate by the UTRCA, but not including new campgrounds, new golf courses or expansions to existing golf courses, or permanent docks.

City of London Zoning By-law Z-1

The City's Zoning By-law contains a section dedicated to definitions. Within this document, "passive recreational use" is defined as:

Means enjoyment of the natural environment through non-intensive activities that are passive in nature and cause minimal impact on the natural features and functions of an area. Passive recreational uses include access trails, nature study, birdwatching, outdoor education and associated facilities, but not include recreational buildings, sports fields, or golf courses

Although a pathway is not explicitly listed within this definition, it is our understanding that the City's interpretation of their Zoning By-law would account for this.

CONSIDERATIONS AND COMMENTS

One of the primary objectives of any Conservation Authority is to help prevent loss of life and property arising from the natural hazard processes of flooding and erosion. The UTRCA consistently cites the PPS and our Environmental Planning Policy Manual direction to locate and avoid natural hazards for all new development proposals, including those made under the *Planning Act*. We believe there should be clear direction to all municipalities within our watershed to minimize risk to life and property (including all municipal infrastructure) by avoiding areas susceptible to flooding and erosion.

For applications where approval under the *Planning Act* is not required, or has been historically approved, we acknowledge there are numerous examples across the City of London where substantial sections of pathways (including the Thames Valley Parkway) are within areas susceptible to flooding and/or erosion. Such facilities remain vulnerable to the forces of the hazards and new or improved sections should try to avoid or relocate to help protect the safety of users and to reduce costs associated with damages as a result of these forces. There are several examples across the City where the UTRCA has worked in cooperation with City staff to identify areas of highest risk and avoid them as part of new "infrastructure" initiatives.

In situations where the placement of a pathway outside hazard lands cannot be achieved, the UTRCA suggests having a documented process to guide decision-making and ensure a consistent approach for all future pathway projects. The process could allow for the development of pathways within the emergency access portion of the hazard (subject to a series of conditions to be satisfied), but recognize that pathways are resurfaced and replaced on the City established lifecycle of every 10 years. When the life cycle of the pathway is realized, an evaluation to assess the hazard and pathway location shall be undertaken to confirm a suitable resurfacing location as natural forces may have changed over this time. The goal of this process would be to limit public expenditures on slope remediation to protect a pathway. The results of erosion and flooding vary drastically as floodwaters recede after an event, while erosion results in long term changes to the landscape that can bare significant costs associated with stabilizing the area again. The consideration of natural heritage buffers shall also be considered in the development of a new process for pathways.

Conceptual Pathway Alignment Options

The draft conceptual pathway alignment report offers four options for a proposed pathway on site. While only the first option, shown on page 2, would ensure that the pathway does not impact the natural hazard and natural heritage lands, we understand that public safety concerns have eliminated this option from consideration by the City. All other pathway alignment options encroach to varying degrees into the natural hazard lands.

The UTRCA believes our position regarding avoidance of natural hazards for all new forms of development has been consistent – particularly with regard to projects brought forward pursuant to the *Planning Act*. However, we acknowledge that our policies do offer some flexibility because of the public good that may be achieved. We are therefore prepared to work with Parks Planning through detailed

design to allow for a pathway at 7011 Kilbourne Road which would avoid hazard lands to the greatest extent possible. Any encroachment of the pathway into the slope itself would not be permitted, and any potential encroachment should be limited to the 6 metre erosion access allowance only. Where there is sufficient space to locate a pathway outside of the hazard itself, and within a natural heritage buffer, this option should be utilized as the preferred alternative.

SUMMARY & RECOMMENDATION

In summary, the lands proposed for the future location of a public pathway are located within the erosion hazard, as defined by Provincial and UTRCA policy. To accommodate the potential location of a pathway in this location, the UTRCA recommends that a site specific special provision be applied to the outer extent of this area to allow for continued discussions between UTRCA and City staff outside of the applicant driven process. While the entirety of the natural hazard and natural heritage lands are proposed to be zoned Open Space OS5, the outer 10m of this area, adjacent to the development limit, shall be zoned OS5 (X) to account for a pathway as a permitted use within this limited area only.

Pending approval of the proposed rezoning, the UTRCA will continue to work the City of London through the Section 28 permit application process. Through the permit process, additional technical studies and detailed information/drawings will be required to determine the final extent of the pathway within this area that limits encroachment into the hazard lands to the greatest extent possible.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Stefanie Pratt
Planning Coordinator



Jenna Allain
Manager of Environmental Planning

c.c.: Christine Creighton, UTRCA Land Use Planner II
Jessica Schnaithmann, UTRCA Land Use Regulations Officer

Appendix E – 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
- 1.1.3 Settlement Areas
- 1.1.3.2
- 1.1.3.6
- 1.4 Housing
- 2.0, 2.1.1, 2.1.8, 2.1.4, 2.1.5, 2.1.6
- 3.0

In accordance with section 3 of the Planning Act, all planning decisions ‘shall be consistent with’ the PPS.

City of London Official Plan

3.2. Low Density Residential
3.2.1. Permitted Uses
3.2.2 Scale of Development
3.2.3. Residential Intensification
9.4. Urban Reserve
9.4.4. Site Specific Amendments
8A.2. Open Space

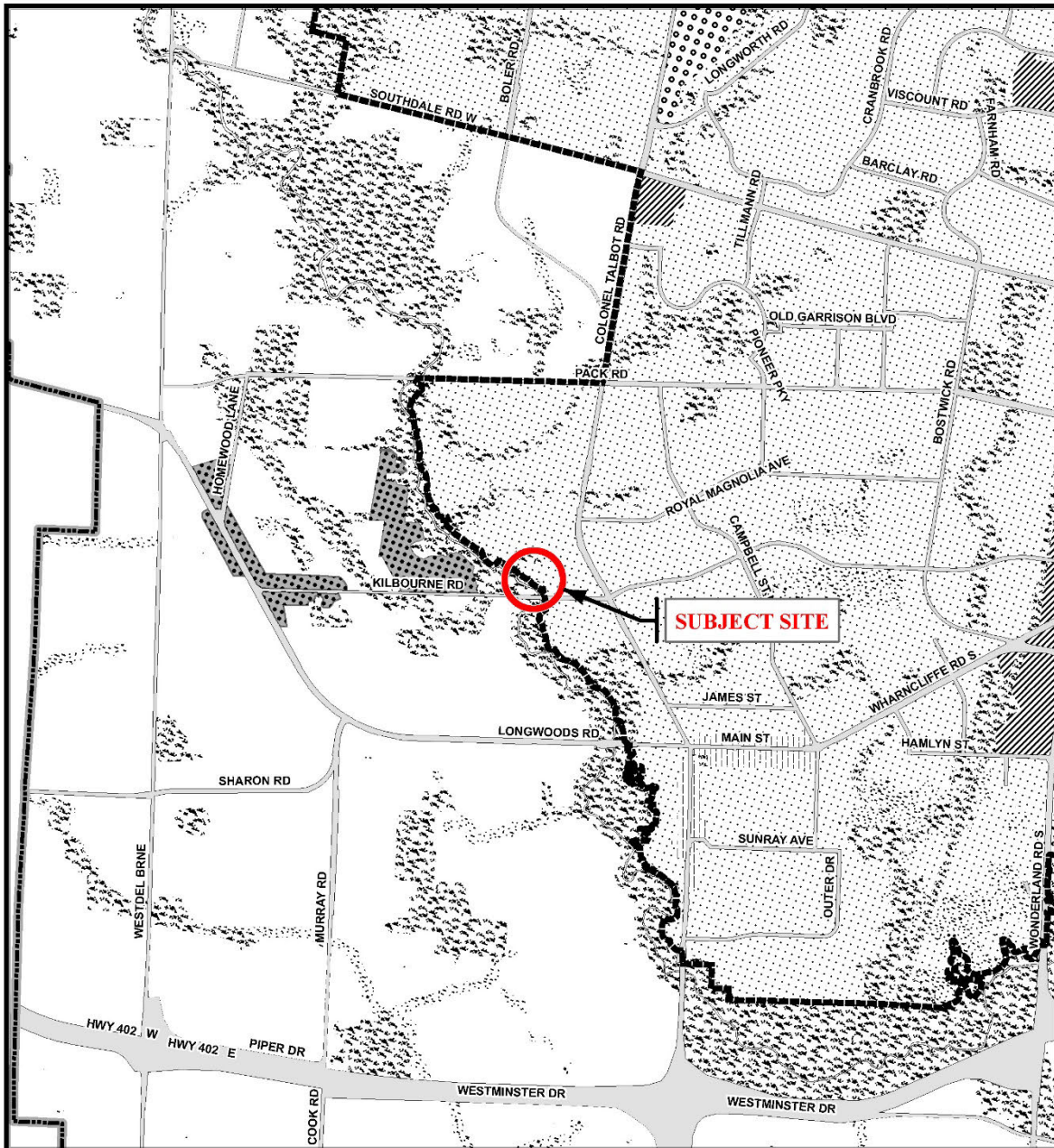
The London Plan

59_, 61_, 62_, 91_, 92_2, 172_, 189_, 191_ 252_, 253_, 256_, 295_, 757, 762_5, 768_, 921_, 935_, 936_, 937_, 1688_

Z.-1 Zoning By-law

Site Plan Control Area By-law

Appendix F – Additional Maps



Legend

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

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

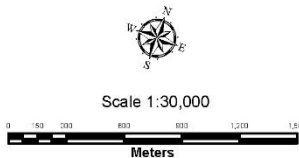
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



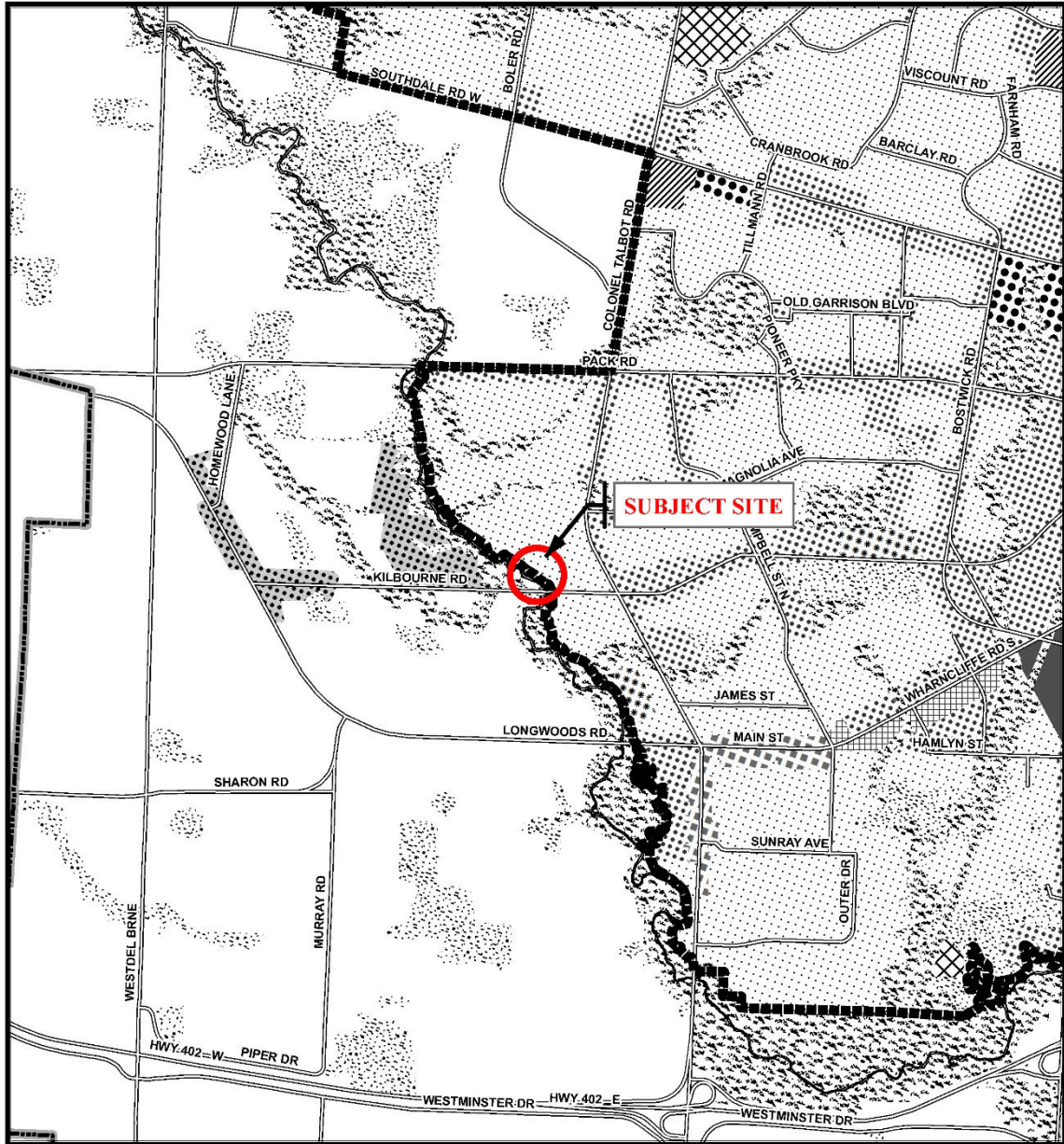
File Number: 39CD-19518/OZ-9161

Planner: SM

Technician: RC

Date: April 19, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsolid00\excerpts_LondonPlan\mxds\OZ-9161-Map1-PlaceTypes.mxd



Legend

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

CITY OF LONDON

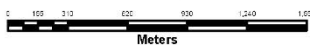
Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



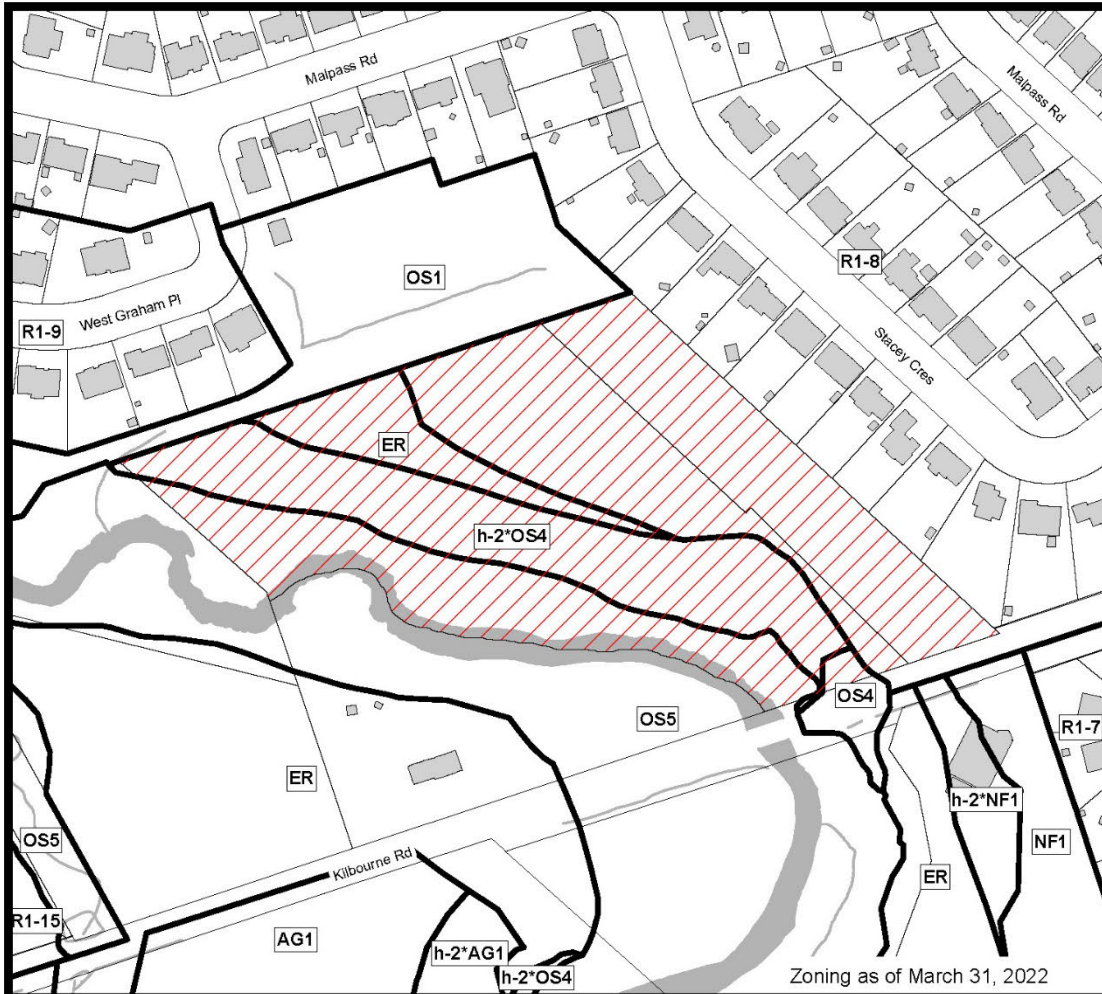
FILE NUMBER: 39CD-19518/OZ-9161

PLANNER: SM

TECHNICIAN: RC

DATE: 2022/04/19

PROJECT LOCATION: e:\planning\projects\p_officialplanwork\consolid00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

39CD-19518/OZ-9161 SM

MAP PREPARED:

2022/04/19 rc

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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: MHBC Planning on behalf of 2858637 Ontario Inc.
4452 Wellington Road South
Public Participation Meeting
Date: October 5, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of MHBC Planning on behalf of 2858637 Ontario Inc. relating to the property located at 4452 Wellington Road South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2022 to amend The London Plan to:
 - i) Change the designation of a portion of the subject lands **FROM** a Shopping Area Place Type **TO** a Light Industrial Place Type on Map 1 – Place Types;
 - ii) Amend section 1565_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by changing the designation of a portion of the subject lands **FROM** Commercial **TO** Industrial on Schedule 4 Southwest Area Land Use Plan, and Schedule 17 Wellington Rd/Hwy 401 Land Use Designations;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2022 to amend Zoning By-law No. Z.-1, in conformity with The London Plan as amended in part (a) above, to change the zoning **FROM** a Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone **TO** a Holding Light Industrial (h-17*LI6) Zone, and an Environmental Review (ER) Zone.

Executive Summary

Summary of Request

The applicant has requested an amendment to the London Plan to redesignate the eastern portion of the lands to Light Industrial on the Place Types Map of The London Plan, while maintaining the western portion of the subject lands as a Shopping Area for future commercial uses.

The applicant has also requested a zoning by-law amendment for a portion of the property to a Holding Light Industrial (h-17*LI6) Zone and an Environmental Review (ER) Zone. This proposed zone change will permit the proposed light industrial use on the eastern portion of the site (LI6) and delineate a natural heritage feature and buffer (ER), while ensuring further environmental studies will be completed.

The zoning for the southwestern portion of the property will remain in commercial (Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone) to allow for future commercial development.

The h-17 holding provision shall be applied to ensure development will be limited until full municipal sanitary sewer and water services are available to service the site.

The Applicant also submitted an amendment to the 1989 Official Plan to change the designation on a portion of the site from New Format Regional Commercial Node to Light Industrial to permit transport terminals. However, as of May 25th, 2022, an Ontario Land Tribunal decision resolved all remaining policy appeals within The London Plan, effectively bringing The London Plan into full force and effect and rescinding the 1989 Official Plan. Therefore, the amendment to the 1989 Official Plan is no longer necessary.

The City is also initiating an amendment to the Southwest Area Secondary Plan (SWAP) by changing the designation of a portion of the subject lands from the Commercial designation to the Industrial designation on Schedule 4 Southwest Area Land Use Plan, and Schedule 17 Wellington Rd/Hwy 401 Land Use Designations.

Purpose and Effect of Recommended Action

The purpose and effect of the requested amendments are to facilitate the severance of the property and ultimately to construct two truck transport terminals on the eastern portion of the site, while retaining the westerly portion for future commercial uses. The rezoning would also delineate a natural heritage feature through zoning and provide a 30-metre buffer from that feature. The recommended zoning will ensure further environmental studies and review are completed if any development seeks to encroach into the buffer area.

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, Industrial Place Type, Shopping Area Place Types, and Natural Heritage Features and Hazards.
3. The recommended amendment conforms to the policies of the Southwest Area Secondary Plan and the 1989 Official Plan.
4. The recommended amendment facilitates the development of a site within the Wellington Road/ Highway 401 Neighbourhood.
5. The recommended amendment will delineate a natural heritage feature and ensure the appropriate environmental studies are completed.

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 property is located on the northeast corner of the intersection of Wellington Road South and Dingman Drive, with frontage also on Castleton Road. The property has a frontage of approximately 285 metres along Wellington Road South, 275 metres of frontage along Dingman Drive, and 300 metres of frontage along Castleton Road. The property has a total lot area of approximately 8.4 hectares.

Currently, the property is used primarily for agricultural purposes (cultivated fields), with a small, wooded area contained within the northwest portion of the property, and a small out-building to the south. The subject property is also within the Upper Thames River Conservation Authority's Dingman Screening Area due to its proximity to the Dingman Creek. The surrounding land uses consist primarily of light industrial and large commercial uses. There is also a rural neighbourhood to the east of the site as well as various light industrial uses, including a transport terminal located at 4414 Castleton Road.

Wellington Road South is an urban thoroughfare/arterial road with an average annual daily traffic volume north of Dingman Drive of 18,000 vehicles per day, and south of Dingman Drive of 16,000 vehicles per day. Dingman Drive is a civic boulevard/arterial road with an average daily traffic volume east of Wellington Road South of 2,000 vehicles per day, and west of Wellington Road South of 3,000 vehicles per day. Further, Castleton Road is a neighbourhood connector/secondary collector with an average annual daily traffic volume north of Dingman Drive of 500 vehicles per day. The subject site is also located south of the Highway 401 and Wellington Road South interchange.

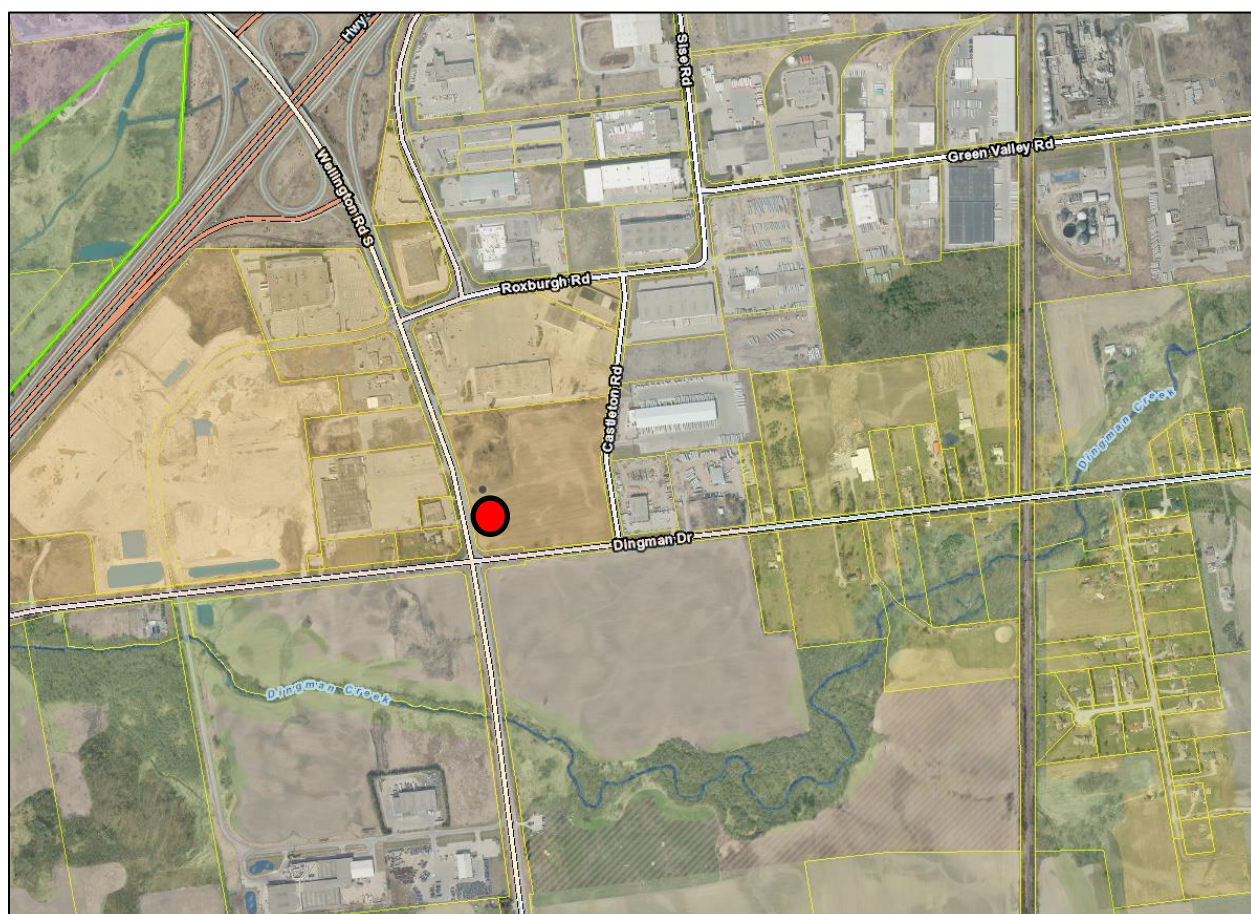


Figure 1. Aerial Photo of 4452 Wellington Road South and surrounding lands

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

- The London Plan Place Type – Shopping Area Place Type fronting an Urban Thoroughfare
- Southwest Area Secondary Plan - Wellington Road/Highway 401 Neighbourhood – Commercial
- Existing Zoning – Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone

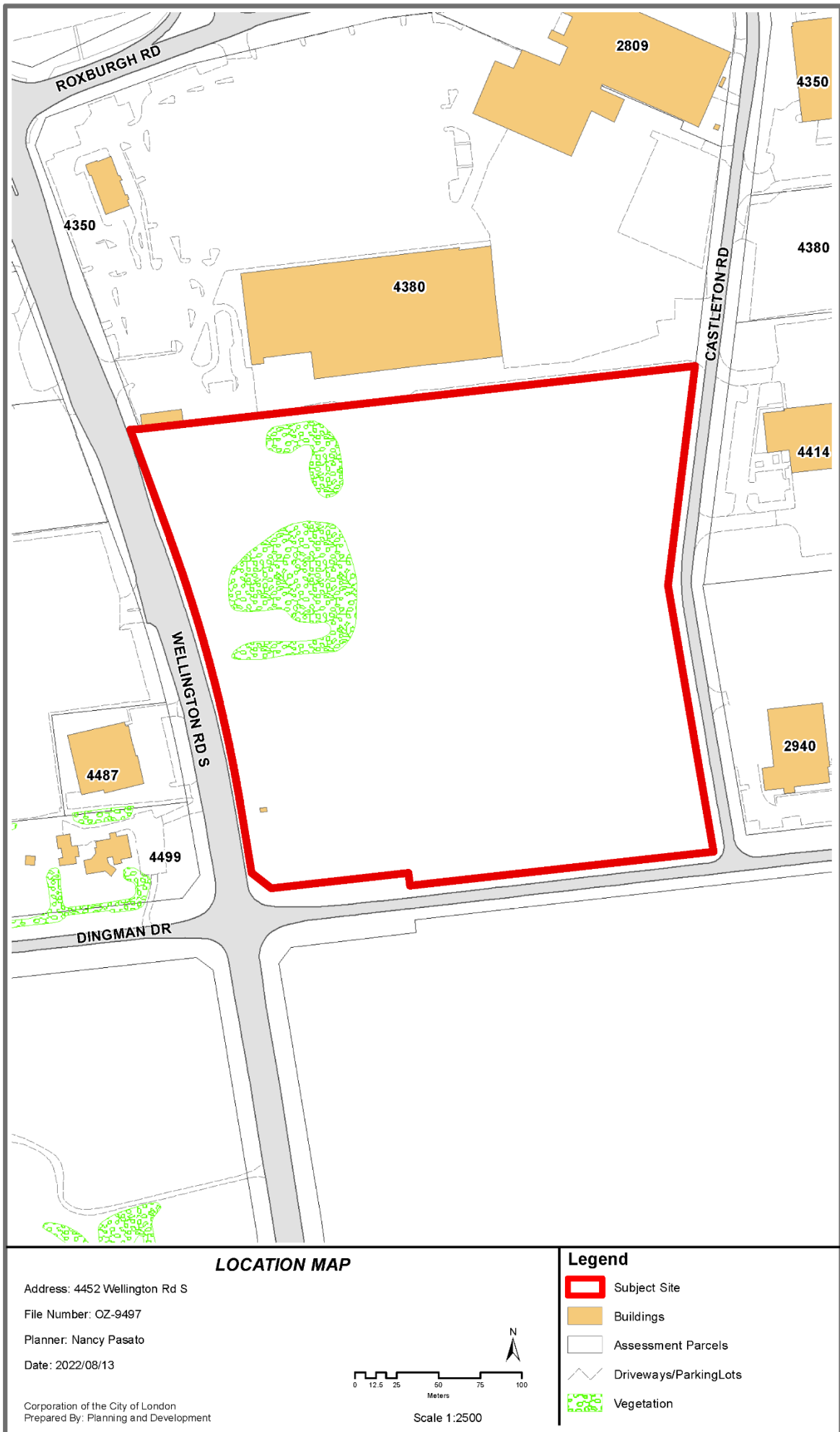
1.4 Site Characteristics

- Current Land Use – agriculture; woodlot
- Frontage – approximately 285 metres
- Area – 8.4 hectares
- Shape – rectangular/irregular

1.5 Surrounding Land Uses

- North – Commercial; Light Industrial
- East – Light Industrial; Rural Neighbourhood
- South – Light Industrial; Open Space (Dingman Creek)
- West – Commercial; Light Industrial; Open Space (Dingman Creek)

1.6 Location Map



2.0 Discussion and Considerations

2.1 Proposal

The applicant is proposing to rezone the land to facilitate the severance of the eastern portion of the property to be developed for a truck transport depot, while the western portion fronting Wellington Road South would remain future commercial lands. A potential lot layout comprising of three separate parcels containing retail units are considered for the future commercial lands. The eastern portion is seeking to be developed for transportation terminal facilities, would be severed into two conveyable parcels to accommodate separate truck transport facilities as well as potentially associated storage and office buildings. The total area for the proposed Light Industrial use is approx. 4.96 ha, and the area to remain commercial is approximately 3.41 ha (including 2.48 ha within the Environmental Review Zone). A concept plan for future



Figure 2: Conceptual plan for future development

development on the site is shown as Figure 2.

The subject site also contains a natural heritage feature not previously identified through the 1989 Official Plan nor the London Plan. As such, in order to advance the proposal, the applicant is requesting an environmental review zone for the north-easterly portion of the property to require further environmental studies on the natural heritage feature. The proposed Environmental Review (ER) Zone line includes a 30-metre-wide buffer from the edge of the delineated feature. The proposed Environmental Review area is approximately 2.5 ha in size, as shown in Figure 3. This interim measure is proposed until a full Environmental Impact Study can be completed to determine the significance of this feature.



Figure 3 - Feature on site, with buffer, to be zoned ER

2.2 Requested Amendment

The applicant is requesting an amendment to the London Plan for a portion of the site to change the Place Type on the eastern portion of the lands to Light Industrial on the Place Types Map of The London Plan, while maintaining the western portion of the subject lands as a Shopping Area for future commercial uses.

The applicant has also applied for a zoning by-law amendment to a Holding Light Industrial (h-17*LI6) Zone for the eastern parcel, to facilitate the severance of the lands, and to permit a range of uses including building or contracting establishments; storage depots; terminal centres; transport terminals, etc. The applicant is also requesting that a portion of the lands proposed to be retained to the northwest be zoned an Environmental Review (ER) Zone, which permits uses including conservation lands; conservation works; passive recreational uses; managed woodlot; and agricultural uses. The retained southwestern portion of the site will remain a Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone for future anticipated commercial uses.

2.3 Community Engagement (see more detail in Appendix C)

No comments were received from the public on this file.

2.4 Policy Context

The London Plan is the new Official Plan for the City of London. On May 25th, 2022, an Ontario Land Tribunal decision resolved all remaining policy appeals within The London Plan, effectively bring The London Plan into full force and effect. Any applications in process prior to the May 25th date should continue uninterrupted as per the “clergy principle” (the policies that were in force at the time the application was received will continue to direct that application). Both the 1989 Official Plan and The London Plan policies will be considered as part of this analysis.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of

provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS. The 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).

Section 1.3.1 encourages planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs, and by 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.

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by avoiding development and land use patterns which may cause environmental concerns and promote the conservation of biodiversity (1.1.1 c) and h)), The PPS supports long-term economic prosperity by minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature (1.7.1 k)). The PPS prohibits development and site alteration in significant wetlands, significant woodlands, significant valley lands and significant wildlife habitat and adjacent lands, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1.4 and 2.1.5 and 2.1.6).

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). All The London Plan policies and mapping considered with respect to this application are in force and effect and are determinative for the purposes of this planning application.

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

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

- Plan for and promote strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities;
- Identify and strategically support existing and emerging industrial sectors;
- Ensure an adequate supply of employment lands.
- Plan to capitalize on London’s position along the NAFTA superhighway. (Key Direction #1, Directions 1, 9, 10, 12).

Policies of the London Plan ensure 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 (137_).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Planning for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The subject site is located within the Shopping Area Place Type. Shopping Areas will constitute an important part of London’s complete communities, providing commercial centres with a wide range of retail, services, business, recreational, social, education, and government uses within easy walking distances for neighbourhoods (871_). Permitted uses within the Shopping Area Place Type include a broad range of retail; service; office; entertainment; recreational; educational; institutional; and residential use. Mixed-use buildings will be encouraged, while uses with large amounts of outdoor

storage; large warehouse components; storage of heavy vehicles, and/or emitting noise, vibration, or dust will not be permitted (877_).

The Natural Heritage policies of The London Plan provide for the identification and protection of natural heritage features and areas and the ecological functions, processes and linkages that they provide over the long term (1307_). The Components of the Natural Heritage System are typically identified or delineated on Map 5 – Natural Heritage. These lands are also regulated by the Upper Thames River Conservation Authority.

In accordance with policy 1322_, natural heritage features and areas may be identified and delineated on Map 5 and included in the Green Space Place Type on Map 1 by amendment to The London Plan. Usually such an amendment is based on an environmental study accepted by the City consistent with the relevant criteria of the Natural Heritage Policies of the Plan.

Southwest Area Secondary Plan (SWAP)

The site is within the boundary of the Southwest Area Secondary Plan (SWAP) which came into effect in 2014. The secondary plan provides vision, principles, and polices to develop the Southwest Planning Area as a vibrant community and recognize it as a significant gateway into the City. The subject site is located within the Wellington Road/ Highway 401 Neighbourhood. It is intended that the lands adjacent to Wellington Road South and Highway 401 interchange will continue to provide a range and mix of commercial and office uses and continue to support and promote employment lands (20.5.15 i).

1989 Official Plan

The subject lands were located within the New Format Regional Commercial Node (NFRCN) designation on Schedule A of the 1989 Official Plan. This Node is intended to provide for a wide range of commercial uses which meet specialized service and comparison shopping needs, with a higher concentration of retail uses. These areas are regarded as major activity centres by reason of their size and range of uses and may have trade areas that also extend beyond the municipal boundary. Locationally, a New Format Regional Commercial Node shall be located at the intersection of two arterial roads, on a site(s) large enough to accommodate all buildings plus parking, loading facilities and measures to provide adequate buffering, and on a site which should have good access to public transit service and/or have an on-site transit transfer station (4.3.6.1, 4.3.6.2).

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Provincial Policy Statement, 2020

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

Settlement areas are directed 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 and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (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).

Employment Areas are intended to be planned for, protected, and preserved for current and future uses. These areas shall ensure that the necessary infrastructure is provided to support current and projected needs. Specifically, planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations (1.3.2.6).

Planning authorities shall also promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs (1.3.1). Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

No development is permitted within a significant woodland, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1.5. b). 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 (2.1.8).

The recommended amendment is in keeping with the PPS 2020 as it facilitates the introduction of new industrial uses that are suitable within the existing site context. The recommended amendment will facilitate development on vacant lot within an established industrial area by making efficient use of the land while also contributing to the supply of employment lands within the city. The proposed use also intends to benefit and capitalize on the site's close proximity to the 401 Highway and is intended to support the movement of goods in a way that would minimize the length of vehicle trips. The proposed amendment will also recognize an environmental feature and ensure no development occurs within 30m of the feature unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

4.2 Issue and Consideration #2: Amendment to The London Plan

The London Plan

At the core of The London Plan is the goal of planning for a prosperous London. A big part of London's prosperity in 2035 will rely on the growth of our industrial sector. In 2014 almost one-third of all of London's employment occurred within our Industrial Place Types – what the Provincial Policy Statement would refer to as employment lands. These lands house many of our industries that create long-term jobs that have positive economic spin-off throughout our city (1104_).

Industrial Place Types represent a critical part of our City Structure – where one-third of Londoners work and where many of the goods and services we produce as a city are designed, manufactured, processed, assembled and then transported to the world. These lands have been strategically located where there is a strong demand for them and where they are well connected to the region and the world – locations that have easy access to rail, the airport, major highways, and the existing industrial sectors that have evolved over time. Many of the industrial lands in the core of our city that formed 50 to 100 years ago are losing their attraction, and some are now transitioning to new uses that create both employment and opportunity for new urban neighbourhoods (1107_).

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 (1110_). It may also be necessary to separate some uses within the Light Industrial Place Type from sensitive land uses on adjacent lands.

Southwest Area Secondary Plan

The principles of the SWAP include providing for a range of land uses (20.5.1.4 a)). A key goal of the SWAP is to provide for a competitive place to work and invest through encouraging the growth of employment land opportunities, while protecting ample, highly accessible, land that will provide a long-term supply of strategically positioned employment lands. (20.5.1.4 iii).

The subject site is located within the Commercial designation. The primary permitted uses revert to the underlying London Plan Place Type (Shopping Area), which supports a wide range of retail, commercial and office uses.

1989 Official Plan

Permitted uses within the NFRCN include all types of large and small-scale retail outlets, including supermarkets and food stores, building supply, home improvement and furnishings stores, convenience commercial uses, personal services, restaurants, offices, and a limited range of automotive services.

Applications to add or expand Light Industrial areas require compliance with the appropriate policies on permitted uses, location, design and operating criteria, the potential impact of industrial traffic on residential areas, the availability of utilities and sewer and water facilities to service the site, the compatibility of the proposed uses with existing and proposed uses in the surrounding area, and the availability of transit services to the site.

Analysis:

The proposed Light Industrial Place Type will be located adjacent to an existing Light Industrial Place Type to the south and east. Light industrial uses at this location will avail of easy access to significant transportation corridors and will be located adjacent to existing similar uses. The proposed transport terminal uses are not considered noxious or requiring significant mitigation or setbacks and will not impact adjacent lands. Generally, the proposed use is compatible with existing industrial uses in the area. Although services are not available for the site, the proposed use is considered a dry use that will not require municipal services. Commercial will remain along the Wellington Road frontage. Site Plan will be required and will ensure any impacts on adjacent lands are mitigated.

4.3 Issue and Consideration #3: Use, Intensity, Form

The London Plan

The City's vision for Industrial Place Types include siting industrial areas in strategically planned areas where they can capitalize upon the city's proximity to the 401 and 402 highway corridors (1113_). A broad range of industrial uses that are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions such as noise, odour, particulates and vibration, may be permitted (1115_1.). 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 (1115_2.). Policies 1125_5 and 1125_7 also regulate that large open storage areas will be screened with fencing and landscaping that is appropriate within the surrounding context and view corridors, and that loading facilities will be located in areas that minimize visual impact to other industrial uses and the street. Policy 1115_2 reiterates that 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.

Southwest Area Secondary Plan

The primary permitted uses for the Commercial designation in the SWAP reverts to the underlying London Plan Place Type, which in this case is currently the Shopping Area Place Type. The proposed Place Type change to Light Industrial would permit a wide range of industrial uses that are unlikely to impose significant impacts on surrounding light industrial land uses. The proposed amendment to the SWAP would align the Industrial designation with the proposed Industrial Place Type.

1989 Official Plan

The Light Industrial designation shall include those uses which are likely to have a minimal adverse effect on surrounding uses in terms of noise, smoke, odour or visual appearance, and which can be located in relatively close proximity to other land uses and entryways into the City. Where it is demonstrated that any nuisance factors related to a proposed industry not permitted by the Zoning By-law can be reduced to acceptable levels for the Light Industrial designation and the applicable zone, the industrial use may be permitted.

Permitted uses can include industrial uses that involve assembling, fabricating, manufacturing, processing and/or repair activities, are located within enclosed buildings, require only a limited amount of outdoor storage and are unlikely to cause adverse effects with respect to air, odour or water pollution, or excessive noise levels.

Analysis:

The recommended use will contribute to the supply of existing industrial uses within the area and is intended to support the transport of goods. The location of the lands in close proximity (1 kilometre) to Highway 401, allows easy access for the proposed storage depot to efficiently function, minimize the number of trips needed for large, heavy, vehicles, and helps in reducing the need for industrial vehicles and freight to commute internally through the city to access highway corridors. Furthermore, the proposed use directly contributes to the city's supply of employment lands, contributes to the growth of London's industrial sector, maximizes the size of the land and location within an existing industrial area, and does not introduce an incompatible use to a neighbourhood which already consists of existing transport terminals. Any buildings or structures that may be needed for the proposed use will be addressed through site plan. Additionally, the property is not directly abutting sensitive or residential land uses, and the proposed use is anticipated to have minimal impact on surrounding properties in regard to intensity and form. This proposed use is appropriate for the location given the existing site context.

Policies within the SWAP seek to limit uses with outdoor storage, in order to prevent negative impacts on the nearby rural settlement area. However, since those policies came into effect, the area has been developed with a variety of industrial uses including, but not limited to, vehicle storage depots. As such, the proposed use is not out of character for the surrounding neighbourhood and instead aims to compliment and support the existing industrial uses that already exist. Enhanced landscaping elements and screening may also be required as part of the Site Plan Approval Process to ensure that the property is effectively screened from the street and any abutting lands.

The proposed use will have access to three roads, and issues such as access, vehicle turning movements and location of parking will be further addressed at site plan. The retention of the Shopping Area along Wellington Road will ensure the proposed use will be screened, and any future uses will be designed appropriately along this high visibility corridor.

4.4 Issue and Consideration #4: Environmental Review (ER) Zone

As stated previously, the site contains an unevaluated vegetation patch located on the northwest corner of the site. In conjunction with the submission, a Natural Heritage

Features Preliminary Assessment – Opportunities and Constraints report was prepared and submitted by the applicant. Generally, it is summarized in this report that there are unevaluated wetland, woodlot and habitat features identified in the northwest quadrant of the site. As part of the report recommendation, a 30m setback should be applied to this feature until a full EIS can be completed. Ecology staff attended the site and staked the natural heritage feature, and confirmed the ultimate zone limit (with 30m buffer). It is anticipated that a full EIS will be provided in the future for these lands, and that a zoning by-law amendment will be required once the full EIS is reviewed and accepted by staff.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan and the Southwest Area Secondary Plan, including but not limited to the Key Directions, Shopping Area Place Types, proposed Light Industrial Place Type, the proposed Industrial designation, and Natural Heritage Features and Hazards providing for the protection of both significant environmental features. The recommended amendment will facilitate the severance of the property while retaining a portion of the sight for future commercial uses. The recommended amendment will also facilitate the requirement for further environmental studies on a natural heritage feature and represents development with a land use, intensity, and form that is appropriate for the site.

Prepared by: Nancy Pasato, MCIP, RPP
Senior Planner, Planning Implementation

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

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 London Plan
relating to 4452 Wellington Road South.

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, 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 October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of a portion of the subject lands from a Shopping Area Place Type to a Light Industrial Place Type on Map 1 – Place Types, and to amend section 1565_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by changing the designation of a portion of the subject lands from Commercial to Industrial on Schedule 4 Southwest Area Land Use Plan, and Schedule 17 Wellington Rd/Hwy 401 Land Use Designations.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 4452 Wellington Road South in the City of London.

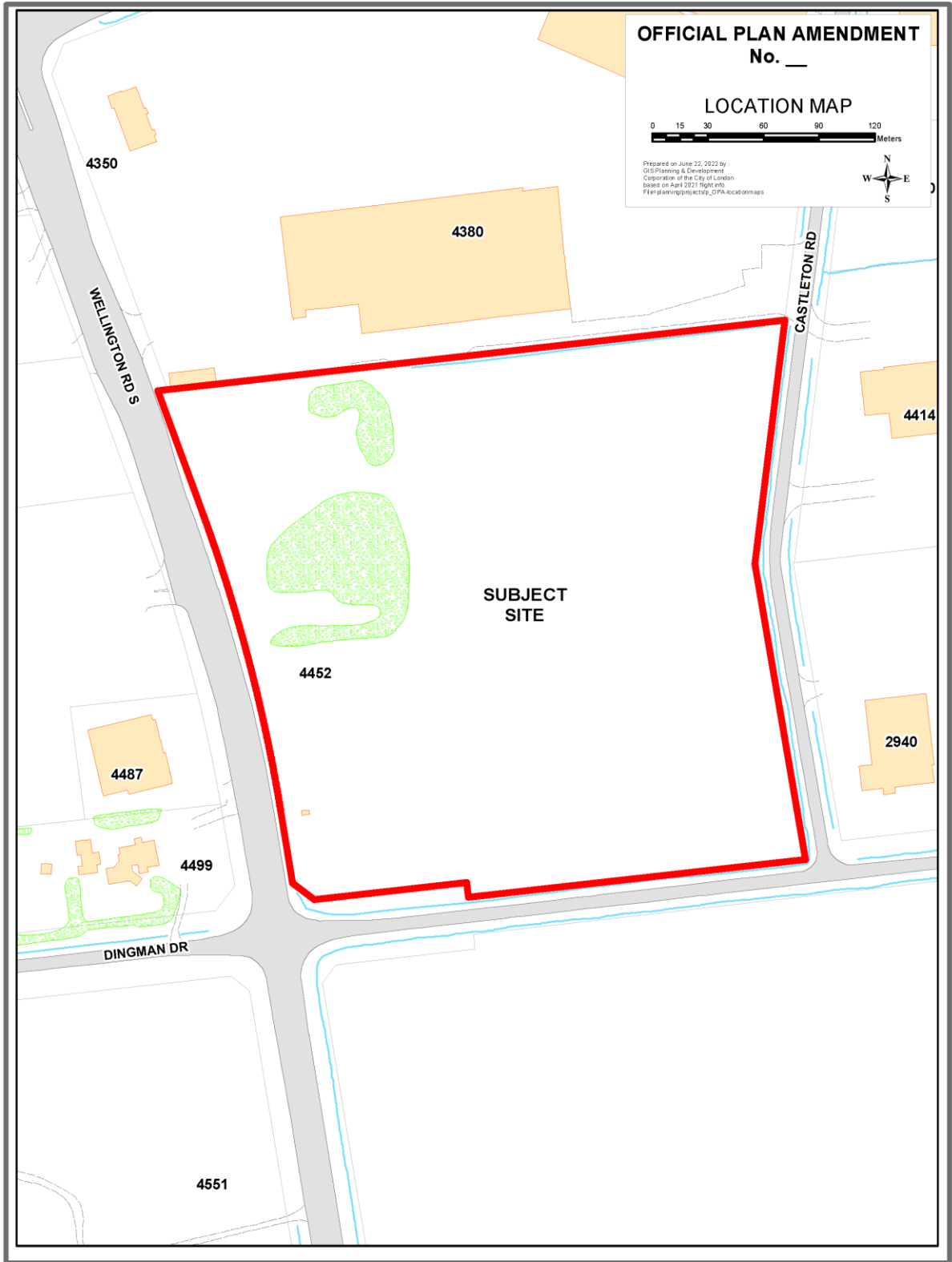
C. BASIS OF THE AMENDMENT

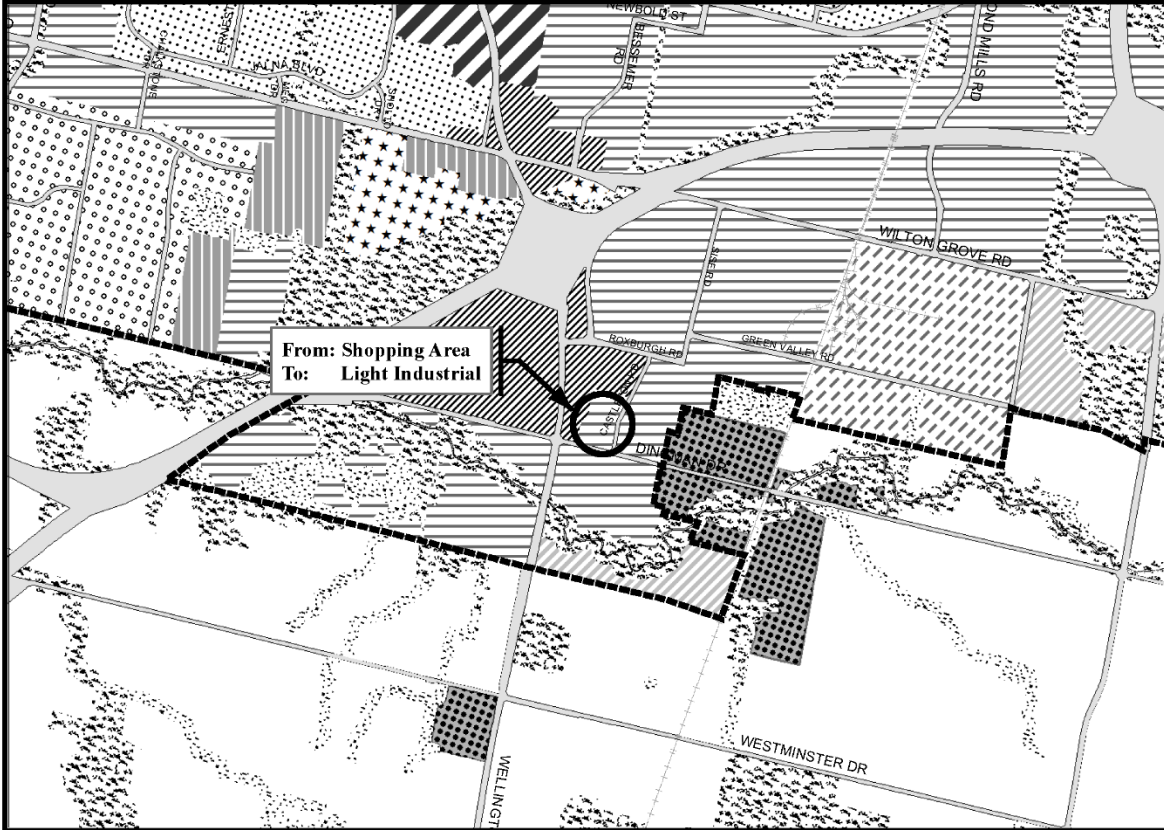
The recommended amendment is consistent with the PPS and the in-force policies of The London Plan and the Southwest Area Secondary Plan. The recommended amendment facilitates the development of a site within the Wellington Road/ Highway 401 Neighbourhood. while retaining a portion of the sight for future commercial uses. The recommended use will contribute to the supply of employment lands and industrial uses within the area and is intended to support the transport of goods while being in in close proximity (1 kilometre) to Highway 401, allowing easy access for the proposed transport terminal.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

1. Map 1 – Place Types, of The London Plan is amended by redesignating a portion of the subject lands, as indicated on “Schedule 1” attached hereto from a Shopping Area Place Type to a Light Industrial Place Type.
2. Section 1565_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, Schedule 4 Southwest Area Land Use Plan, and Schedule 17 Wellington Rd/Hwy 401 Land Use Designations is amended by redesignating a portion of the subject lands, as indicated on “Schedule 2” attached hereto from Commercial to Industrial.



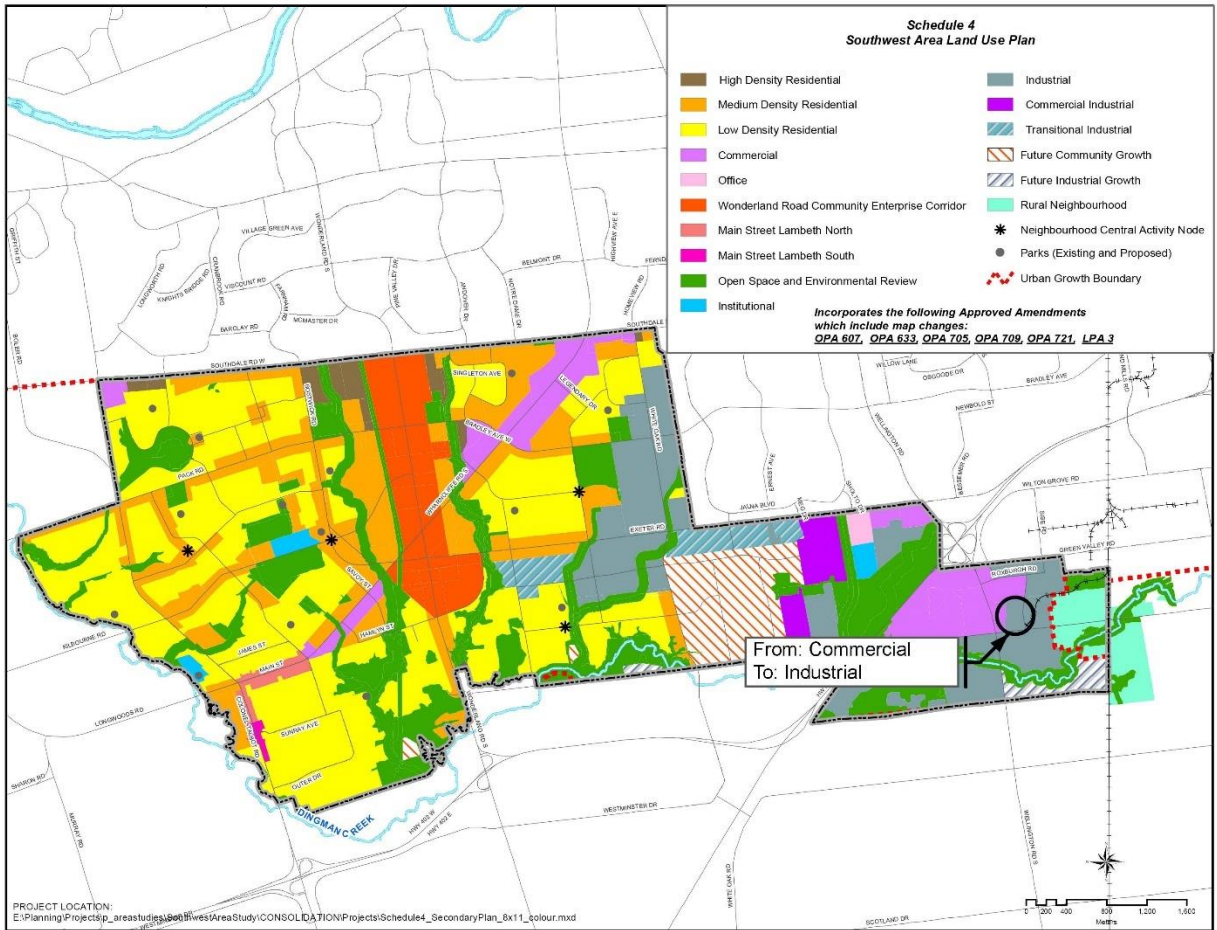


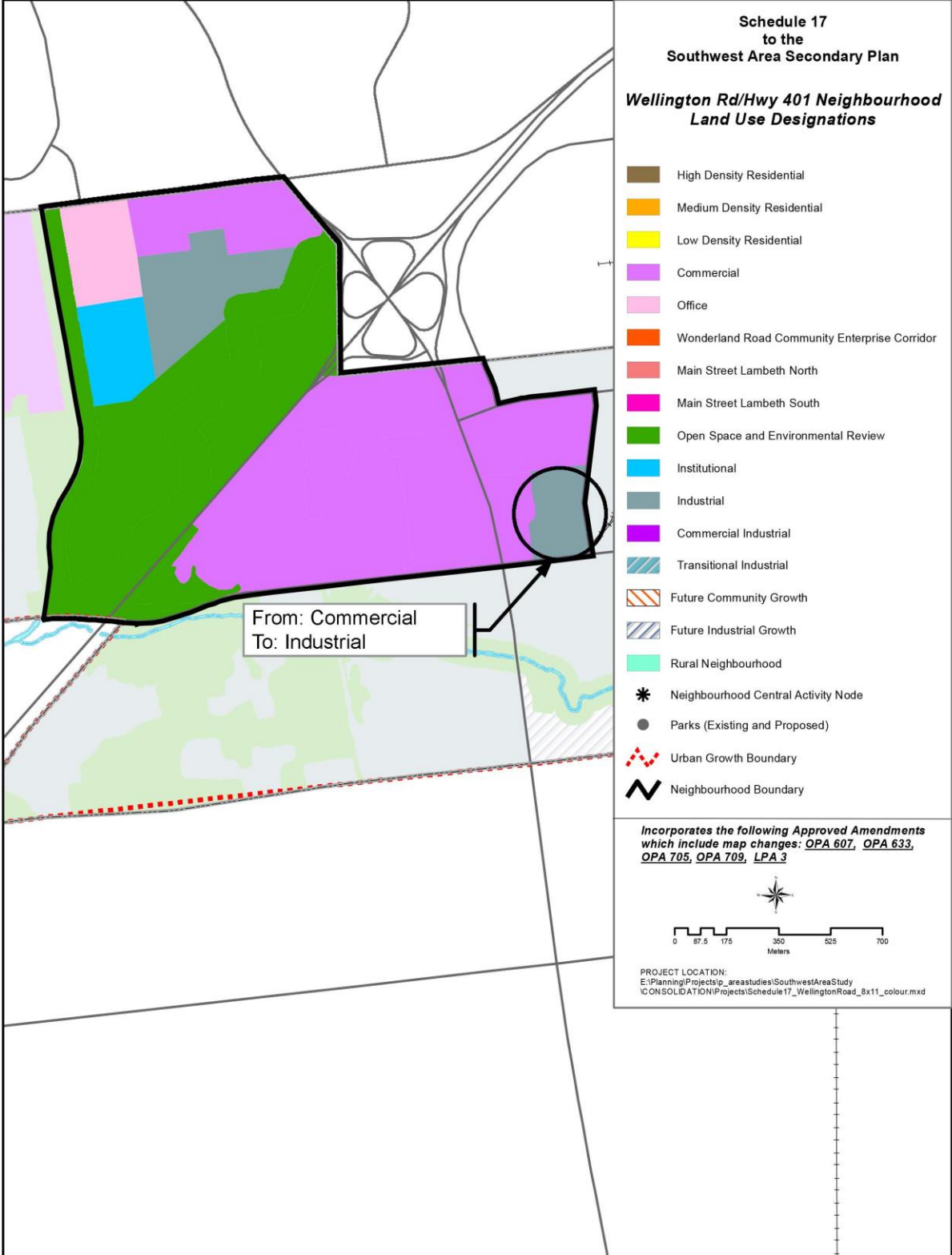
Legend

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.

<p>SCHEDULE 1 TO</p> <p>OFFICIAL AMENDMENT NO. _____</p> <p><small>PREPARED BY: Planning & Development</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9497</p> <p>PLANNER: NP</p> <p>TECHNICIAN: RC</p> <p>DATE: 9/7/2022</p>
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Appendix B

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 4452 Wellington Road South.

WHEREAS MHBC Planning on behalf of 2858637 Ontario Inc. have applied to rezone an area of land located at 4452 Wellington Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of London Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to The London Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 4452 Wellington Road, as shown on the attached map comprising part of Key Map No. A112, from a Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone to a Holding Light Industrial (h-17*LI6) Zone, and an Environmental Review (ER) Zone.

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.

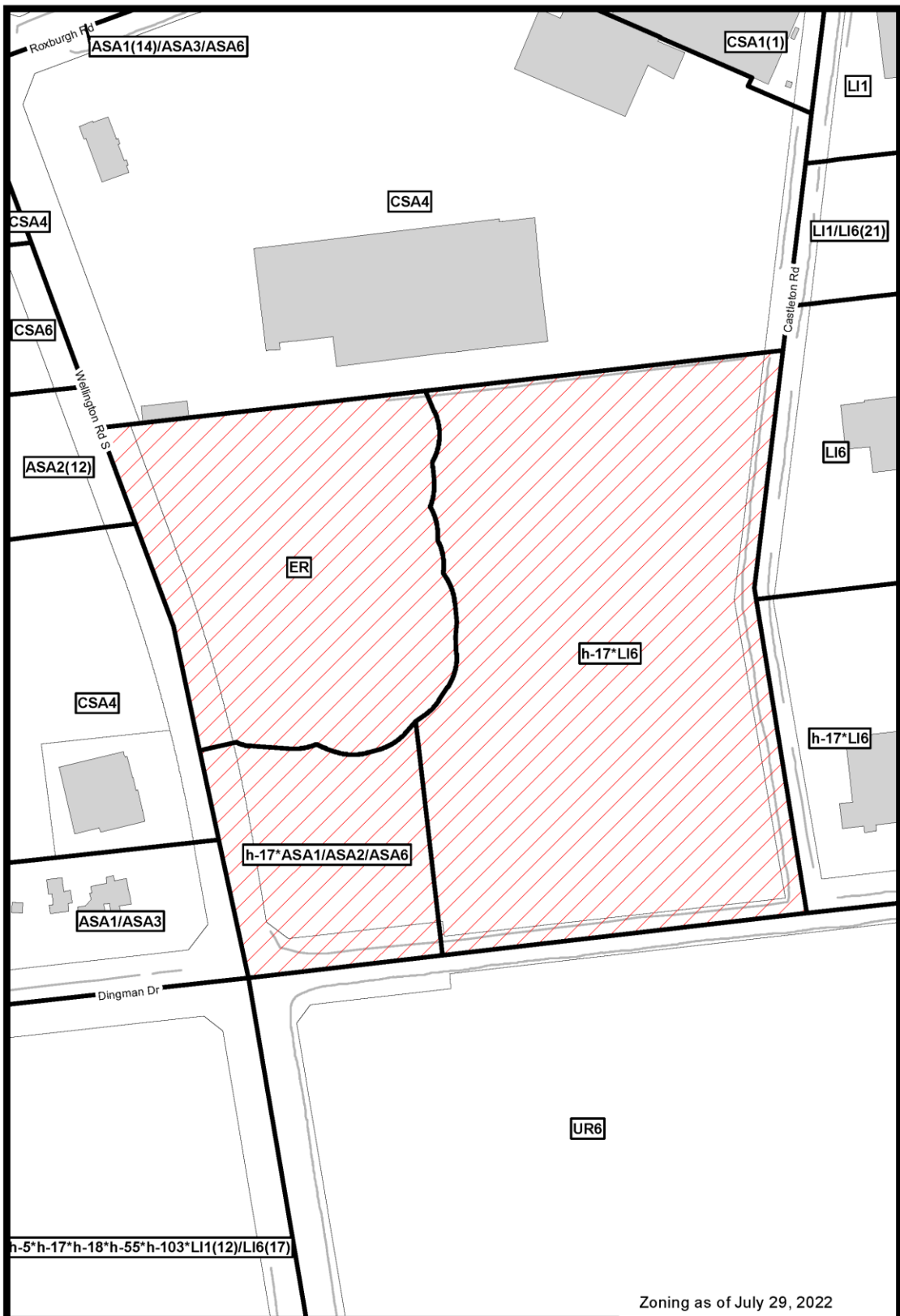
PASSED in Open Council on October 17, 2022.


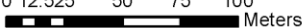

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

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



<p>File Number: OZ-9497 Planner: NP Date Prepared: 2022/09/07 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
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Geodatabase

Appendix C – Public Engagement

Community Engagement

Notice of Application:

On May 11, 2022, Notice of Application was sent to fifteen (15) property owners in the surrounding area including lands in the Township of Middlesex Centre. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 12, 2022. A “Planning Application” sign was also posted on the site.

No comments were received.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit a transport terminal on the eastern portion of the site. Possible amendment to the 1989 Official Plan to change the designation on a portion of the site from New Format Regional Commercial Node to Light Industrial. Possible amendment to the London Plan to change the designation on a portion of the site from the Shopping Area Place Type to the Light Industrial Place Type. Possible change to Zoning By-law Z.-1 **FROM** a Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone **TO** a Holding Light Industrial (h-17*LI6) Zone to permit various light industrial uses, including transport terminal, and an Environmental Review (ER) Zone to permit conservation lands and conservation works. The City may also consider the use of additional holding provisions, special provisions, or additional zoning and Official Plan/London Plan amendments as part of this application.

Departmental and Agency Comments

London Hydro (May 11, 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.

Urban Design (June 1, 2022)

There are no specific UD comments for the proposed Official Plan and Zoning amendment for 4452 Wellington Road South.

Site Plan Application Stage:

- Please refer to site plan comments provided through the site plan consultation on Provide a landscape buffer with sufficient screening to mitigate visual impacts of freight trucks and expansive surface asphalt.
- Incorporate bioswales to manage storm water run-off from expansive surface asphalt.

Engineering (June 20, 2022)

- Engineering has reviewed the servicing report and TIA and have no requirements for holding provisions.

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

Transportation:

- Provide complete appendices;
- Additional information on proxy site survey such as when it was completed and time of survey is required. Append row survey data with report;
- Confirm how truck parking spaces for survey site was determined?
- Confirm whether operating capacity of the site was reviewed prior to commencing survey?
- Minimum of two proxy site should be survey for the purpose of trip rate;

- Subject site will primarily generating truck traffic and it should be converted to PCE of 2.5 before doing any further analysis;
- Provide figures confirming distribution of site generated traffic for each background developments;
- The conclusion of report needs to be updated with recommendation identified by the subject report and later it can be compared with recommendations provided by the Gateway Commercial TIA;
- Further comments related to the site were previously provided under the file SPC22-024.

Water:

- Water is available to each future parcel on the eastern portion of the site via the municipal 450mm CONC watermain on Castleton Road. Connection to the 750mm CONC watermain on Dingman Drive is not permitted.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- Further comments related to the site were previously provided under the file SPC22-024.

Wastewater:

- No further comment related to the capacity analysis.
- An updated Drainage Area Plan and design sheet will be required at the time of SPA.
- Further comments related to the site were previously provided under the file SPC22-024.

Stormwater:

- All applicants and their consultants shall ensure compliance with the City of London, Design Specifications and Requirements Manual, Chapter 6 (2021). Please review the 2 year AES parameters. As part of detail design, the consultant is to update calculations, design sheets and brief as required, ensuring any modelling also uses the correct parameters.
- Further comments related to the site were previously provided under the file SPC22-024.

EEPAC (June 23, 2022, and August 3, 2022)

I hereby certify that the Municipal Council, at its meeting held on August 2, 2022 resolved:

That the following actions be taken with respect to the 1st and 2nd Reports of the Ecological Community Advisory Committee:

c) the Working Group comments relating to the property located at 4452 Wellington Road South BE FORWARDED to the Civic Administration for review and consideration;

ECAC received this report today after the notice appeared on the cte's agenda last week. Based on what I read in the MTE Opportunities and Constraints memo, I believe the ECAC would be supportive of the proposal to redesignate and rezone the feature and the proposed buffer to ER until such time as an EIS is prepared, reviewed and any change(s) to the ER designation and zone determined. We would also support conditions of either development or site plan for the proposed development on the west and south of the property that would direct construction and post construction activities away from the feature and its buffer. It also should be noted that construction could negatively affected surface and ground water flows to the feature and possible impacts should be studied before site preparation takes place.

Heritage (July 5, 2022)

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 (OZ-9497):

- Lincoln Environmental Consulting Corp. Stage 1-2 Archaeological Assessment of 4452 Wellington Road South [...] Middlesex County, Ontario (PIF P006-0093-2021), February 2022.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: “no archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended.” (p2)

An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received (without technical review), dated Feb 6, 2022 (MHSTCI Project Information Form Number P1289-0206-2021, MHSTCI File Number 0015947).

Archaeological conditions can be considered satisfied for this application.

Heritage (September 8, 2022)

This memo is to confirm that I have reviewed the following and find the report’s (analysis, conclusions, and recommendations) sufficient to fulfill the heritage impact assessment requirements for (OZ-9497):

- MacNaughton Hermsen Britton Clarkson Planning Ltd. (2021, November). Cultural Heritage Impact Assessment Report, 4452 Wellington Road South, City of London.

Please be advised that heritage planning staff recognizes the conclusions and recommendations of the report that state that:

“[t]here are no adverse impacts as a result of the proposed development as it relates to the existing Nichols Cemetery located at 4680 Wellington Road South. The Nichols Cemetery is located adjacent to the subject lands, albeit the cemetery is approximately 600 metres from the subject lands. Given the distance, impacts related to vibration or other land disturbances from construction are not anticipated. Since no impacts are expected, no alternatives or mitigation measures have been recommended.” (p28) Based on the review of the HIA, heritage staff is satisfied that there will be no adverse impacts to the adjacent LISTED property at 4680 Wellington Road South (The Nichols Cemetery) because of development at 4452 Wellington Road South. It has been sufficiently demonstrated that significant heritage attributes will be conserved, and the HIA can be accepted to meet heritage requirements for (OZ-9497).

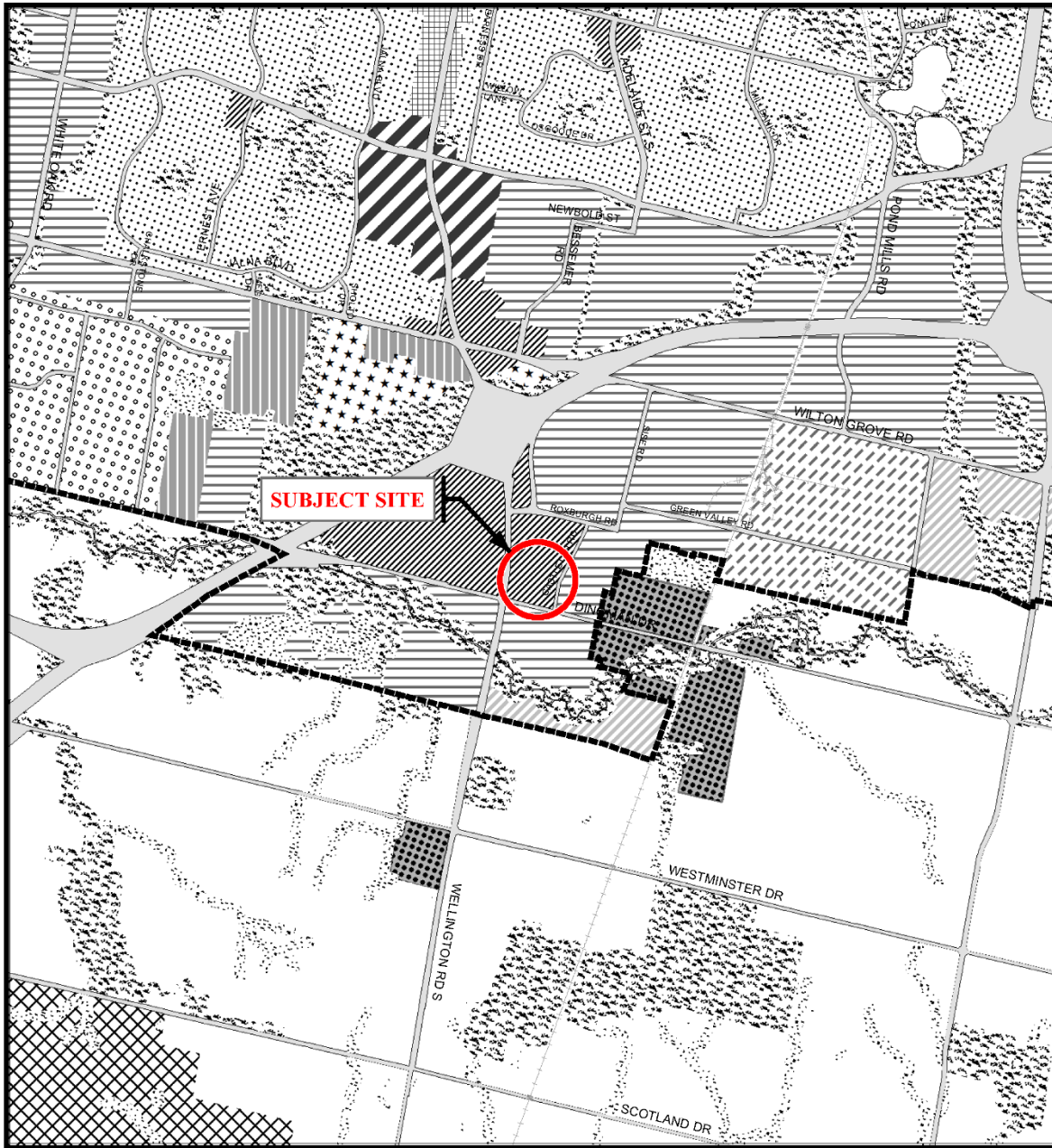
Site Plan (July 6, 2022)

- In accordance with the Site Plan Control By-law, parking is to be setback a minimum of 3.0m along both Dingman Drive and Castleton Road to provide landscape screening.
- Dimension the proposed truck stalls and standard parking stalls as well as the driveway widths.
- Identify the proposed snow storage location.
- Provide a greater landscape buffer between the north and south parking areas. A greater landscape buffer is to also be provided from the proposed "severed" lands along Wellington Road South.
- The proposal notes associated office uses are proposed. Identify the proposed building location and provide elevations of the proposed building.
- The truck parking spaces are to not impact the proposed site accesses.
- A Photometric Plan is required for any proposed light standards. Refer to the Site Plan Control By-law for light standard details.
- The proposed truck parking and employee/visitor parking at the north-east corner is an awkward configuration for truck movements

Ecology (September 1, 2022)

- Ecology is satisfied that the revised ER zoning line relating to the 30m setback is acceptable and in an accurate location. Please ensure this line is reflected in the ER Zone applied for the site.

Appendix D – Relevant Background



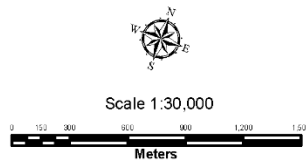
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

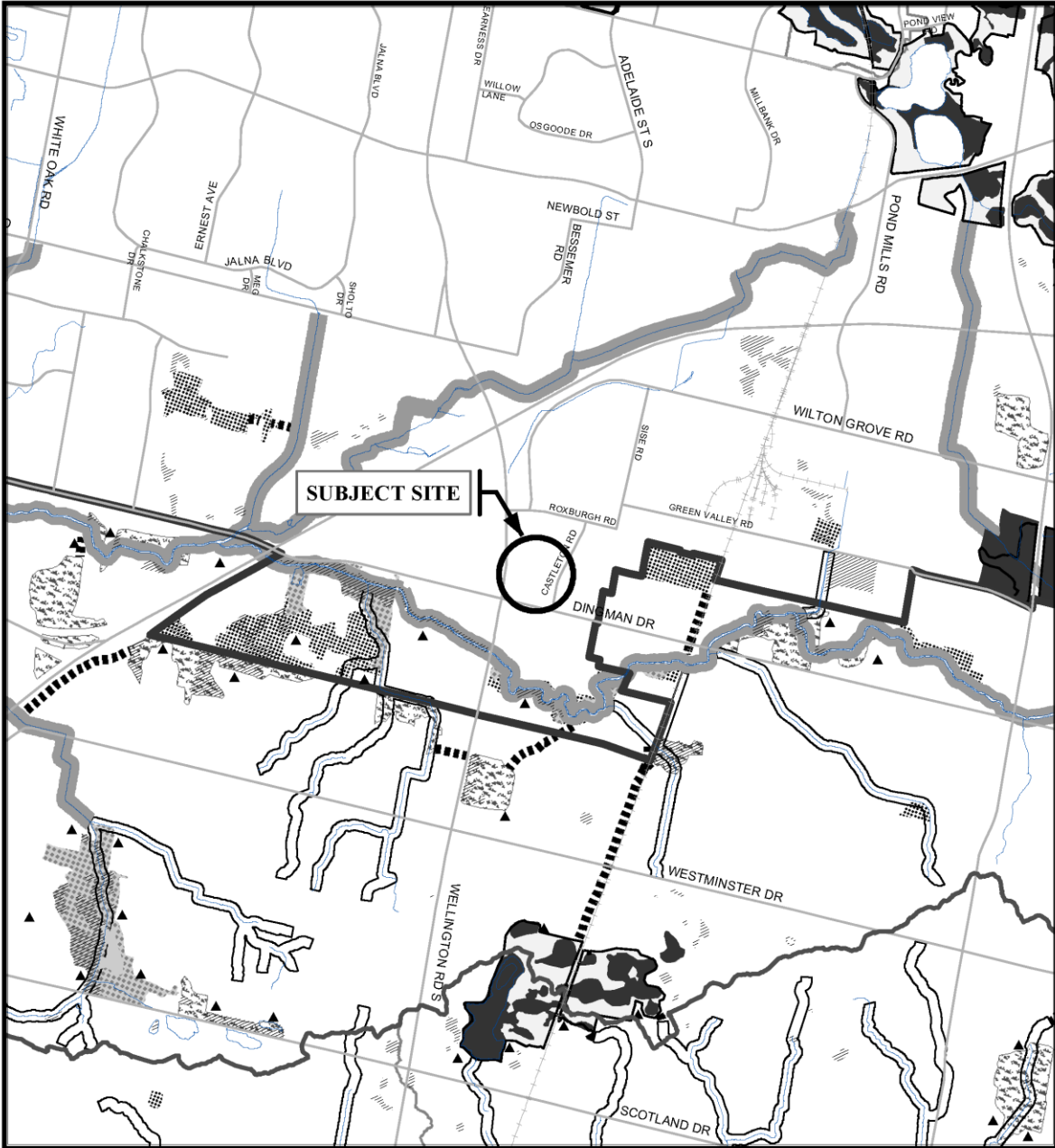
CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning & Development



File Number: OZ-9497
Planner: NP
Technician: RC
Date: 2022/8/12

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\OZ-9497-EXCERPT_Map1_PlaceTypes.mxd



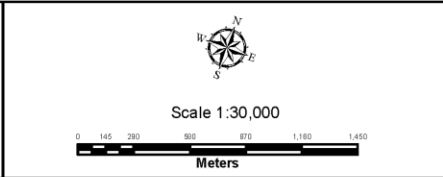
NATURAL HERITAGE SYSTEM		Base Map Features
Provincially Significant Wetlands	Areas of Natural and Scientific Interest	Railways
Wetlands	Environmentally Significant Areas (ESA)	Water Courses/Ponds
Unevaluated Wetlands	Potential ESAs	Streets (see Map 3)
Significant Woodlands	Upland Corridors	Conservation Authority Boundary
Woodlands	Potential Naturalization Areas	Subwatershed Boundary
Significant Valley Lands	Unevaluated Vegetation Patches	Subject to Site Specific Appeals (LPAT Appeal PL170100)
Valley Lands		

This is an excerpt from Planning & Development's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

CITY OF LONDON
Official Plan

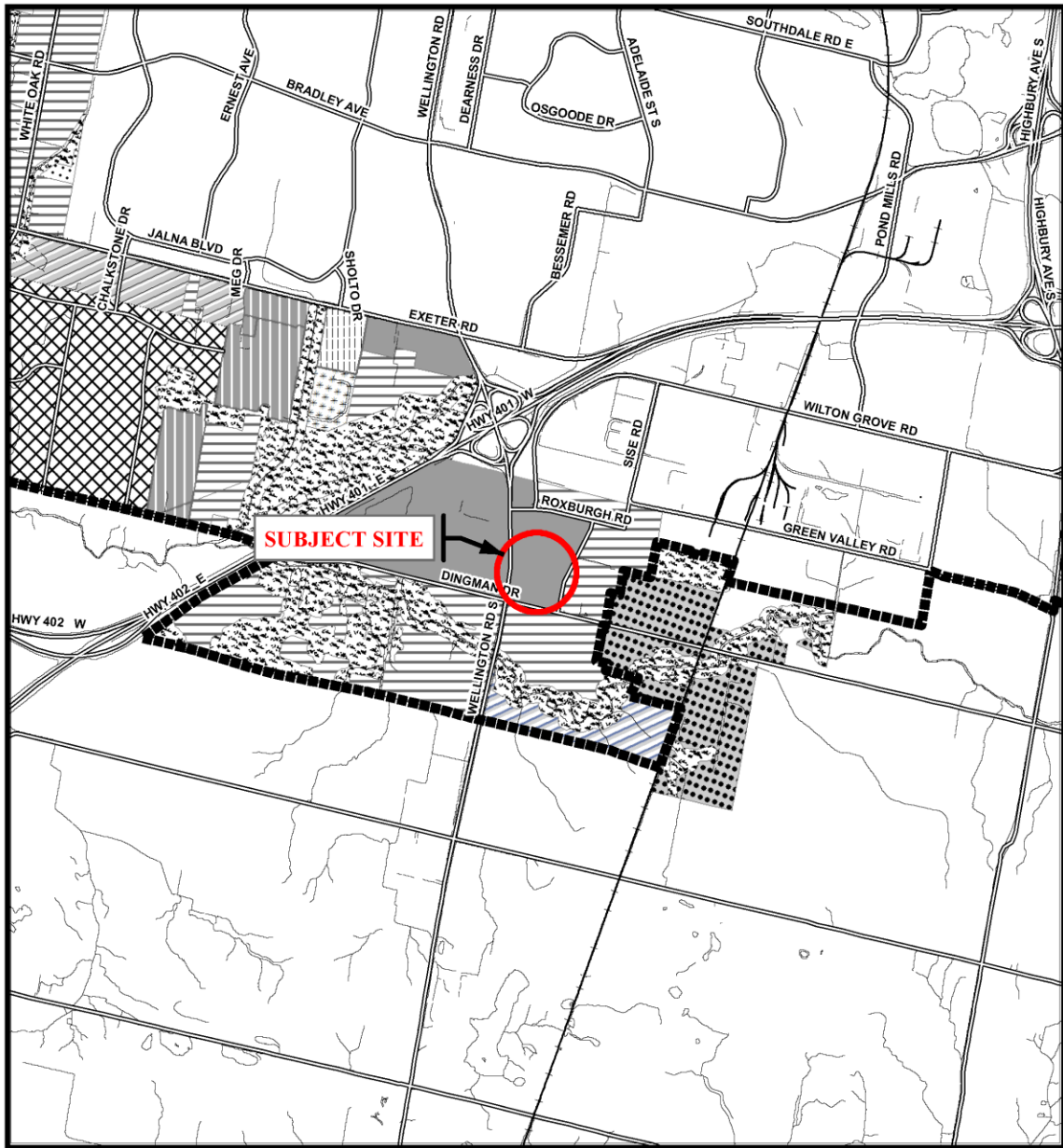
LONDON PLAN MAP 5
- NATURAL HERITAGE -

PREPARED BY: Planning & Development



File Number: OZ-9497
Planner: NP
Technician: RC
Date: 8/12/2022

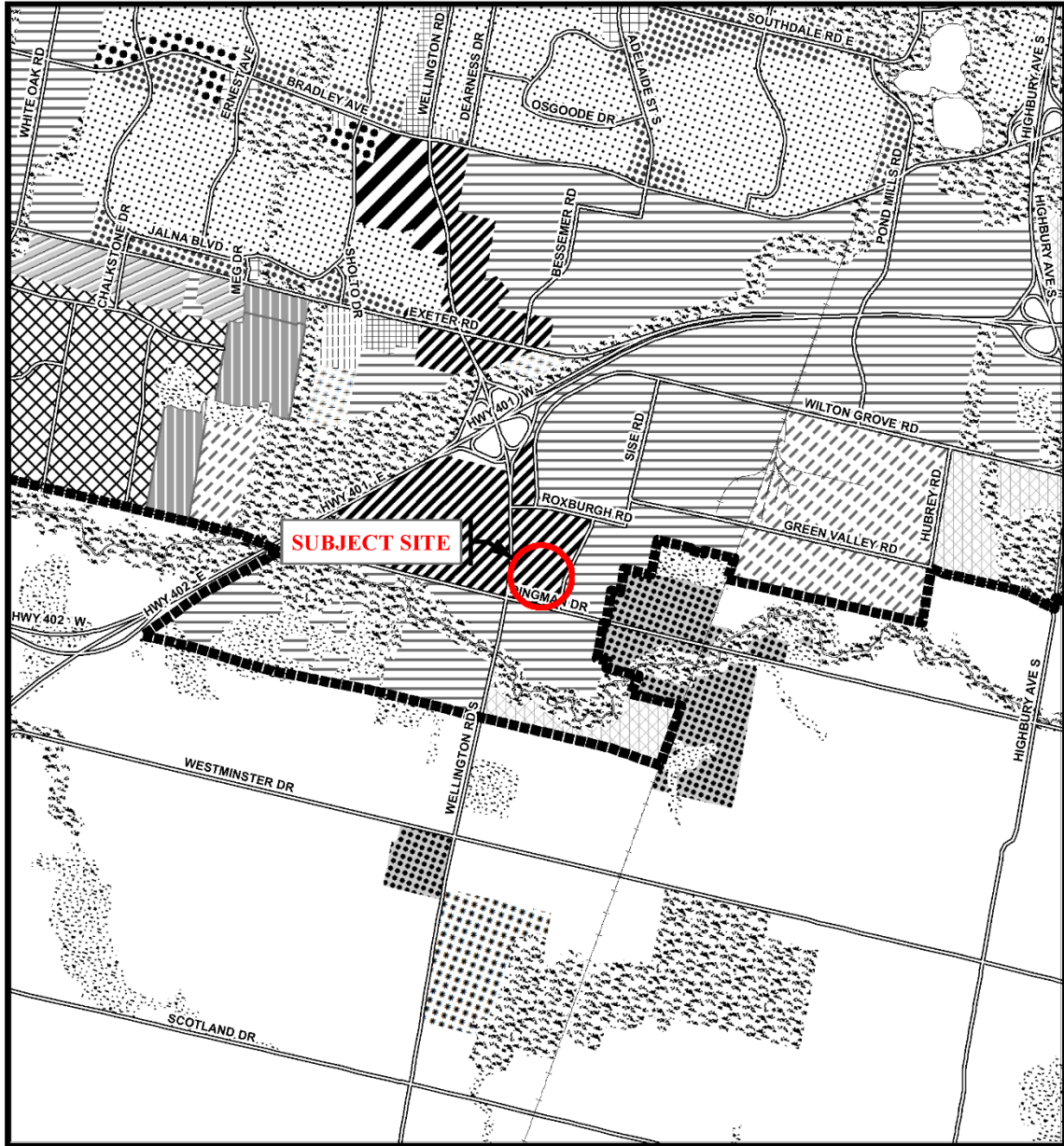
Project Location: E:\Planning\Projects\p_officialplan\workconsol\00\excerpts_LondonPlan\mxds\OZ-9497-EXCERPT_Map5_NaturalHeritage.mxd



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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>SOUTHWEST AREA STUDY SECONDARY PLAN - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1200 1500</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9497</p>
		<p>PLANNER: NP</p> <p>TECHNICIAN: RC</p> <p>DATE: August 12, 2022</p>

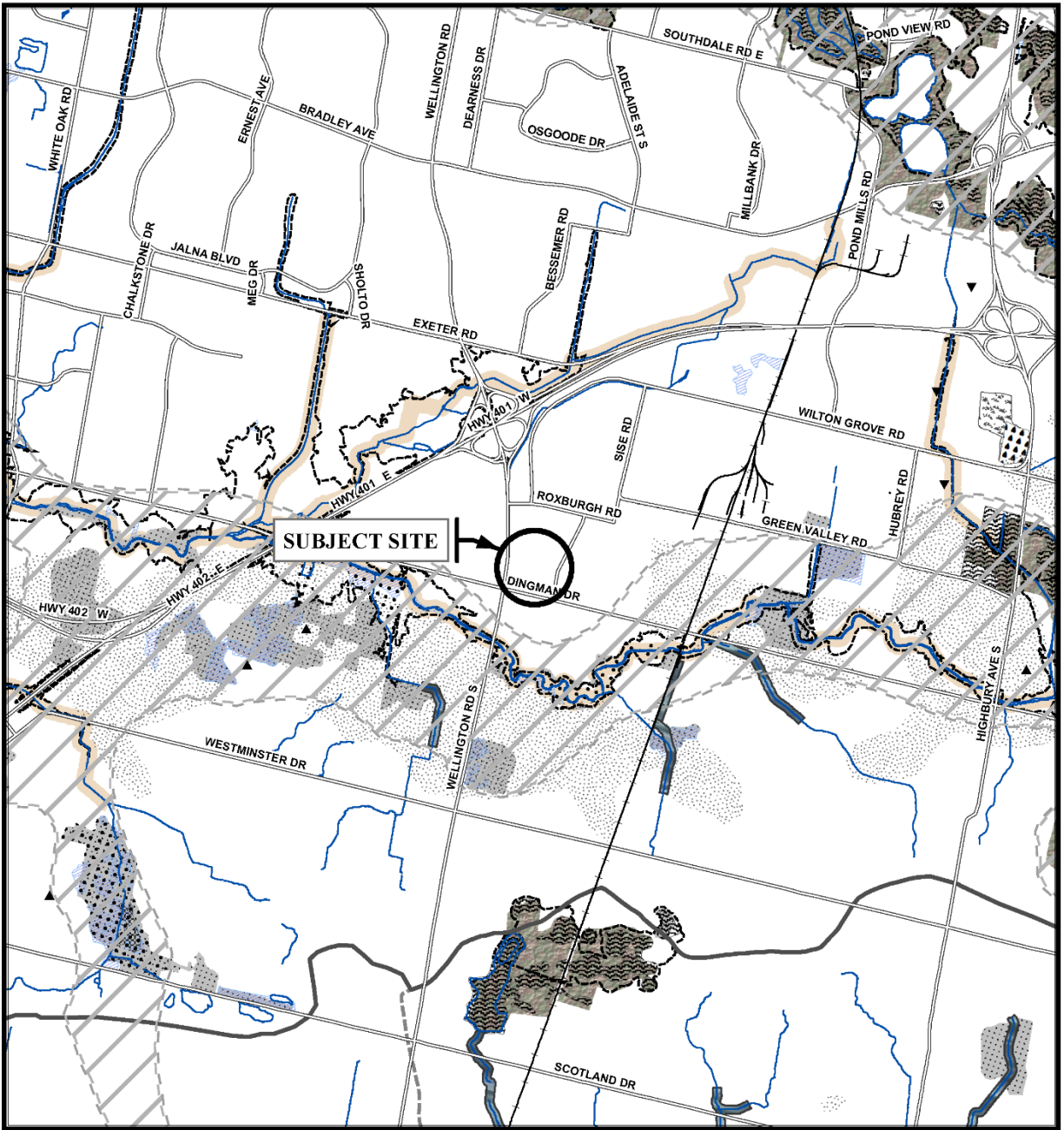
PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1200 1500</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9497</p> <p>PLANNER: NP</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/08/12</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



NATURAL HERITAGE SYSTEM

- ESAs
- Potential ESAs
- Significant Woodlands
- Woodlands
- Unevaluated Vegetation Patches
- Significant River, Stream, and Ravine Corridors
- Unevaluated Stream and Ravine Corridors
- Provincially Significant Wetlands
- Locally Significant Wetlands
- Unevaluated Wetlands
- Potential Naturalization Areas
- Potential Upland Corridors
- Ground Water Recharge Areas

NATURAL HAZARDS

- Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.

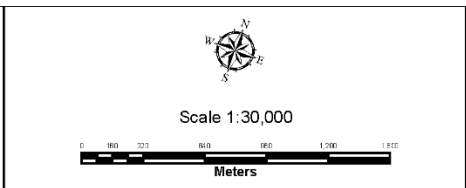
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Big Picture Meta-Cores and Meta-Corridors

CITY OF LONDON
Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE B1
- NATURAL HERITAGE FEATURES -

PREPARED BY: Graphics and Information Services



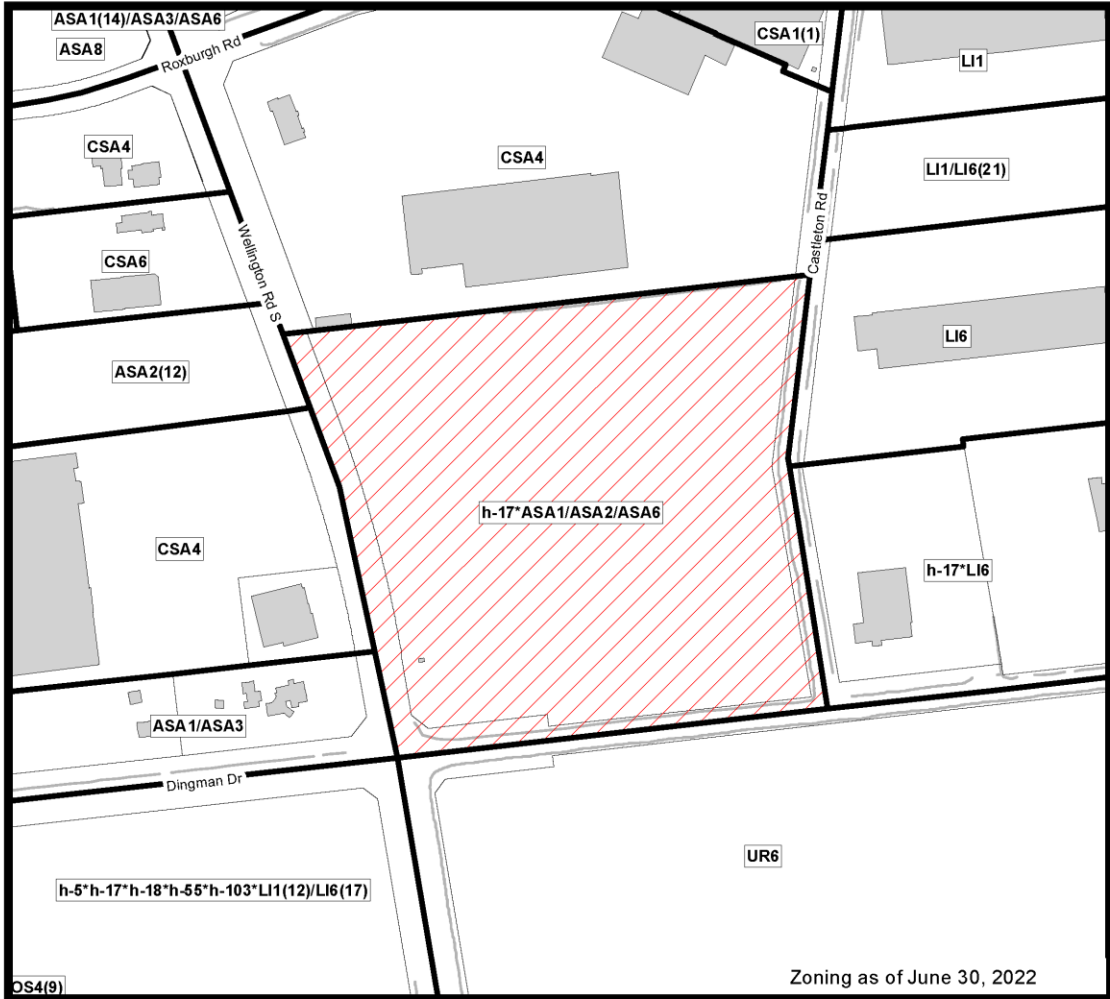
FILE NUMBER: OZ-9500

PLANNER: CP

TECHNICIAN: RC

DATE: 2022/07/18

PROJECT LOCATION: e:\planning\projects\officialplan\work\consol\00\excerpts\mxds\templates\schedule_b1\scheduleB1_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9497

NP

MAP PREPARED:

2022/08/12

RC

1:4,000

0 20 40 80 120 160

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: Drygas Properties Inc.
1033 Dundas Street
Public Participation Meeting

Date: October 05, 2022

Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of Drygas Properties Inc. relating to the property located at 1033 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Business District Commercial (BDC) Zone, **TO** a Holding Business District Commercial Special Provision (h-(_)*BDC(_)) Zone.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law to change the zoning of the subject lands to permit the construction of a mixed-use (commercial and residential) building with a maximum height of five (5) storeys, 120m² of commercial space on the first floor, and a maximum mixed-use density of 140 units per hectare. The requested Holding Business District Commercial Special Provision (h-(_)*BDC(_)) Zone would permit a range of retail, restaurant, neighbourhood facility, office, and residential uses.

The requested special provisions would permit a reduced minimum front yard setback of 0.0 metres, whereas 3.0 metres is required; a maximum mixed-use density of 140 units per hectare; and a maximum height of 16.5 metres (5 storeys), whereas 12.0 metres maximum is permitted.

The applicant had requested a special provision to accommodate 10 parking spaces whereas 22 spaces are required. However, since the Parking Standards Review (2022) coming into effect, this special provision is no longer needed as the proposed number of parking spaces adhere to the updated parking standards and meet the minimum requirement.

Staff are also recommending a holding (h-(_)) provision to address Canadian National (CN) Rail comments and require a noise assessment from a qualified professional as part of the Site Plan Approval process.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a mixed-use five (5) storey, 15-unit building. Special provisions establish a minimum front yard setback of 0.0 metres; a maximum mixed-use density of 140 units per hectare; and a maximum height of 16.5 metres (or 5 storeys). The recommendation also includes site design matters that were raised during the application review process.

Rationale of Recommended Action

1. The recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, which encourages intensification, redevelopment, and a

compact form in strategic locations to minimize land consumption and servicing costs. The amendment will provide for a range of housing types and densities within the area to meet projected requirements of current and future residents, by promoting a land use pattern, density, and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes.

2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Rapid Transit Corridor Place Type, City Building and Design, Our Tools, and all other applicable policies, to facilitate a built form that contributes to achieving a compact, mixed-use City.
3. The recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor (MSCC).
4. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood.
5. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, 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 located on the south side of Dundas Street, east of Egerton Street. The site has a frontage of 23.8 metres along Dundas Street, a depth of 51 metres, and a total lot area of 1,214 square metres. The site currently consists of a semi-detached residential dwelling that would be demolished and removed. The remaining lands are generally flat and predominantly covered by gravel.

Dundas Street is an arterial road/rapid transit boulevard with an average annual daily traffic volume of 16,000 vehicles per day. Public sidewalks are currently available along Dundas Street.

The surrounding area is considered to be in transition as large areas of land were formerly used for light industrial uses (McCormicks (1156 Dundas Street) and Kellogg’s (100 Kellogg Lane) Sites), but the future land use direction envisions the development of commercial and residential uses. The subject site is surrounded by low-density residential uses to the south, commercial/low density residential uses to the north,

commercial uses to the west (Tim Hortons), and a low-rise residential apartment to the east.



Figure 1. 1033 Dundas Street, Facing South (Aug 2022)



Figure 2. 1033 Dundas Street, Facing Southeast (Aug 2022)

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

- 1989 Official Plan Designation – Main Street Commercial Corridor
- The London Plan Place Type – Rapid Transit Corridor fronting a Rapid Transit Boulevard
- Existing Zoning – Business District Commercial (BDC) Zone
- Special Planning Area – Primary Transit Area

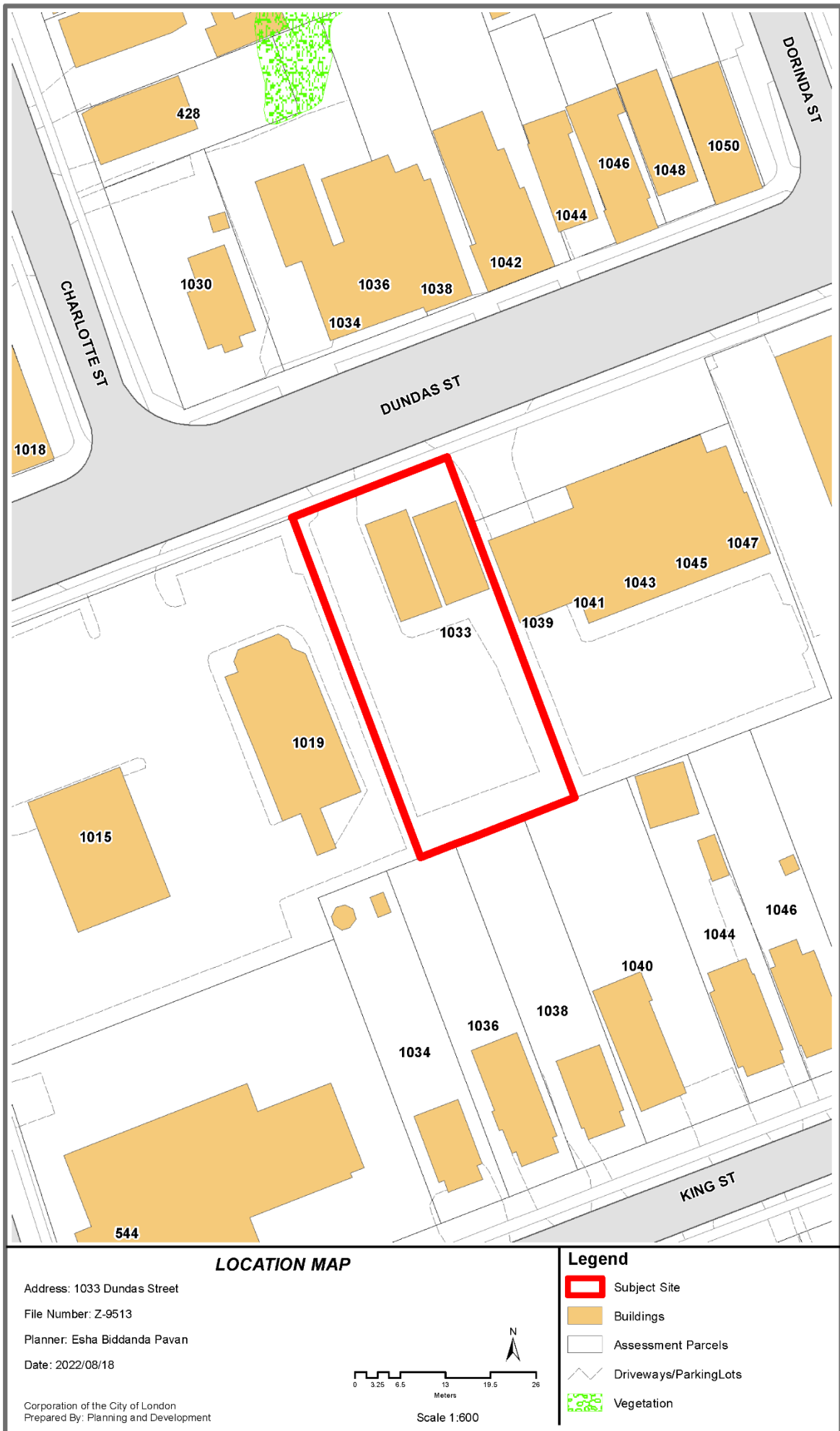
1.4 Site Characteristics

- Current Land Use – Residential (semi-detached dwelling)
- Frontage – 23 metres (Dundas Street)
- Depth – 51 metres
- Area – 1,215 square metres (approximately)
- Shape – Rectangular

1.5 Surrounding Land Uses

- North – Residential, Commercial
- East – Residential
- South – Residential
- West – Commercial

1.6 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

In May 2022, the applicant submitted a zoning by-law amendment application for a five (5) storey, mixed use apartment building with 15 residential units and commercial/office space on the ground floor, with a total of 10 surface parking spaces, at a mixed-use density of 140 units per hectare.

Recently the applicant has made some minor changes to the proposal as part of a response to the Urban Design Peer Review Panel Comments, to add transom windows to the side doors, clad the pillars along the driveway in brick and widen the metal cladding between the first and second floors to provide a more pronounced separation. The site concept is shown in Figure 3. Building rendering and elevations are shown in Figures 4, and 5.

ZP

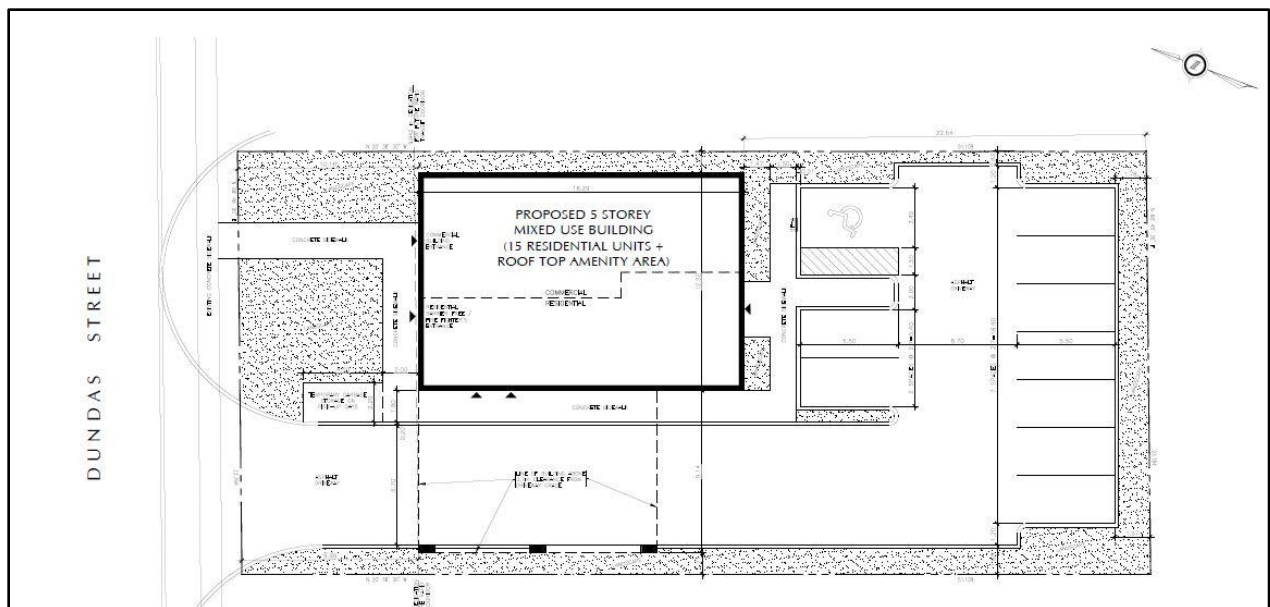


Figure 3. Original Site Concept.



Figure 4. Building Rendering Looking Southeast from Dundas Street.

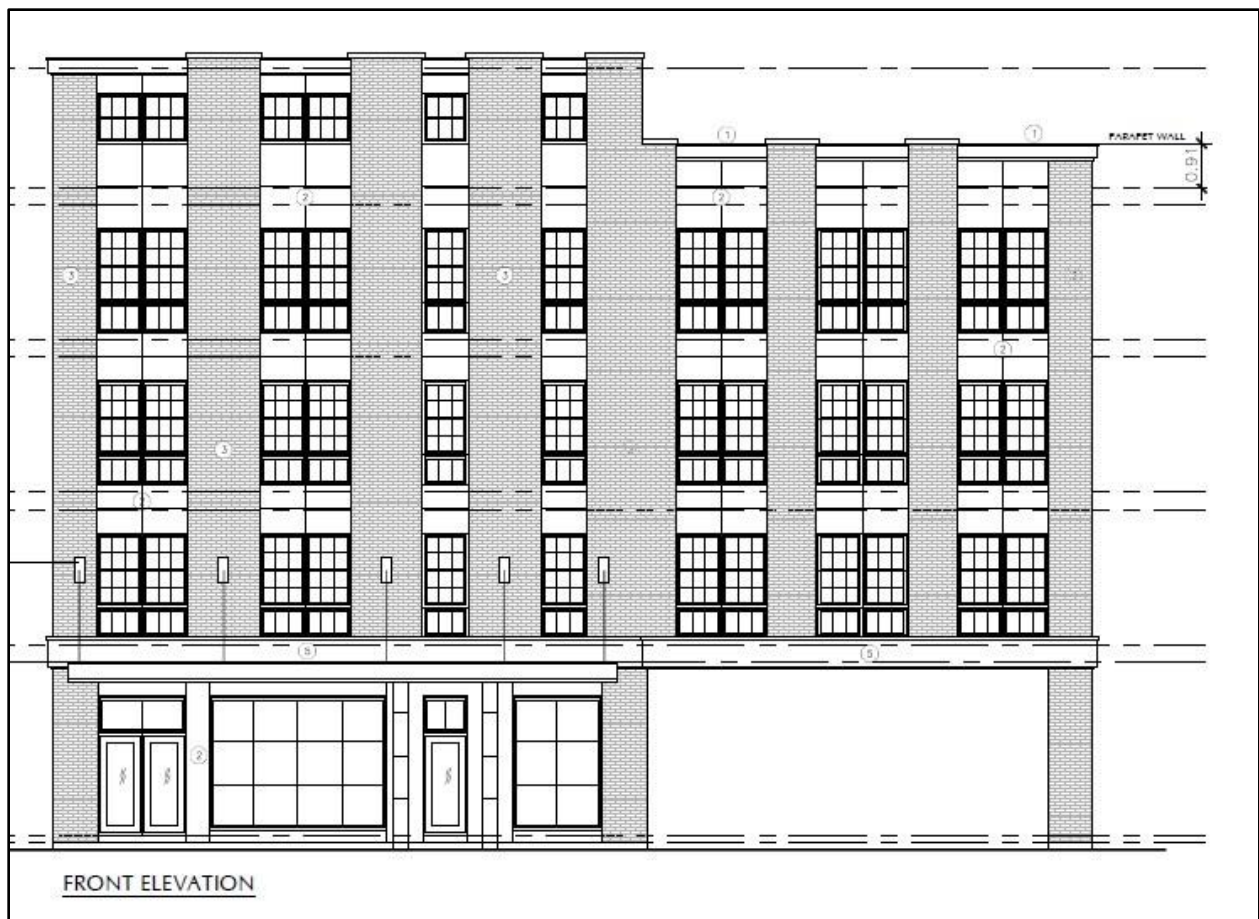


Figure 5. Front Elevation of the Proposed Building.

2.2 Requested Amendment

The applicant is requesting a Holding Business District Commercial Special Provision (h-(_)*BDC(_)) Zone, with special provisions as follows:

- a reduced minimum front yard setback of 0.0 metres, whereas 3.0 metres is required;
- a maximum mixed-use density of 140 units per hectare;
- a maximum height of approximately 16.5 metres/5 storeys whereas 12.0 metres maximum is permitted;

2.3 Community Engagement (see more detail in Appendix B)

Written responses were received from, or on behalf of, 1 household.

The public's concerns generally dealt with the following matters:

- Availability of affordable housing.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by 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. On May 25th, 2022, an Ontario Land Tribunal (OLT) decision resolved all remaining policy appeals within The London Plan, effectively bringing The London Plan into full force and effect. Any applications in process prior to the May 25th date should continue uninterrupted as per the “*clergy principle*” (the policies that were in force at the time the application was received will continue to direct that application). Both the 1989 Official Plan and The London Plan policies will be considered as part of this analysis.

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 make wise planning decisions by:

- Planning for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Rapid Transit Corridor Place Type fronting a Rapid Transit Boulevard (Dundas Street) as identified on Map 1 – Place Types and Map 3 – Street Classifications. Rapid Transit Corridors will be vibrant, mixed-use, mid-rise communities that border the length of the rapid transit services (826_). The vision for Rapid Transit Corridors is intended to be realized by planning for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services (830_ 4).

Permitted uses within this Place Type include a range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings will be encouraged (837_2). The minimum required height is two (2) storeys, and the maximum permitted height is ten (10) storeys. An upper maximum of twelve (12) storeys may be permitted in accordance with the *Our Tools* part of The London Plan. (Table 9 – Maximum Height in the Rapid Transit and Urban Corridor Place Types).

1989 Official Plan

The subject site is designated Main Street Commercial Corridor (MSCC) in accordance with Schedule ‘A’ of the 1989 Official Plan.

The Main Street Commercial Corridor (MSCC) designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. The objectives of these corridors are to provide for the redevelopment of vacant, underutilized, or dilapidated properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development while maintaining a

similar setback and character of the existing uses (Section 4.4.1.1). These policies encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics.

The main permitted uses (Section 4.4.1.4.) include a wide range of commercial, office, institutional and residential uses ,and the development of mixed-use buildings.

Old East Village Dundas Street Corridor Secondary Plan

The subject site is located just outside of the Old East Village Dundas Street Corridor, in the Area of Special Sensitivity, within the Old East Village Market Block. Although the policies do not directly apply to the subject site, some of the principles are transferable to this section of Dundas Street. The Old East Village Market Block is located along Dundas Street, between Ontario Street and Burbrook Place, and is characterized by the Western Fair District, Queens Park, and small-scale retail uses on the north side of the street.

The vision for the Old East Village Market Block is to strengthen the walkability of the area with a strong retail and restaurant presence to sustain year-round activity. Change is anticipated with future rapid transit service planned for this segment of the Dundas Street corridor. Strengthening the physical connection to the Old East Village Core will be a priority for this character area. This plan supports the transition of this area to provide for a mix of uses.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Provincial Policy Statement, 2020

Provincial Policy Statement (PPS), 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached dwellings, additional residential units, multi-unit housing, affordable housing, and housing for older persons to meet long-term needs (1.1.1b)). A mix of housing options and densities are required to meet projected requirements of current and future residents of the regional market area (1.4.1).

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns which stimulate 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 communities (1.1.3).

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

The proposed development will be located within a transitioning area, will avail of existing infrastructure, and will provide intensification and transit-oriented development to meet future land needs. The development will provide a mix and range of uses (commercial, office, residential) in a compatible form of development.

4.2 Issue and Consideration #2: Use

The London Plan

The subject site is in the Rapid Transit Corridor (RTC) Place Type fronting a Rapid Transit Boulevard. Permitted uses within the Rapid Transit Boulevard Place Type at this location include a range of residential, retail, service, recreational, and institutional uses. Mixed-use buildings are encouraged. (937_).

The proposed mix of uses for the subject site align with the vision and policies for the RTC in several ways. RTCs are meant to connect the Downtown and Transit Villages with highly urban forms of development and allow for a broad range of uses and moderate intensity along rapid transit routes (829_). Allowing the requested mix of uses on the subject site supports development and activity consistent with the area, and will generate more demand for rapid transit services, supporting policies and the vision for RTCs (830_). The proposed amount of commercial space for the subject site is 120m², well within the maximum of 6000m² permitted in RTCs (840_).

Given the sites location on a Rapid Transit Boulevard (Dundas Street) and future rapid transit route, greater transportation efficiency and mobility options for the site and area will be provided through the East London Link project. This will provide alternative transportation options that will reduce reliance on private vehicles, in turn reducing the need for on-site parking requirements.

1989 Official Plan

The subject site is designated Main Street Commercial Corridor (MSCC) in accordance with Schedule 'A' of the 1989 Official Plan. The MSCC designation contemplates residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings (Section 4.4.1.4).

The requested mix of uses conforms to the MSCC designation and objectives. Intensification and redevelopment also support public transit and connections to the Downtown and other parts of the city, while encouraging the rehabilitation of the commercial corridor (4.4.1.2). The proposed development would contribute to a mix of housing choices in a compact, street-oriented form which also promotes an active and safe street-front along Dundas Street.

Consistent with the PPS, The London Plan, and the 1989 Official Plan, the recommended mixed-use low-rise apartment building will contribute to the existing range and mix of housing types in the area. This development will ensure residents can access nearby goods and services in a walkable environment with convenient access to higher order transit now and in the future.

4.3 Issue and Consideration #3: 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 with existing neighbourhoods (83_, 937_, 939_ 5, 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 Rapid Transit Corridor Place Type. A minimum height of 2 storeys, a maximum height of 10 storeys and an upper maximum of 12 storeys, is contemplated within the Rapid Transit Corridor Place Type (Table 9 – Maximum Height in the Rapid Transit and Urban Corridor Place Types). Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses (840_4).

1989 Official Plan

The proposed mixed-use building is permitted within the Main Street Commercial Corridor (MSCC) designation. Residential densities within mixed-use buildings in the MSCC designation should be consistent with densities allowed in the Multi-Family, High Density (MFHDR) and Multi-Family, Medium Density Residential (MFMDR) designations as set out in policy 3.4.3. The MFHDR designation generally permits 150 units per hectare outside Central London. The 1989 Official Plan directs high and medium density residential development to appropriate locations within and adjacent to the Downtown, near Regional and Community Shopping Areas, and in selected locations along transit nodes and corridors (2.4.1).

The subject site has frontage on a Rapid Transit Boulevard, which is a higher-order street, to which higher-intensity uses are directed. As the subject site is currently developed with a semi-detached dwelling, the proposed development represents an appropriate form of intensification through infill development. The requested height of five (5) storeys and density of 140 units per hectare is in keeping with the policies of The London Plan and the 1989 Official Plan. The proposed height is considered appropriate for this location and Staff are satisfied that the subject lands are of a size and configuration capable of accommodating a more intensive redevelopment. The current semi-detached dwelling represents an underutilization of the lot within a developed area and the increased intensity of development on the site will make use of existing transit and public services in the area. The subject site is in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment.

4.4 Issue and Consideration #4: Form and Design

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_). Within the Rapid Transit Corridor Place Type, development should be designed to implement transit-oriented principles through consideration of building orientation, location of entrances and general site layout that reinforces pedestrian safety and easy navigation (841_). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

The proposed development would be located close to the road, contributing to an active street frontage and appropriate pedestrian scale, while also increasing the separation between the building and the adjacent properties. The recommended Zoning and Special Provisions would facilitate an alternative and appropriate form of development that will add new housing to the area. The site design and layout will be confirmed through a subsequent site plan application process and will be subject to Site Plan Control (1674_).

1989 Official Plan

The 1989 Official Plan sets out extensive urban design principles and preceded The London Plan. The main urban design objectives for the Main Street Commercial Corridor are summarized below.

The objectives of the MSCC designation are to “strengthen these areas by encouraging infilling and redevelopment which conform to the existing form of development and improve the aesthetics of the business area” (4.4.1). Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the MSCC to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

Section 4.4.1.2 provides for urban design objectives for the MSCC Designation, including:

- Encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics;
- Provide for and enhance the pedestrian nature of the Main Street Commercial Corridor;
- Enhance the street edge by providing for high-quality façade design, accessible and walkable sidewalks, street furniture and proper lighting;
- Design development to support public transit;
- Create high quality public places;
- Maintain and create a strong organizing structure;
- Maintain or create a strong identity and place;
- Maintain the cultural heritage value or interest of listed buildings and ensure through the application of the Commercial Urban Design Guidelines that new development is consistent with the form of existing development; and
- Encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit, and design linkages.

Consistent with the PPS and conforming to the Official Plans, the recommended form of the subject property would optimize the development of the land and public investment in infrastructure in the area. Located within a developing area of the City, the proposed development contributes to achieving more compact forms of growth. The proposed mixed-use building represents a more efficient use of land and resources than the semi-detached dwelling that currently occupies the site.

The location and massing of the proposed building is consistent with the urban design goals of The London Plan and the 1989 Official Plan. The building is proposed to be situated close to Dundas Street, defining the street edge, and encouraging a street-oriented design, with ground floor entrances facing the streets.

Adequate parking is provided for the proposed development and the reduction in the number of spaces is justified by the Parking Study that was provided to supplement this application. Additionally, based on the Parking Standard Review (June, 2022), the parking requirements for 1033 Dundas Street are reduced. The surface parking lot is accessible through the driveway from Dundas Street. The parking area is located to the east of the building and will be screened from the street and adjacent lands by landscaping. Additional setbacks for the parking area along the southern property edge are recommended to ensure there is enough area to plant robust tree plantings, as per the landscape plan, and to protect trees/root zones located on the adjacent properties.

The proposed building is similar in height to the abutting residential building on 1045 Dundas Street. Additionally, the proposed building placement mitigates compatibility concerns including loss of privacy by providing sufficient setbacks from adjacent lower rise development to the south and incorporating appropriate fencing and/or vegetative screening along the south and east property boundaries.

Urban Design staff identified additional site plan matters that are included below and require additional consideration at the site plan approval stage:

- Provide all building elevations detailing proposed colours accompanying the materials.
- Consider opportunities for a step back on the 4th or 5th storey to address the context of both the 5-storey residential building to the east (1045 Nightingale Place) and low rise commercial on the north side of Dundas St.
- If there is an opportunity or relationship with the Nightingale Place property (1045 Dundas St), consider an opportunity to mitigate the visual impact and pedestrian conflict of multiple vehicle access points along Dundas St.

- Consider opportunities sharing the same vehicle access as the nightingale place property.
- Ensure that the concrete sidewalk to the commercial entrance is aligned properly between the building frontage and Dundas St sidewalk.
- Explore opportunities to integrate a bicycle rack/pad on the site. Preferably on the frontage joining the concrete sidewalk in view of the commercial entrance with good sightlines.
- Identify secondary entrance or how entrances are utilized for ground level commercial unit shipping and receiving.

Comments from the Urban Design Peer Review Panel highlighted the following, which will also be considered through site plan:

- The Panel notes that the proposed driveway consumes substantial site area to access a relatively low number of parking stalls located at the rear of the site. Consider working with City Staff to reduce the driveway width to free up space for additional landscaping.
- If the driveway width cannot be reduced, consider providing a shared walkway/driveway (or woonerf) with a dropped curb and concrete aggregate tactile indicators to encourage a more pedestrian friendly character. Alternatively, use bollards to create a pedestrian safe zone rather than raised curbs.
- The Panel recommends extending the driveway sidewalk past the front yard garbage pick-up area to connect to Dundas Street. Given that garbage pick-up will occur infrequently, consider providing a bench and further landscape treatments around the pick-up zone to create a small outdoor amenity space.
- The Panel recommends that additional landscaping be provided along the West edge of the driveway.
- The Panel recommends that the two doors under the “porte cochere” incorporate clear transoms in a similar style to the entrances along Dundas Street.
- The Panel supports the general character of the masonry piers and dark windows with ‘*muntins and mullions*’ as a reference to the ‘warehouse’ character of the nearby Kellogg’s building. Consider the following for further articulation of the North building elevation (side street):
 - Slightly setting back a portion of the building above the driveway so the remainder of the front elevation reads more clearly as a rectangular mass;
 - Carry the west edge of the masonry pier above the North-East corner of the driveway down to grade to visually reinforce and complete the masonry corner;
 - Increase the depth of the dark cladding at the underside of the 2nd floor so that it reads more like a masonry lintel, visually supporting the masonry piers above.

Special Provisions

Special provisions requested support the proposed scale of the mixed-use building.

A reduced front yard setback (0.0m) is recommended as part of the special provisions for the site, to place the building closer to the street in support of urban design goals. Site Plan staff are supportive of the proposed setback in view of the 24.0 metre road widening dedication required along Dundas Street at this location. The requested reductions are considered appropriate in their context and are recommended as part of the BDC Zone.

The requested special provision for an increase in maximum height to 16.5m from the 12.0m otherwise required in the zone, would have the effect of allowing a five (5) storey building in place of the 1.5-storey building currently on site and permitted under the proposed implementing zone.

Additionally, the applicant had requested a parking standard for all uses within the proposed mixed-use building of 10 parking spaces. As per the Parking Justification Study provided for this application, the effective parking ratio for apartment units is 0.71

parking spaces per unit, as this development is located within a dense multi-unit urban setting in close proximity to transit. They note further that in addition to the development being near the City's future Bus Rapid Transit (BRT) service, the commercial/office component in the development is not likely to be a significant traffic generator. Dundas Street is a Rapid Transit Boulevard that is intended to carry a high amount of traffic volumes. The clarification suffices and a parking requirement of 10 spaces for the proposed development is recommended.

Further, the Parking Standards Review Report (July 2022) recommended an amendment to the Zoning By-law Z.-1 to implement an open parking approach in Urban Place Types such as the Rapid Transit Corridor. Existing minimum parking ratios are recommended to be significantly lowered resulting in a requirement of 0.5 spaces per unit for an apartment use and 1 parking space per 100m² of Gross Floor Area for a Tier 4 non-residential use (including office uses) (Table 3: Existing and Recommended Residential Parking Standards, Parking Standards Review, 2022). This would result in a reduced parking requirement of 10 spaces for the proposed development.

The recommended Holding Business District Commercial BDC Special Provision (h-()*BDC() Zone includes provisions for additional height, and zoning considerations to implement the above, including parking facilities designed to minimize the visual impact, locating the building close to the street, and ensuring a street-oriented building with functional front and main entrances to the building facing the street, and providing for safe and accessible pedestrian connections for the public.

Holding Provision

Existing constraints posed by the CN Rail Line – located 302.26m from the subject site – may result in some noise, ground borne vibration and rail safety concerns. CN Rail has requested a noise study. City staff maintain that the effects will be minimal due to the intervening land uses between the subject site and the rail line which include commercial, residential, and light industrial uses. The City will however require a noise assessment from a qualified professional as part of the Site Plan Approval process, and warning clauses may be required within the development agreement. A holding provision is recommended to be added to the zone to ensure the appropriate information is provided as part of the site plan submission.

The 1989 Official Plan (Section 19.4.3) and The London Plan (1656_ to 1661_) contemplate the use of holding provisions to address requirements. The Zoning By-law may contain holding provisions that would allow for the use of land, buildings or structures to be permitted when the holding symbol is removed.

The Federation of Canadian Municipalities and the Railway Association of Canada developed Guidelines for New Development in Proximity to Railway Operations (May 2013) to assist municipalities and other stakeholders establish a consistent approach to assess new development in proximity to railway facilities. The subject lands are located within the 300 to 1,000 metres recommended minimum noise area of influence for rail corridors (principle main lines) and rail yards but located beyond the 75-metre recommended minimum vibration area of influence set out in the guideline document. Therefore noise, and not vibration, from railway facilities may be a potential concern for future sensitive land uses on the subject lands.

The proposed holding provision is as follows:

h-__ Purpose: To ensure there are no land use conflicts between the rail line and the proposed residential uses, the h-() shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in the noise assessment report acceptable to the City of London.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of the 1989 Official Plan, The London Plan, including but not limited to the Key Directions and the Rapid Transit Corridor Place Type. The recommended amendment will facilitate the development of a mixed-use building with a land use, intensity, and form that is appropriate for the site.

Prepared by: Esha Biddanda Pavan
Planner I, Development Services

Nancy Pasato, MCIP, RPP
Senior Planner, Development Services

Submitted 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

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 1033
Dundas Street.

WHEREAS Drygas Properties Inc. have applied to rezone an area of land located at 1033 Dundas 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 1033 Dundas Street, as shown on the attached map comprising part of Key Map No. A108, from a Business District Commercial (BDC) Zone to a Holding Business District Commercial Special Provision (h-(_) *BDC(_)) Zone.
- 2) Section Number 3.8 2) of the Holding "h" Zones section is amended by adding the following Holding Zone:

h-__ Purpose: To ensure there are no land use conflicts between the rail line and the proposed residential uses, the "h-(___)" shall not be deleted until the owner agrees to implement all noise and vibration attenuation measures, recommended in the noise assessment report acceptable to the City of London.

- 3) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:

BDC(____) 1033 Dundas Street

a) Regulations

- | | | |
|------|-------------------------------|--|
| i. | Front Yard Depth
(Minimum) | 0.0 metres (0.0 feet) |
| ii. | Front Yard Depth
(Maximum) | 2.0 metres (6.5 feet) |
| iii. | Density
(Maximum) | 140 units per hectare |
| iv. | Height
(Maximum) | 5 storeys, or 16.5 metres
(54.13 feet), whichever is less |

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 October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

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



File Number: Z-9513
 Planner: EBP
 Date Prepared: 2022/08/18
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



GeoDatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application (June 08, 2022):

On June 08, 2022, Notice of Application was sent to 150 property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 09, 2022. A “Planning Application” sign was also posted on the site.

Replies were received from, or on behalf of 1 household.

Nature of Liaison: The purpose and effect of this zoning change is to permit a 5-storey, mixed-use building with ground floor commercial uses and 15 residential dwelling units. Possible change to Zoning By-law Z.-1 **FROM** a Business District Commercial (BDC) Zone **TO** a Business District Commercial Special Provision (BDC(__)) Zone to permit animal hospitals; apartment buildings, with any or all of the other permitted uses on the first floor; bake shops; clinics; commercial recreation establishments; commercial parking structures and/or lots; converted dwellings; day care centres; dry cleaning and laundry depots; duplicating shops; emergency care establishments; existing dwellings; financial institutions; grocery stores; laboratories; laundromats; libraries; medical/dental offices; offices; personal service establishments; private clubs; restaurants; retail stores; service and repair establishments; studios; video rental establishments; lodging house class 2; cinemas; brewing on premises establishment; food store; animal clinic; convenience store; post office; convenience service establishments; dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor; bed and breakfast establishments; antique store; police stations; artisan workshop; and craft brewery, with a minimum front yard setback of 0m, whereas 3.0m is required, a maximum building height of 16.5m, whereas 12.0m is the maximum height and a reduced minimum parking requirement of 10 spaces, whereas 22 spaces are required. The City may consider an alternative zone variation(s) to facilitate the requested development other than those identified above. The City may also consider the use of holding provisions related to urban design and servicing, and additional special provisions related to setbacks, density, height, and parking.

Responses: A summary of the comments received include the following:

Concern for:

- Availability of affordable housing units.

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

Telephone	Written
	Jo-Ann Lawton & Nigel Lawton

Jo-Ann Lawton & Nigel Lawton

As per our recent conversation

If you could please forward our email address to the appropriate person(s), I would be grateful.

I asked the question(s):

- Will there be an affordable housing component to this new building?
- How can I get someone (my brother) on the list to become a tenant?

Departmental and Agency Comments

London Hydro (April 14, 2022)

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. 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.

Upper Thames River Conservation Authority (June 14, 2022)

- The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. Therefore, the UTRCA has no objections to the application and Section 28 approvals are not required.

Canadian National Railway (June 9, 2022)

Thank you for circulating CN on the subject application. The subject site is located in proximity to the CN railway corridor. It should be noted that CN has concerns of developing/densifying residential uses in proximity to our railway right-of-way. This is due to noise, vibration and potential trespass issues that will result. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated.

Please refer to CN's guidelines below for the development of sensitive uses in proximity to railways. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. CN urges the municipality pursue the implementation of the criterion as conditions of an eventual project approval. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities. Please visit <http://www.proximityissues.ca> for more information.

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 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
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 any mitigation 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.

Please note that CN is currently undertaking a review of the submitted noise and vibration report and will be providing additional comments.

Please keep us apprised on any updates on the project.

Site Plan (June 09, 2022)

- Identify the location and design of fencing, whether existing or proposed, on the site plan. Clarify how snow storage is stored and accommodated on-site. Snow storage should be located to not impede the pedestrian pathway nor parking. Clarify how disposable refuse (recycling and waste) is stored and collected on the site plan. Store residential refuse (recycling and waste) inside the building and label on the site plan (C.P.-1455-541 10.2). Please refer to up-to-date City standards for enclosure design and collection details. Ensure enough space for collection access to recycling and waste. Confirm the Gross Floor Area of each dwelling. Please confirm that the total number of bedrooms does not exceed five bedrooms (Z.-1-93172) (Z.-1-041300 – OMB Order 0780 – March 15/06). Provide elevations from all sides in metric – unless no changes are made to the existing exterior.
- Visitor parking is required at a rate of one (1) space for every ten (10) dwelling units (C.P.-1455-541 6.2.a.ii). Ensure visitor parking spaces are a minimum of 3 metres from dwellings containing windows to habitable rooms. Without sufficient parking, users may opt to park on neighbouring parcels, leading to a nuisance for the surrounding lands.
- Show the location and design of the accessible parking signage (C.P.-1455-541 7.3; 7.4; Table 14.1). Include Type A and B parking spaces in accordance with the Z.-1 Zoning By-law. The accessible parking needs to comply with the Site Plan Manual standard and include curb ramp(s) and shared aisle access as a minimum standard. Show the location and design of the bicycle parking spaces. Protect long-term bicycle parking from the weather and store in a secure space, such as the building (C.P.-1455-541 14.d). Temporary spaces should also be provided onsite (bike racks). Submit a detail of the enclosed area for long-term bicycle storage and include bicycle parking in site data. Notwithstanding Section 4.19 of this By-law to the contrary, the permitted 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 permitted 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 CLNIC, METHADONE or PHARMACY, METHADONE uses. (Z.-1-051420) (Z.-1-122090) (Z.-1 4.19.16.7). Please detail the shape of the access (street entranceway) and its connection to the roadway – ensure that the access corner radii do not encroach into designated road space nor extend beyond the projected property line (i.e. road access design is not to extend in front of a neighbouring parcel) (C.P.-1455-541 5.5.b).
- Screening may be required for noise and visuals (C.P.-1455-541 2.5.3). Please consider planting opportunities for screening any parking area from the street (C.P.-1455-541 2.6.3.d.iii). Please consider offsetting any tree removals with planting. Please illustrate each tree, whether existing or proposed, on the site plan as well as within 3 meters of property lines. Indicate which, if any, trees will be removed. Provide tree protection notes and details for trees to be preserved.

For landscape strips along a public street, add at least one tree per every 12 metres, or every 15 metres otherwise (C.P.-1455-541 Table 9.4). Please consider opportunities to include trees.

- Provide an adequate at-grade amenity area for residents. Make sure to connect any amenity space to the other portions of the site with a pathway. Consider situating and connecting the amenity space for convenient access by users. For internal details of the proposed amenity space, please consider adding purposeful features to enhance the use of the space (e.g., gazebo, patio, permanent seating, age-friendly outdoor sports, or a playground).
- Provide a safe and convenient network of pedestrian pathways throughout the site. Specifically, provide pedestrian pathways to connect parking area(s), building entrances, and public sidewalks. Provide pedestrian crossing facilities where the sidewalk crosses primary driveway access. Make all walkways at least 1.5 metres or 2.1 metres if abutting parking spaces, with at least a 1-metre setback from parking area(s) (C.P.-1455-541 Table 7.1). Pedestrian pathways should be graded to alleviate verticality and where applicable, prioritize ramps over staircases or steps (C.P.-1455-541 7.2). Ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist.

Parks Planning (June 15, 2022)

- 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.

Urban Design (June 29, 2022)

- Ensure the building height is contained within a 45-degree angular plain from a height of 7.0m above the rear property line to allow for an appropriate transition from the low-density development within the Heritage Conservation District to the south [OEVDSCSP 3.3.3, b].
 - Submit a section drawing showing the angular plane that illustrates how the proposed building conforms to this policy.

Urban design comments to continue to be addressed at the site plan application stage:

- Please provide all building elevations detailing proposed colours accompanying the materials.
- The applicant is commended for providing a site and building design that incorporates the following design features: provides a continuous built frontage that establishes an urban street wall along Dundas Street, active uses at grade with direct walkway connections to city sidewalk and locating the majority of parking away from the street and behind the building. Articulation is very good with a diversity of material/cladding as indicated.
- This proposal is fully located within the Rapid Transit Corridor Place Type of The London Plan [TLP] and Old East Village Market Block of Old East Village Dundas Street Corridor Secondary Plan [OEVDSCSP], and as such, the policies of the plan(s) apply:
 - Please provide a *detail* ensuring the building is contained within a 45-degree angular plain from a height of 7.0m above the rear property line to allow for an appropriate transition from the low-density development within the Heritage Conservation District to the south [OEVDSCSP 3.3.3, b].
 - Submit a section drawing showing the angular plane that illustrates how the proposed building conforms to this policy.
 - Ensure a step back of a minimum of five metres at the fourth or fifth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear and support the existing street character at street level [OEVDSCSP 3.3.3. c].

- Consider opportunities for a step back on the 4th or 5th storey to address the context of both the 5-storey residential building to the east (1045 Nightingale Place) and low rise commercial on the north side of Dundas St.
 - If there is an opportunity or relationship with the nightingale place property (1045 Dundas St), consider an opportunity to mitigate the visual impact and pedestrian conflict of multiple vehicle access points along Dundas St.
 - Consider opportunities sharing the same vehicle access as the nightingale place property [OEVDSCSP 3.3.2, f].
- Ensure that the concrete sidewalk to the commercial entrance is aligned properly between the building frontage and Dundas St sidewalk.
 - Ensure the site plan and building renderings provided match.
- Explore opportunities to integrate a bicycle rack/pad on the site. Preferably on the frontage joining the concrete sidewalk in view of the commercial entrance with good sightlines.
- Identify secondary entrance or how entrances are utilized for ground level commercial unit shipping and receiving.

Urban Design Peer Review Panel (June 30, 2022)

See [Appendix E](#)

Long Range Planning & Ecology (July 06, 2022)

- This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

Engineering (July 8, 2022)

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

Transportation:

- Presently the width from centerline of Dundas Street at this location is 10.058m as shown on Reference Plan 33R-20318 (the original road allowance between Concessions C & 1). Therefore, an additional widening of 13.942m would be required to attain 24.0m from centerline. Please also note that any widenings will be save and except existing structures.
- Right-of-way dedication of 24.0 m from the centre line be required along 1033 Dundas Street.
- Detailed comments regarding access design and location will be made through the site plan process.

Rapid Transit comments:

- Dundas Street is a Rapid Transit Corridor and the Environmental Project Report (EPR) engineering drawing related to the subject property is attached for reference.
- Construction of the “East London Link” corridor is scheduled for 2022 – 2024.
- With the implementation of center-running transit lanes on Dundas Street, a raised median will be constructed. Turning movements onto Dundas Street will be restricted to right in / right out.

Water:

- Water is available to the site via the 400mm municipal PVC watermain on Dundas Street.
- The water service pipe must be installed at right angles to the watermain and in a straight line from the watermain to the water meter.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.

Wastewater:

- The municipal sanitary sewer available is a 300mm diameter sanitary sewer on Dundas St .
- As part of complete application , the applicant's engineer is to provide a brief to include the maximum population and expected peak flow that will be generated by the proposed development.
- A new PDC shall be constructed that to meet City of London Standard for the type of building form.

Stormwater:

- As per City as-con 28247, the site (at C=0.70) is tributary to the existing 1050mm storm sewer on Dundas Street. For proposed development in exceedance of the approved C-value of the receiving storm sewer design, the site is to store volumes in excess of the allowable release rate.) On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- However, as per as-con 28227, the City cannot confirm a storm pdc exists to service the property and as per the Drainage By-law, the consultant would be required to provide for a storm pdc.
- The proposed land use of a mixed use/commercial 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.

General comments for sites within Central Thames Subwatershed

- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.

- 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.

Landscape Architecture (Tree Prevention) (August 03, 2022)

- There is a solid thin line running near the façade of the proposed building on the LP and a dashed line on the concept plan that denote the transportation dedication.
- No concerns about the east or west property lines; there are no off site or boundary trees. I think there is a board fence along the south property line, with some dead trees in proximity.
- Would like to ensure that there is sufficient soil volume along the south property line to support tree growth as required at SP. If an increase setback is not possible, the applicant should include, at time of SP, a proposal to provide a continuous soil zone/trench along this edge; a consolidated planting area is more effective than individual tree pits with insufficient resources.
- London Plan Policy 401_14 requires that Surface parking lots should be designed to include a sustainable tree canopy at 20 years of anticipated growth. Appropriate soil volume, drainage and appropriate technology will be used to ensure the long-term sustainability of trees

Appendix C – Policy Context

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan and contributes to a variety of housing forms within the neighbourhood.
The 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 accessible parking, emergency services and landscaped 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 which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high-density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located close to shopping areas, offices, commercial and service uses, parks, walking trails, and future transit services.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	Although no affordable housing units are proposed through this development, the creation of alternative housing forms contributes to the overall mix of dwelling units and prices in the area.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed 5-storey apartment building is mitigated by the placement of the building toward the front of the property and the surface parking between the proposed building and the rear property line. A side-to side relationship is established between the front building and the apartment building on the adjacent lot to the west, with an appropriate setback as discussed in the body of this report.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.
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	Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be

<p>generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>addressed at the Site Plan Approval stage. Traffic impacts of this development will be negligible in relation to the anticipated function of the arterial street/Rapid Transit Boulevard.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The applicant is commended for providing a built form that establishes a built edge along Dundas Street while providing an active edge along the street with building entrances fronting the street. At the site plan stage, additional consideration should be given to the width of the driveway to free up space for additional landscaping.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>Not applicable.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>Not applicable.</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Enhanced tree planting and landscaping in combination with privacy fencing and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.</p>

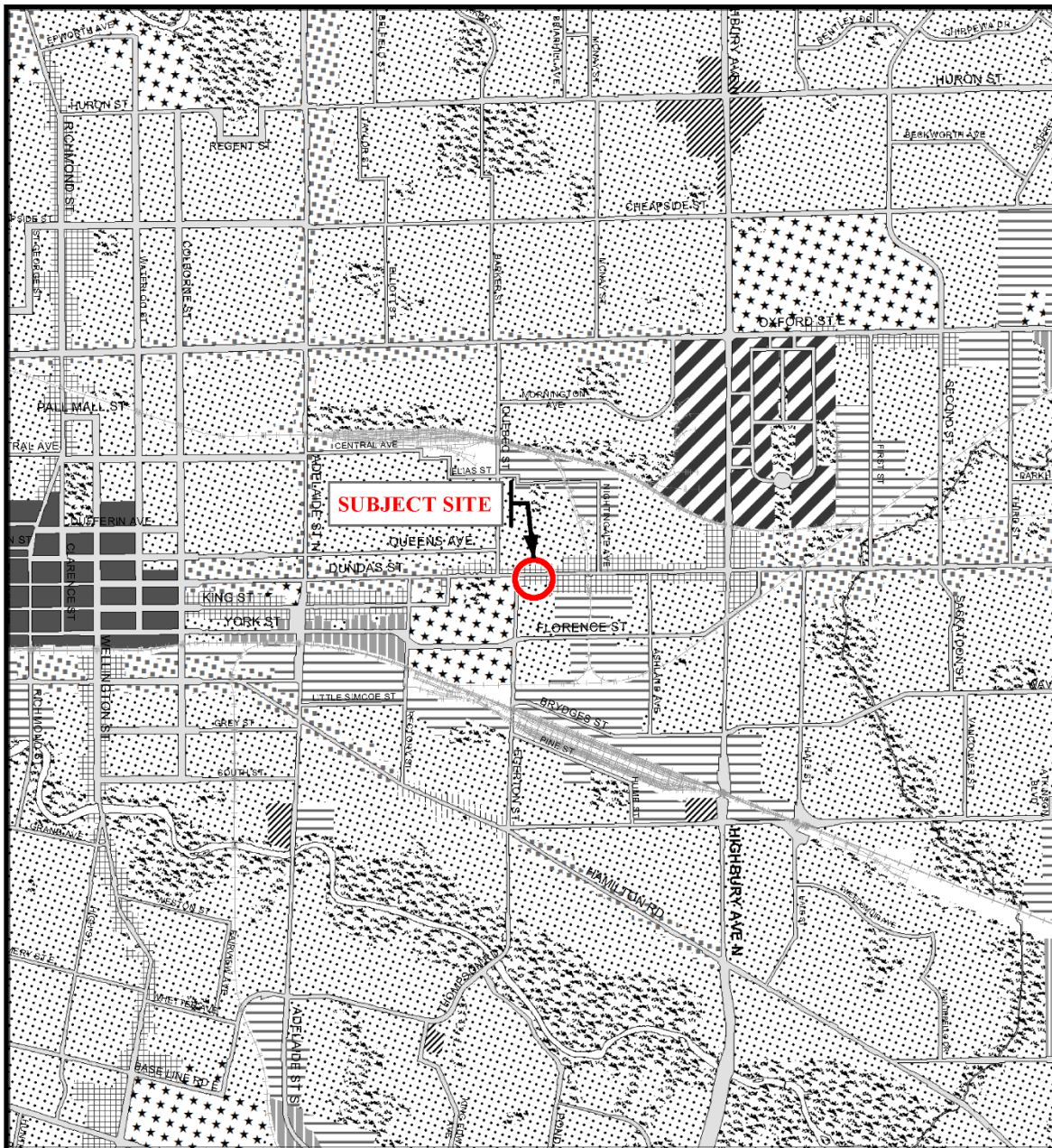
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for residential intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a mixed-use compact City and strong, healthy, and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the Site Plan Approval stage.
Conformity with the policies of the place type in which they are located.	The proposed 5-storey apartment building provides for the use and intensity of development contemplated within the Rapid Transit Corridor Place Type fronting a Rapid Transit Boulevard.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water, sanitary and storm sewers.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Further consideration of traffic controls related to the proposed driveways will occur at the site plan approval stage. Transportation Staff have no concerns.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was required for the Zoning By-law amendment application and concluded that a Type C Noise

	Warning Clause shall be registered on title. A further noise assessment related to rail will also be required through the site plan submission.
Parking on streets or adjacent properties.	The proposal includes a slight reduction in the required parking spaces; however, it is not anticipated that overflow parking will be required on local streets.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Garbage facilities should be screened, storage inside the building is a standard requirement for apartment forms, with garbage to be placed outside on collection day. Waste collection is tied to the approved site plan for the Site Plan Approval Development Agreement.
Privacy	A variety of screening and buffering mechanism are proposed to maintain or enhance privacy between the proposed development and adjacent lands. In addition, spatial separation and enhanced landscaping soften the property boundaries and provide screening to the neighbouring residential and commercial buildings. Additional mitigation measures will be considered at the time of Site Plan Approval, such as additional plantings.
Shadowing	Minor shadowing may impact adjacent and nearby properties in the early morning or late afternoon, depending on the season.
Visual Impact	Enhanced landscaping, articulated building design, and architectural details and materials to be implemented through site plan are expected to have a positive visual impact on the area.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	At the site plan stage, a complete landscape plan will be developed to provide for new tree planting and screening from adjacent land uses.
Cultural heritage resources.	The subject lands are identified as having archaeological potential on the City's 2018 Archaeological Mapping. Based on the findings from the Stage 1-2 Archaeological Assessment prepared by Lincoln Environmental Consulting

	Corp. and the letter received by The Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) no archaeological resources were identified on the lands and all archaeological conditions can be considered satisfied for this application.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

Appendix D – Relevant Background

The London Plan



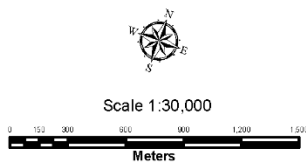
Legend

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

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

CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

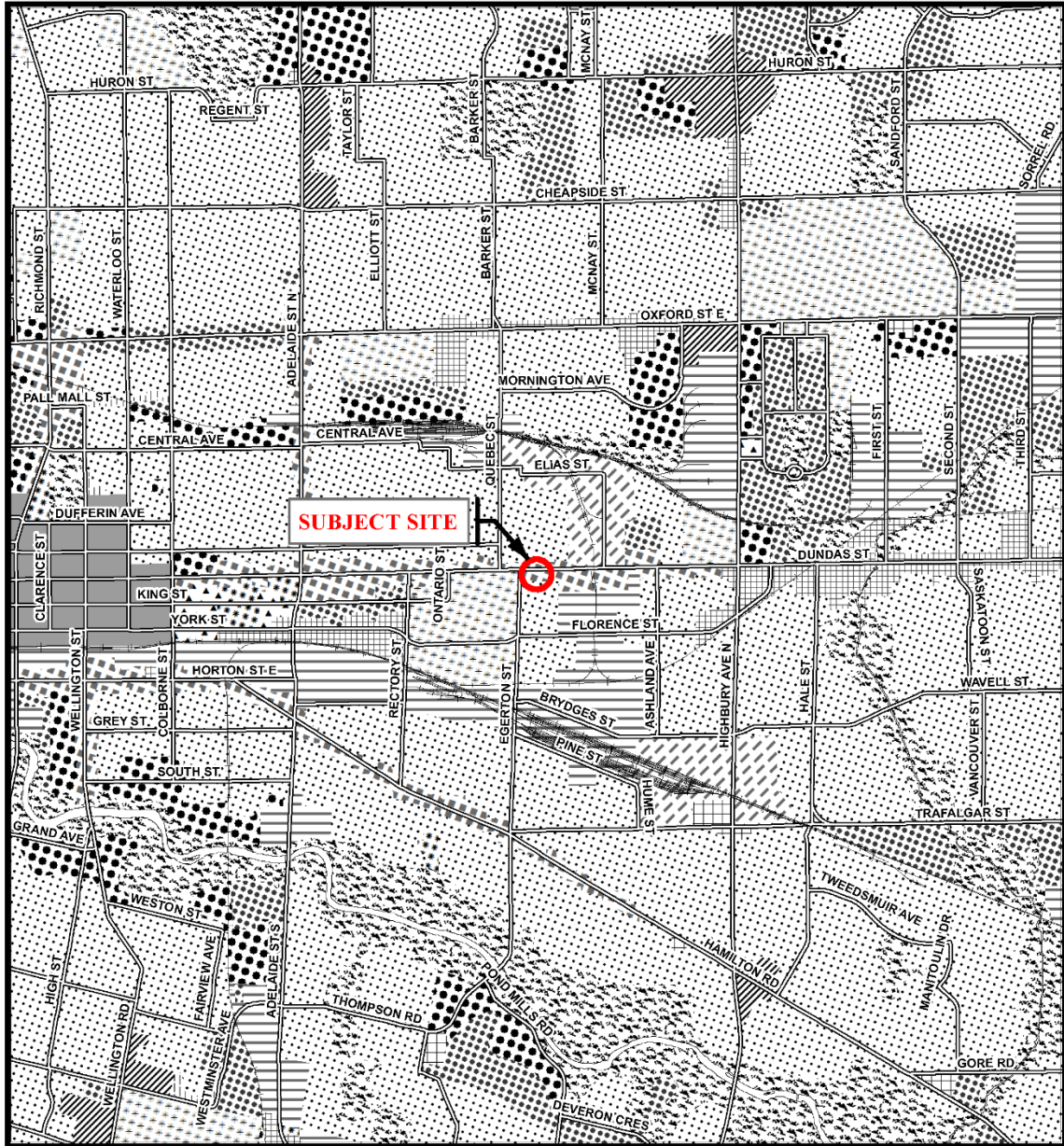
PREPARED BY: Planning & Development



File Number: Z-9513
Planner: EBP
Technician: RC
Date: 2022/8/18

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9513-EXCERPT_Map1_PlaceTypes.mxd

1989 Official Plan – Schedule A – Land Use



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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: Z-9513</p> <p>PLANNER: EBP</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/08/18</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9513

EBP

MAP PREPARED:

2022/08/18

RC

1:800

0 4 8 16 24 32 Meters

Appendix E – Applicant’s Reply to UDPRP Comments

Comment:
The Panel commends the applicant for an appropriate site layout and architectural character of the building.
Applicant Response:
Noted.

Comment:
The Panel notes that the proposed driveway consumes substantial site area to access a relatively low number of parking stalls located at the rear of the site. Consider working with City Staff to reduce the driveway width to free up space for additional landscaping.
Applicant Response:
We are willing to work with staff through the Site Plan Approval process to determine if a reduced driveway width is plausible for this development. We acknowledge that the reduced width would allow for increased landscape strips and site buffering.

Comment:
If the driveway width cannot be reduced, consider providing a shared walkway/driveway (or woonerf) with a dropped curb and concrete aggregate tactile indicators to encourage a more pedestrian friendly character. Alternatively, use bollards to create a pedestrian safe zone rather than raised curbs.
Applicant Response:
Further to the previous response, we are willing to explore design alternatives with staff through the SPA process that could incorporate the driveway and pedestrian sidewalk into a single shared access and use alternative separation such as bollards. Potential impacts to the SWM solution would need to be examined further.

Comment:
The Panel recommends extending the driveway sidewalk past the front yard garbage pick-up area to connect to Dundas Street. Given that garbage pick-up will occur infrequently, consider providing a bench and further landscape treatments around the pick-up zone to create a small outdoor amenity space.
Applicant Response:
This can be explored further in conjunction with the reduced driveway width and shared space for pedestrians and vehicles. Depending on the outcome of the two previous comments, the connections/interface with Dundas Street could be a different design than what is currently contemplated. This matter will be examined closely through the SPA process.

Comment:
The Panel recommends that additional landscaping be provided along the West edge of the driveway.
Applicant Response:
Acknowledged. The Landscape Plan will be further refined through the SPA process with City staff.

Comment:
The Panel recommends that the two doors under the “porte cochere” incorporate clear transoms in a similar style to the entrances along Dundas Street.
Applicant Response:
Acknowledged. Through the SPA process we will explore opportunities for additional glazing where appropriate. Some internal spaces may be less desirable for glazing (storage/garbage facilities).

Comment:

The Panel supports the general character of the masonry piers and dark windows with 'muntins and mullions' as a reference to the 'warehouse' character of the nearby Kellogg's building. Consider the following for further articulation of the North building elevation (side street):

- i. Slightly setting back a portion of the building above the driveway so the remainder of the front elevation reads more clearly as a rectangular mass;
- ii. Carry the west edge of the masonry pier above the North-East corner of the driveway down to grade to visually reinforce and complete the masonry corner;
- iii. Increase the depth of the dark cladding at the underside of the 2nd floor so that it reads more like a masonry lintel, visually supporting the masonry piers above.

Applicant Response:

We will explore incorporating these suggestions into the building elevations as the development progresses through the SPA process. Some of these suggestions may impact external spaces, and alternative approaches may be explored in order to achieve the same effect and minimize the impacts on other elements of the developments.

October 3, 2022

Chair and Members
Planning and Environment Committee
City of London
pec@london.ca

**Re: Holding Provision Opinion Letter
 Drygas Properties Inc.
 1033 Dundas Street
 London, ON**

Our File: DRY/LON/21-01

Zelinka Priamo Ltd., on behalf of Drygas Properties Inc., is submitting this letter in regards to the Report to Planning and Environment Committee relating to the above-noted lands known municipally as 1033 Dundas Street (hereinafter referred to as the “subject lands”).

Zelinka Priamo Ltd. has requested an amendment to the Zoning By-law to change the zoning of the subject lands to permit the construction of a mixed-use (commercial and residential) building with a maximum height of 5-storeys, 120m² of commercial space on the ground floor, and a density of 140UPH (units per hectare). The requested site-specific *Business District Commercial (BDC(_))* zone would permit a range of retail, restaurant, neighbourhood facility, office, and residential uses.

The requested special provisions are as follows:

- A reduced minimum front yard setback of 0.0m, whereas 3.0m is required;
- A maximum mixed-use density of 125UPH; and,
- A maximum height of 16.5m (5-storeys), whereas 12.0m maximum is permitted.

Additionally, City staff are recommending a holding provision to address Canadian National (CN) Rail comments and require a noise assessment for a qualified professional as part of the Site Plan Approval process.

The holding provision requirement is of concern to us and to our client. The noise assessment to address comments from CN Rail is a last-minute request that, to our understanding, had not been discussed at any point throughout the pre-consultation process nor the Site Plan Consultation process. This requirement was not brought to our attention by City staff, rather through the discovery of the staff report. As such, our client was not provided with sufficient time to address these comments.

It is important to note that the staff report states that City staff maintain that the [noise] effects will be minimal due to the intervening land uses between the subject lands and the rail line, which include commercial, residential, and light industrial uses. The report goes on to state that a noise assessment will be required as part of Site Plan Approval, in the form of a holding provision, and that warning clauses may be required within the development agreement.

Notably, an Environmental Noise Assessment was prepared by MTE Consultants Inc. in support of the proposed development and was submitted as a supporting document for this application. The noise assessment resulted in the requirement that noise warning clauses are to be registered on title for all residential apartment units in the building.

The purpose of this letter is to request that the requirement of a noise assessment to address the comments from CN Rail be deferred to the Site Plan Approval process. As staff have required that the noise assessment be completed as part of the Site Plan Approval process, it is our opinion that a holding provision is not necessary in this instance. Our concern is not with the noise assessment itself as a requirement, rather the recommended holding provision which burdens our client with additional fees (upwards of \$1,000) and the potential of extending the timeline of this application by several months. We are requesting that the noise assessment be a condition of Site Plan Approval and that the Site Plan Approval authority be granted permissions to ensure the noise assessment is completed to the satisfaction of City staff.

We trust that the enclosed information is satisfactory. Should you have any questions, or require further information, please do not hesitate to call.

Sincerely,

ZELINKA PRIAMO LTD.

Taylor Brydges
Planner

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: 366 Hill Street Inc.
366 Hill Street
Public Participation Meeting

Date: October 5, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of 366 Hill Street Inc. relating to the property located at 366 Hill Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 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 (R3-1) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site to permit the development of a 3-storey, stacked back-to-back townhouse building containing 17 residential units, with a density of 75 units per hectare.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to rezone the subject site to a Residential R8 Special Provision (R8-4(_)) Zone to permit stacked townhouses with a maximum density of 75 units per hectare. The following special provisions would facilitate the proposed development: a minimum front yard depth of 1.0 metre, whereas 6.0 metres is required; a maximum front yard depth of 3.0 metres, whereas 6.0 metres is required; a minimum interior yard setback of 2.0 metres, whereas 7.2 metres is required; a minimum height of 9.0 metres, a maximum height of 12.0 metres or 4 storeys, whichever is less, whereas 13.0 metres maximum is permitted; and a minimum landscape open space of 29%, whereas 30% is required.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;
2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable *London Plan* policies;
3. The recommended amendment conforms to the in-force policies of the Old Victoria Hospital Secondary Plan, including but not limited to the Low-Rise Residential policies; and
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and Primary Transit Area with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, 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 Planning History

The subject site is located within the SoHo Neighbourhood. In 2009, the SoHo Community Association, along with City of London, worked together to prepare a plan that would guide the future opportunities for the neighbourhood. The result was a Community Improvement Plan (CIP) for London’s Soho District, known as Roadmap SoHo which was approved in 2011. One of the recommendations from the SoHo CIP was to undertake a Secondary Plan for the redevelopment of the Old Victoria Hospital Lands.

The Old Victoria Hospital Secondary Plan (OVHSP) was initiated in 2012 and adopted by Council in 2014. The purpose of the OVHSP was to establish a more specific land use policy framework to guide the evolution of the former Old Victoria Hospital property and adjacent lands into a vibrant residential community which incorporates elements of sustainability, cultural and natural heritage, mixed use development, walkability and high-quality urban design.

In September 2021, the City of London initiated and approved amendments to the OVHSP. The purpose and effect of the amendment was to ensure the maximum heights and densities contemplated by the Old Victoria Hospital Lands Secondary Plan can be implemented after recent changes to the *Planning Act*, and to rezone the Old Victoria Hospital Phase II Lands, consistent with the vision of the adopted Secondary Plan.

1.3 Property Description

The subject property is located on the north side of Hill Street between Waterloo Street and Colborne Street, in the Central Planning District and within the SoHo Neighbourhood. Currently the site is comprised of an unused surface parking lot and is clear of any significant vegetation and is generally flat topography.

The site has frontage onto Hill Street which is classified as a Neighbourhood Street as per Map 3 – Street Classifications of the London Plan. On street parking is available along Hill Street.



Figure 1: 366 Hill Street, facing north (Google Image, January 2021)

1.4 Current Planning Information

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type fronting a Neighbourhood Street (Hill Street)
- Special Area Policy- Old Victoria Hospital Secondary Plan – Residential Policy Area 1 – Low-Rise Residential
- Existing Zoning – Residential R3 (R3-1)

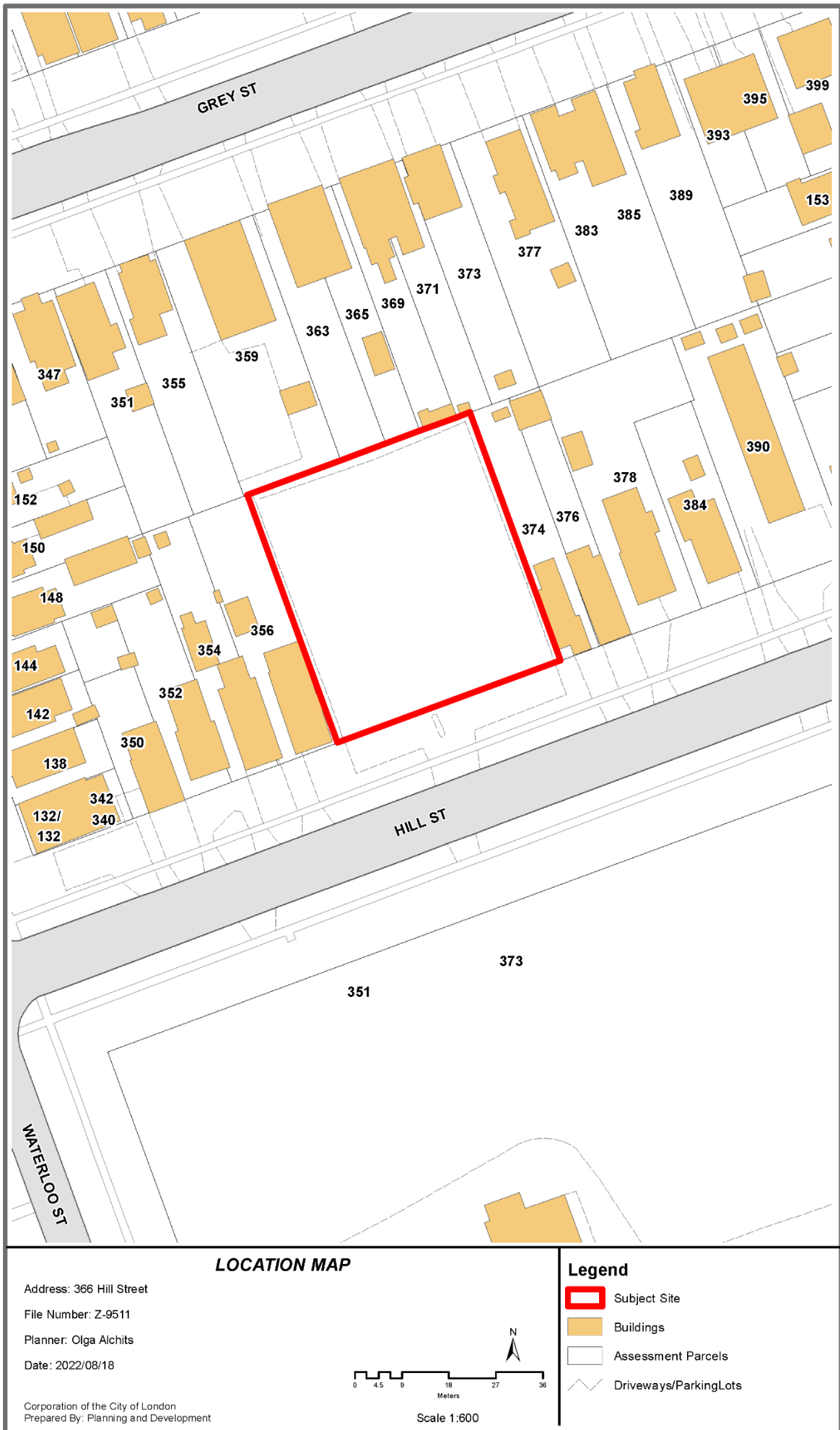
1.5 Site Characteristics

- Current Land Use – Vacant surface parking lot
- Frontage – 45.3 metres
- Depth – 50.3 metres
- Area – 0.229 hectares
- Shape – Rectangular

1.6 Surrounding Land Uses

- North – Multi family residential, semi-detached dwellings
- East – Single detached residential
- South – Currently vacant/ future development of mid-rise apartment buildings
- West – Single detached residential

1.7 Location Map



1.8 Intensification

The proposed 17 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing a three (3) storey, seventeen (17) unit stacked back-to-back townhouse development, with twenty (20) surface parking spaces. The concept plan shows four (4) one-bedroom single storey flat units and three (3) 2-bedroom single-storey flat units all on the ground floor. The upper storeys consist of ten (10) 2-storey townhouse style two-bedroom units. The building design includes individual unit entrances directly at grade and oriented towards Hill Street. Semi-private outdoor terraces/patios have been incorporated for all of the ground floor units. The site concept is shown in Figure 2, and the building renderings are shown in Figures 3 through 6.

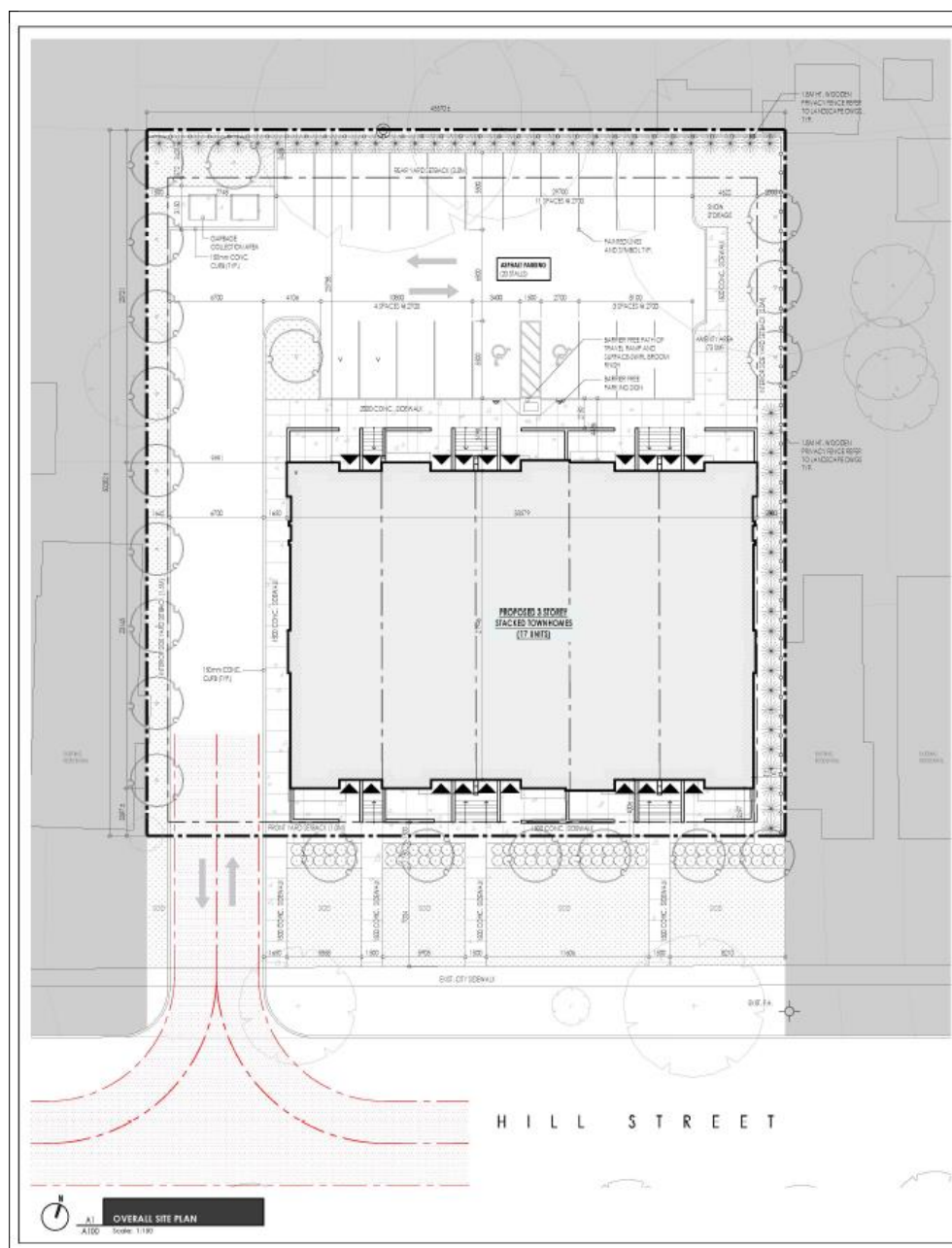


Figure 2: Site Concept



Figure 3: Rendering; View from Hill Street looking North



Figure 4: Rendering; View from Hill Street looking South East



Figure 5: Rendering; View from Hill Street looking North East



Figure 6: Elevations

2.2 Requested Amendment

The applicant is requesting a Residential Special Provision (R8-4(_)) Zone, which permits stacked townhouse dwellings with a maximum density of 75 units per hectare. Special provisions were requested for:

- a minimum front yard depth of 1.0 metre in place of 6.0 metres;
- a maximum front yard depth of 3.0 metres in place of 6.0 metres;
- a reduced interior yard setback of 2.0 metres, in place of 7.2 metres;
- a reduced landscaped open space of 20%, in place of 30%;
- an increased lot coverage of 50% in place of 40%;
- a minimum height of 12.0 metres, and a maximum height of 16.5 metres or 5 storeys in place of 13.0 metres; and
- a reduced parking rate of 1 space per unit, whereas 1.25 spaces per unit is required.

2.3 Community Engagement (see more detail in Appendix B)

No written or verbal responses were received on this application.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by 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 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. On May 25th, 2022, an Ontario Land Tribunal decision resolved all remaining policy appeals within The London Plan, effectively bringing The London Plan into full force and effect. Any applications in process prior to the May 25th date should continue uninterrupted as per the “clergy principle” (the policies that were in force at the time the application was received will continue to direct that application). Both the 1989 Official Plan and The London Plan policies will be considered as part of this analysis.

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 2, 4 and 5).

The London Plan also provides direction to make wise planning decisions by:

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Neighbourhoods Place Type fronting on a Neighbourhood Street (Hill Street), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 1 storey, and the maximum permitted height is 3 storeys (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The subject site is also within the Primary Transit Area. The Primary Transit Area will be a focus of residential intensification and transit investment within London. The nature and scale of intensification will vary depending on the Place Type within the Primary Transit Area and will be a good fit within existing neighbourhoods (90_). Directing infill and intensification to this area is a major part of this Plan’s strategy to manage growth in

the city as a whole and to target 45% of all future residential growth in the Built-Area Boundary (91_).

1989 Official Plan

The subject site is designated Low Density Residential in accordance with Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single detached, semi-detached and duplex dwellings. Residential intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments, subject to specific criteria (3.2).

Old Victoria Hospital Lands Secondary Plan

The subject site is within the Old Victoria Hospital Lands Secondary Plan. The lands are designated Residential Policy Area 1 – Low-Rise Residential. The intent of the Low-Rise Residential Policy Area is to provide for low-intensity residential uses and provide for ground related forms of development that have a low- to midrise height that minimizes problems of shadowing, view obstruction and loss of privacy. While existing low-rise residential uses are provided for in the Policy Area, more intensive ground-related development forms are encouraged to meet the overall planning and design objectives of the Secondary Plan. Permitted uses include single detached, semi-detached, duplex, converted dwellings, street townhouse, triplexes, fourplexes and stacked townhouses (20.6.4.3.1.ii)). Permitted heights are a minimum of 3 storeys a maximum of 5 storeys, with a minimum density of 15 units per hectare and maximum density of 75 units per hectare.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Provincial Policy Statement, 2020 (PPS)

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 proposed development is in keeping with the PSS as it will be located within a transitioning area where the development can avail of existing infrastructure, and will provide a form of intensification and transit-oriented development to meet future land needs. The proposed development will provide a mix of housing in a compatible form of development.

4.2 Issue and Consideration #2: Use

The London Plan

Policy 918_ identifies key elements for achieving the vision for neighbourhoods, including planning for a diversity and mix of housing types, and avoiding the segregation of different housing types, intensities, and forms (918_2.). The proposed 3-storey stacked back-to-back townhouse building would contribute to a mix of housing types available in the area.

Permitted uses in the Neighbourhoods Place Type along a Neighbourhood Street includes single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations and group homes (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

1989 Official Plan

The subject property is designated Low Density Residential in the 1989 Official Plan. This designation contemplates primarily single detached, semi-detached and duplex dwellings. Residential intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments. Zoning will ensure that infill housing recognizes the scale and character of the adjacent land uses and reflects the character of the area.

Old Victoria Hospital Secondary Plan

The intent of the Low-Rise Residential Policy Area within the OVHSP is to provide for ground related forms of development that have a low-to mid-rise height that minimizes problems of shadowing, view obstruction and privacy. Permitted uses in this designation include single detached, semi-detached, duplex and converted dwellings with the exception of cluster housing. Street townhouses, stacked townhouses, triplexes and fourplexes are encouraged where appropriate (20.6.4.3.1 ii).

Analysis:

The recommended stacked townhouse development will contribute to the existing range and mix of housing types in the area, which consists of single-storey detached dwellings to the west and east, a 3-storey walk-up apartment building and two-storey semi-detached dwellings to the north, and future mid-rise apartments to the south. Although not a permitted use within the London Plan, the proposed use is contemplated within the OVHSP and the 1989 Official Plan (residential intensification). The proposed development can be appropriately accommodated on the subject site, allows for an appropriate level of intensification and development, and increases the diversity of housing types within the neighbourhood. The proposal is in keeping with the OVHSP, as it provides for low- to mid-rise development that is ground related.

4.3 Issue and Consideration #3: 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 with existing neighbourhoods (83_, 937_, 939_ 5. and 6., and 953_ 1. and 2.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_) and encourages intensification within existing neighbourhoods to help support aging in place, diversity of built form, affordability, vibrancy and the effective use of land in neighbourhoods (59_5)..

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. Prior to The London Plan appeal was finalized, a minimum height of 1 storey and a maximum height of 2.5 storeys is contemplated within the Neighbourhoods Place

Type where a property has frontage on a Neighbourhood Street (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). Post May 25th, 2022 when The London Plan appeals were finalized, a minimum height of 1 storey and a maximum height of 3 storeys is contemplated. (Table 11- Range of Permitted Heights in the Neighbourhoods Place Type). Additionally, the intensity of development must be appropriate for the size of the lot (953_3.).

1989 Official Plan

Development within the Low Density Residential designation shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. While residential densities are generally limited to 30 units per hectare, the Plan also provides for residential intensification through the development of vacant and/or underutilized lots within previously developed areas (3.2.1. and 3.2.3). Residential intensification can be permitted up to 75 units per hectare, if appropriate (3.2.3.3.). Zoning By-law amendments will ensure that infill development recognizes the scale of adjacent land uses and reflects the character of the area.

Old Victoria Hospital Secondary Plan

Within the Low-Rise Residential Policy Area, new residential development shall have a minimum density of 15 units per hectare and a maximum density of 75 units per hectare. Further, building heights shall be a minimum of 3 storeys and a maximum of 5 storeys (Section 6.4.3.1 iii).

Analysis:

Through both the 1989 Official Plan and the London Plan, intensification is supported, if it can be demonstrated that the development is sensitive to, and a good fit within, the existing neighbourhood. The proposal will redevelop a vacant former surface parking lot in a location that encourages intensification. The requested height of three storeys and density of 75 units per hectare is in keeping with the policies of the 1989 Official Plan and the OVHSP. Since the original application, the applicant has come back requesting an increase in height to pursue a 4-storey building. However, staff is of the opinion that if the 4-storey height is to be pursued, an appropriate side yard setback would need to be established. The Residential R8-4 zone requires 1.2 metre setback per 3 metre of main building height or fraction thereof above 3 metres. This calculation would require a minimum 6 metre east interior side yard setback. Staff are supportive of the 3-storey height as it is considered appropriate for this location and are satisfied that the subject lands are of a size and configuration capable of accommodating a more intense redevelopment. If the applicant is to increase the height to 4-storeys, special provisions are in place to simultaneously increase the interior yard setback.

The subject site is located within 315 metres of a broad range of commercial and retail uses along Wellington Street, as well as access to open space, active and passive recreational opportunities at Meredith Park and Wellington Valley Park nearby. The increased intensity of development on the site will make use of existing transit and public services in the area. The subject site is in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment.

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 (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of site layout, access points, driveways, landscaping, amenity areas, building location and parking, building and main entrance orientation, building line and setback from the street, height transitions with adjacent development, and massing (953_ 2.a. to f.). City Design policies further encourage/require design details, such as principal building entrances along the public right-of-way (291_), the inclusion of outdoor amenity spaces (295_), and reduction in parking in areas with transit (271_). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

1989 Official Plan

Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. Infill projects are subject to the preparation of a Neighbourhood Character Statement assessing the physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment (3.2.3.3.). They are also subject to a Statement of Compatibility to demonstrate that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (3.2.3.4.). Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii).

Old Victoria Hospital Secondary Plan

The policies of the secondary plan direct the form of development so that the siting and massing of buildings will provide a consistent relationship, continuity and enclosure to the public streets (20.6.4.3 iii). Further the applicable urban design policies of the OVHSP seek to maintain a “neighbourhood street character” while fostering intensification. The design and siting of new buildings shall provide opportunities for visual overlook and ease of physical access to adjacent roads, parks and open spaces.

Analysis:

The proposed development is located close to the road, contributing to an active street frontage and helps establishing an appropriate pedestrian scale. The massing of the proposed building is consistent with the urban design goals, providing for building heights that transition appropriately from primarily single storey homes on nearby properties to a 3-storey built form. The massing and all components of the building have been designed to fit within a 45-degree angular plane measured from the north property line.

The street-oriented design with direct pedestrian access from each unit to Hill Street and the building has been oriented, shaped and designed to animate the streetscape. A high level of articulation and architectural detailing has been incorporated on the street-facing façade for visual interest. Staff is supportive of the form proposed as part of this zoning application as it is in conformity with the applicable planning policies and meets the overall design objectives through the London Plan and the OVHSP. The site design and layout will be finalized through a subsequent site plan application process and will be subject to Site Plan Control (1674_)

4.5 Issue and Consideration #5: Zoning

The proposed stacked townhouse building requires special provisions to facilitate the development. The following is an analysis of the various requests and staff’s response:

- *A minimum front yard depth of 1.0 metre, whereas 6.0 metres is required, and a maximum front yard depth of 3.0 metres, whereas 6.0 metres is required* - The reduced front yard depth reflects current urban design standards in The London Plan, which encourages buildings to be positioned with minimal setbacks to public rights-of way to create a street wall/edge that provides a sense of

enclosure within the public realm (259_). Staff have no concerns with this proposed setback.

- *A minimum east interior side yard setback of 2.0 metres, whereas 7.2 metres is required; A minimum height of 12.0 metres, and a maximum height of 16.5 metres or 5 storeys, whereas 13.0 metres maximum is required;* - The interior side yard depth is intended to provide adequate separation between the proposed development and adjacent properties, while also providing access to the rear yard. As part of the circulation for this application, Engineering indicated that due to the proposed reduced interior side yard and rear yard setbacks, the applicant was to confirm, by means of preliminary grading plan, that the proposed site grading will contain and direct all stormwater flows internally, away from existing residential properties. The applicant was able to provide a preliminary grading plan that demonstrated stormwater flows would not impact adjacent lands. Of greater concern is the significant reduction in the side yard setback adjacent to a 1 storey dwelling. The greater the height, the more likely shadowing and massing impacts will affect adjacent lands. The current by-law (R3-1) permits heights of up to 12m depending on building type, which is represented throughout the area. The applicant has demonstrated through renderings and spatial analysis that a 3 storey development will not significantly impact the adjacent lands. The applicant has also indicated that the reduced side yard setback has been implemented to better utilize the frontage of the site. Staff are satisfied that the proposed 2.0 metre setback provides for adequate separation between the future and the abutting lot. Privacy issues will be mitigated through landscaping and fencing.

However, the applicant has requested a zone that could permit heights of up to 5 storeys (16.5m in height), to mimic the zoning for the lands on the south side of the street. Based on the applicant's submission and materials circulated to the public, Planning and Development Staff are of the opinion that the applicant has not fully demonstrated that a 5 storey development on these lands, with reductions to the east side yard, is appropriate. The lands to the south have frontage on higher order streets (Colborne Street, and South Street), and have no adjacent low-rise development. In order to allow for some flexibility in the future, staff recommend limiting heights to 4 storeys (13m, whatever is less), but including additional east side yard setback requirements to account for the additional massing and shadowing impacts on adjacent lands. Staff recommend no reductions in side yard setbacks for any development above 3 storeys.



Figure 7: Photo of adjacent lands to east of 366 Hill Street

- *A minimum landscaped open space of 20%, whereas 30% minimum is required* - Staff is not supportive of the requested reduction to landscaped space. The minimum requirement for landscaped open space helps to provide amenity space to support recreational needs and provide access to outdoor space for residents, while also providing enough greenspace to ensure stormwater can be infiltrated/reduce paved area. These areas serve a multitude of functions such as supporting social interaction amongst residents, providing play areas for children and families, as well as opportunities to exercise, relaxation and well-being. The applicant has submitted a concept which shows a minimal reduction to landscape open space (29%) while still providing adequate open areas. Staff therefore are recommending a reduction to 29% within the by-law.
- *A maximum lot coverage of 50%, whereas 40% maximum is required* - The intent of lot coverage regulations is to ensure that developments are appropriately sized for the lot and can support all the key functions of the site. The applicant has submitted a plan which does not require an increase in lot coverage to facilitate the 3 storey development, therefore no increased coverage is necessary for the by-law.
- *A parking rate of 1 space per unit, whereas 1.25 spaces per unit is required* - Staff are supportive of the reduction in parking at a rate of 1 space per unit, whereas 1.25 spaces per unit is required. The proposed minimum parking rate is to support the intended urban character of future development in the Old Victoria Hospital Plan Area which is an accessible inner-city location. The parking rate works in conjunction with the height and density to produce efficient and desired form of urban intensification. As of August 31st, new City of London parking standards have come into force and effect requiring 0.5 parking spaces per unit for stacked townhouses. This development proposal meets the parking requirements, and no special parking rate provision is required.

Additional Site Plan matters

As part of the circulation, additional considerations were raised. The matters can be addressed at site plan:

- Common outdoor amenity space for stacked townhouses should account for 5m² for each unit, and additional consideration for amenity areas (rooftop or balconies) should be incorporated as part of any development;
- Remove the sidewalk along the eastern property boundary to provide for more landscaping;
- Consider the use of deep waste collection or “moloks” for garbage storage;
- The critical root zone of a large offsite walnut tree (to the north). The tree could suffer critical root zone loss with the development. It is recommended that parking area maintain a 2m setback from the property line and use less invasive excavation methods in area of roots;
- The proposal will remove a significant portion of the Critical Root Zone of a large onsite black walnut. The applicant will need to explore options for the parking layout to reduce percentage of root loss. The parking lot should be shifted west, leaving northeast area undisturbed and designated as outdoor amenity space.

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 Old Victoria Hospital Secondary Plan. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

Prepared by: **Olga Alchits**
Planner I, Planning Implementation

Nancy Pasato, MCIP, RPP
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

Appendix A

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 366 Hill Street.

WHEREAS 366 Hill Street Inc. has applied to rezone an area of land located at 366 Hill 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 366 Hill Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R3 (R3-1) Zone, to a Residential R8 Special Provision (R8-4(_)) Zone.
- 2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:
 -) R8-4(_) 366 Hill Street
 - a) Permitted use
 - i) Stacked townhouse dwellings
 - b) Regulations
 - i) Front Yard Depth (Minimum) 1.0 metres (3.28 feet)
 - ii) Front Yard Depth (Maximum) 3.0 metres (9.84 feet)
 - iii) East Interior Yard Setback for development 3 storeys or less (Minimum) 2.0 metres (6.56 feet)

East Interior Yard Setback for development above 3 storeys (Minimum) 1.2 metres (3.9 feet) per 3 metres (9.8 feet) of main building height or fraction thereof above 3 metres (9.8 feet), but in no case less than 4.5 metres (14.8 feet)
 - iv) Landscape Open Space (Minimum) 29%
 - v) Height 4 storeys, or 13.0 metres (42.7 feet), whichever is less

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 October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

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



File Number: Z-9511
Planner: OA
Date Prepared: 2022/08/23
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250





Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application:

On June 1, 2022, Notice of Application was sent to 104 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 2, 2022. A “Planning Application” sign was also posted on the site.

No public replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit a 3-storey stacked back-to-back townhouse building containing 17 residential units with 20 parking spaces. Possible change to Zoning By-law Z.-1 **FROM** an Residential R3 (R3-1) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone to permit stacked townhouse dwellings with a maximum density of 75 units per hectare; a minimum front yard depth of 1.0 metre, whereas 6.0 metres is required; a maximum front yard depth of 3.0 metres, whereas 6.0 metres is required; a minimum interior yard setback of 2.0 metres, whereas 7.2 metres is required; a minimum landscaped open space of 20%, whereas 30% minimum is required; maximum lot coverage of 50%, whereas 40% maximum is required; minimum height of 12.0 metres, and a maximum height of 16.5 metres or 5 storeys, whereas 13.0 metres maximum is required; a parking rate of 1 space per unit, whereas 1.25 spaces per unit is required. The City may also consider additional special provisions related to building orientation, garage widths, alternative zones, or holding provisions for this site. File: Z-9511

Responses: None.

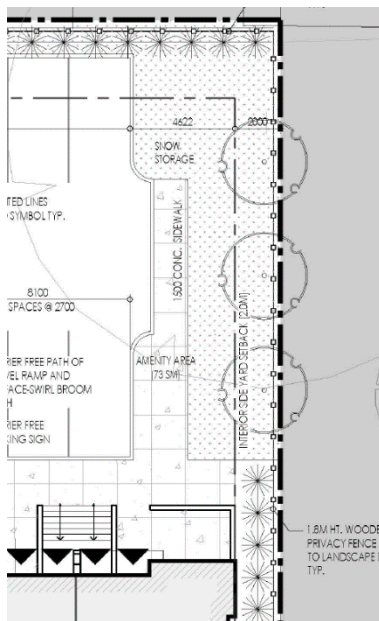
Departmental and Agency Comments

Urban Design (June 6, 2022)

- There are no UD comments regarding the requested zoning of Residential R8 Special Provision (R8-4(_)) Zone from R3 (R3-1) Zone.

Site Plan (June 21, 2022)

- Common outdoor amenity space for stacked townhouses should account for 5m² for each unit.
- Remove the sidewalk along the eastern property boundary to provide for more landscaping



- The applicant is encouraged to consider the use of deep waste collection or moloks for garbage storage
 - If standard garbage bins are proposed, details of the enclosure will be required to be provided at the time of Site Plan Approval application

Parks Planning and Design (June 9, 2022)

- 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.

Ecology (June 22, 2022)

- Confirmation 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.

Engineering (June 29, 2021)

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

Transportation:

- Detailed comments regarding access design and location will be made through the Site Plan Application process.

Water:

- Water is available to the subject site via the municipal 200mm PVC watermain on Hill Street.

Wastewater:

- The municipal sanitary sewer available for 366 Hill Street is the 250mm sanitary sewer on Hill St

Stormwater:

1. As per City storm sewer area plan 26260, the site at C=0.70 is tributary to the existing 375mm storm sewer on Hill St. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
2. Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and

seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.

3. The proposed land use of medium density residential 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.
4. The City cannot confirm a storm PDC exists to service the property. As per the Drainage By-law, the consultant would be required to provide for a storm PDC ensuring existing peak flows from the 2 through 100 year return period storms.
5. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
 - shall comply with riparian right (common) law.The consultant shall update the servicing report and drawings to provide calculations, recommendations and details to address these requirements.
6. The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
7. Additional SWM related comments will be provided upon future review of this site.

Additional Engineering Comments (July 26,2022)

We have reviewed the preliminary grading plan and are satisfied that the site can maintain flows on their site and not impact the adjacent properties.

The consultant is expected to submit a design that maintains or improves the drainage conditions of the adjacent properties, at the SPA stage.

Long Range Planning, Research and Ecology (Landscape Architect Comments (June 10, 2022)

1. The tree preservation plan has identified a number of boundary trees growing along the west and north property lines. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Boundary trees can't be removed without written consent from co-owner.
2. The critical root zone of a large offsite walnut tree #13, could suffer critical root zone loss with the development. The critical root zone of a tree is the portion of the root system that is the minimum necessary to maintain tree vitality and stability. Maintain existing setback from property line, approximately 2 m, and use less invasive excavation methods in area of roots.
3. No rare or endangered species that are protected by the province's Endangered Species Act, 2007, S.O., C.6 were identified on site.

4. At time of Site Plan application, the applicant will need to provide Forestry Operation consent to damage the roots of CoL boulevard trees, #1 & 3 as identified in the TPP prepared by Lierman Landscape Architect.
5. The proposal will remove a significant portion of the Critical Root Zone of a large onsite black walnut, #35. The applicant will need to explore options for parking layout to reduce percentage of root loss. If the critical root zone cannot be adequately protected, tree should be recommended for removal. Tree could become structurally unsound and become hazardous. The parking lot should be shifted west, leaving northeast area undisturbed and designated as outdoor amenity space

Upper Thames River Conservation Authority Comments (June 2, 2022)

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. Accordingly the UTRCA has no objections to the application and a Section 28 Permit is not required.

London Hydro Comments (June 13, 2022)

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

Appendix C – Planning Impact Analysis

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	<p>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.</p> <p>Factors such as site layout, building line and setback from the street, and height and massing transitions with adjacent properties enhance the compatibility with the surrounding neighbourhood.</p>
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site concept achieves an intensity that allows for other on-site functions such as parking and amenity space. The proposed development is located along a neighbourhood street and the area is supported by public transit, pedestrian sidewalks and full services are available to the site.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The proposed development is within proximity to neighbourhood and community facilities as well as open space, recreational opportunities and all transit services.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	Dwelling units in a townhouse complex are typically more affordable. The addition of the proposed units to the housing supply may also free-up other more affordable units elsewhere in support of Municipal Council's commitment to the Housing Stability Action Plan, Strategic Area of Focus 2: Create More Housing Stock.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed townhouse development is appropriate at this location. Privacy impacts will be mitigated through the use of landscaping, tree retention, fencing and appropriate building setbacks. The visual impacts of the development will be minimal given the height of the proposal, spatial separation from the abutting yards, and future landscaping and fencing.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	Landscaping and screening opportunities through vegetation will be considered at the site plan approval stage.

The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;	Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied. Further refinements will be addressed at the Site Plan stage.
The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The exterior design will be compatible with the existing and future lands uses in the area.
The potential impact of the development on surrounding natural features and heritage resources;	Not applicable.
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	Not applicable.
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;	The requested amendment is consistent with the in-force policies of the Official Plan. The majority of requirements of the Site Plan Control By-law have been considered through the design of the site, including provision of amenity space, landscaping, parking and setbacks
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.

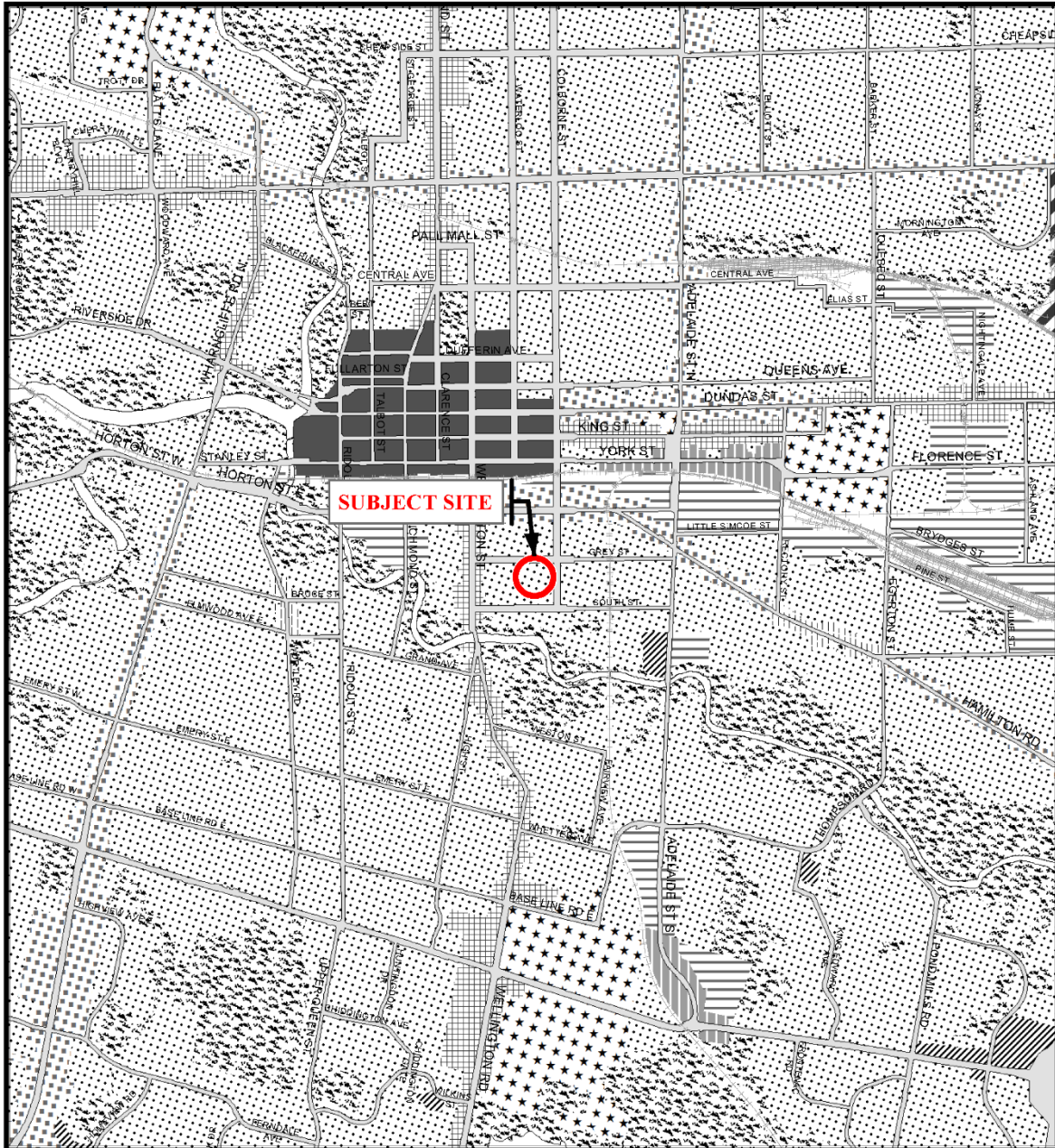
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.

Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for residential intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a mixed-use compact City and strong, healthy and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the site plan approval stage.
Conformity with the policies of the place type in which they are located.	The proposed 3 storey townhouse proposal provides for the use and intensity of development contemplated within the Low-Rise Residential Area in the Old Victoria Hospital Secondary Plan.
Consideration of applicable guideline documents that apply to the subject lands.	The Old Victoria Hospital Secondary Plan is an applicable guideline and has been considered throughout the report.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water, sanitary and storm sewers.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Further consideration of traffic controls will occur at the site plan approval stage. A Traffic Impact Assessment was not required as part of this application. Transportation Staff have no concerns.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was not required for the Zoning By-law amendment application.
Parking on streets or adjacent properties.	Staff is satisfied that 20 parking spaces is sufficient for the development . It is not anticipated that overflow parking will be required on local streets.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Site Plan Control covers waste collection along with mail pick (door-to-door or shared location), snow storage and other site functionalities. Waste collection is tied to the approved site plan for the Site Plan Approval Development Agreement.
Privacy	The placement, orientation and design of new development will minimize privacy

	impacts and protect access to sunlight/sky views for adjacent properties, particularly on the adjacent rear yard amenity areas.
Shadowing	The building on the site will fit within a 45 degree angular plan measured from grade, thereby mitigating potential massing and shadow impacts.
Visual Impact	Landscaping, articulated building design, and architectural details and materials to be implemented at the site plan stage are expected to have a positive visual impact on the area.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	The siting and massing of the building provides continuity with the existing pattern development in the neighbourhood, a sense of enclosure to the Hill Street right-of-way and maintains significant opportunities for the planting of street trees.
Cultural heritage resources.	Not applicable.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

Appendix D – Relevant Background

The London Plan – 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON

Official Plan

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning & Development



Scale 1:30,000



File Number: Z-9511

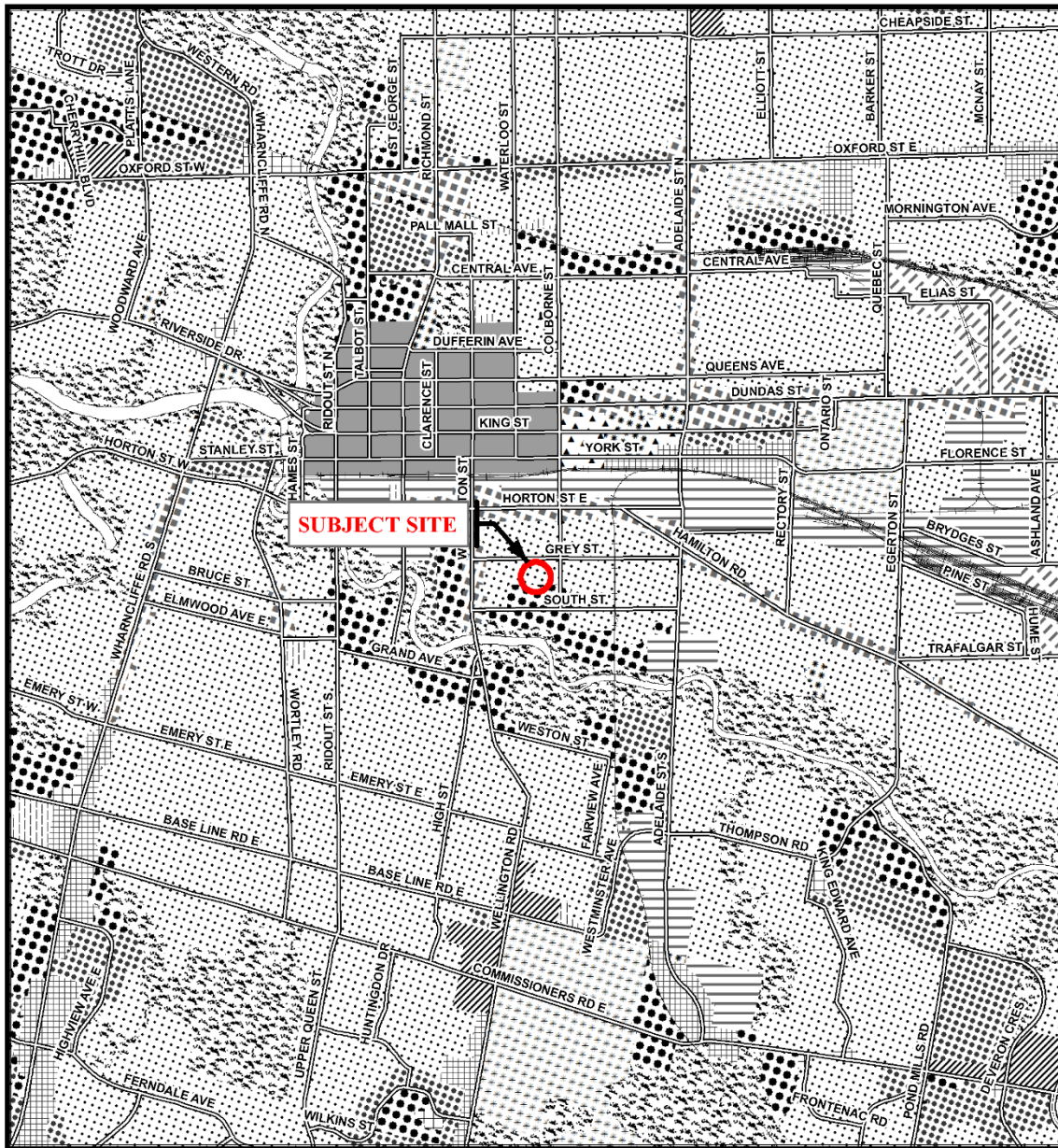
Planner: OA

Technician: RC

Date: 2022/8/23

Project Location: E:\Planning\Projects\lp_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9511-EXCERPT_Map1_PlaceTypes.mxd

1989 Official Plan – Schedule A – Land Use

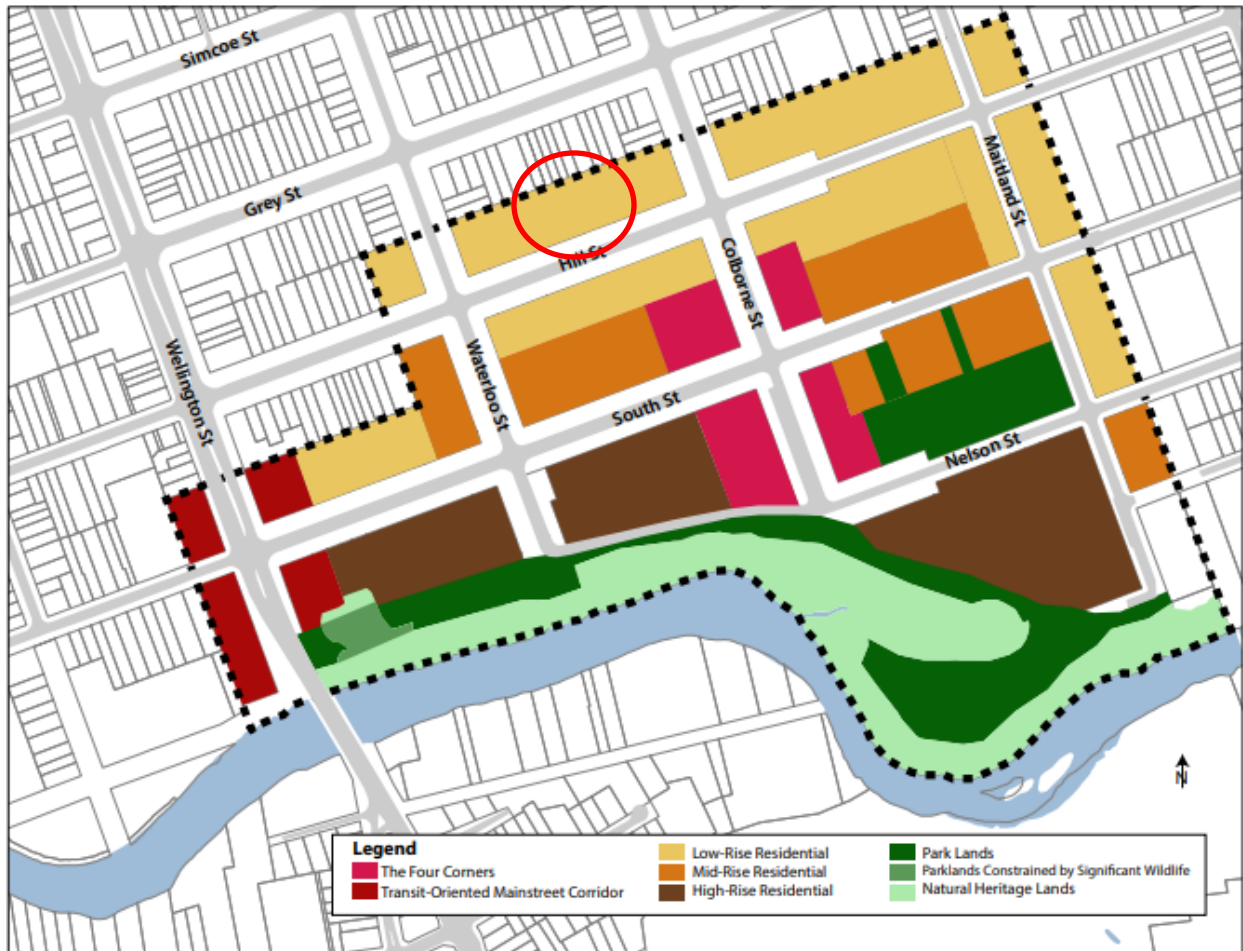


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1200 1500 Meters</p>	<p>FILE NUMBER: Z-9511</p>
		<p>PLANNER: OA</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/08/23</p>

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

Old Victoria Hospital Lands Secondary Plan - Schedule 2: Character Area Land Use



Zoning By-law Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9511

OA

MAP PREPARED:

2022/08/23

RC

1:1,250

0 5 10 20 30 40

Meters

366 HILL STREET

PROJECT SUMMARY

www.siv-ik.ca/366h

Developer: 366 Hill St Inc.



Concept At-A-Glance

USE



RESIDENTIAL UNITS

PARKING

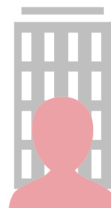


VEHICLE SPACES
(17 RESIDENT STALLS AND
3 VISITOR STALLS)

HEIGHT & DENSITY



3
STOREYS
(12.0m)



75
UNITS PER
HECTARE

DESIGN FEATURES

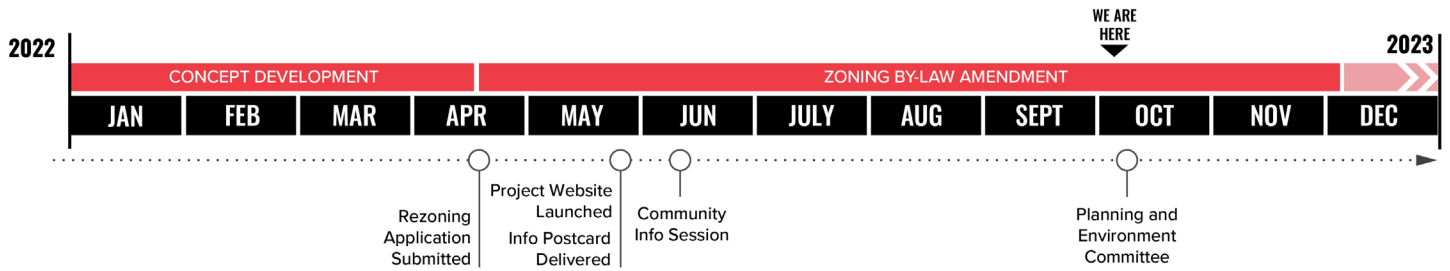


ENHANCED
PLANTING
STRIP
AT REAR OF
THE PROPERTY

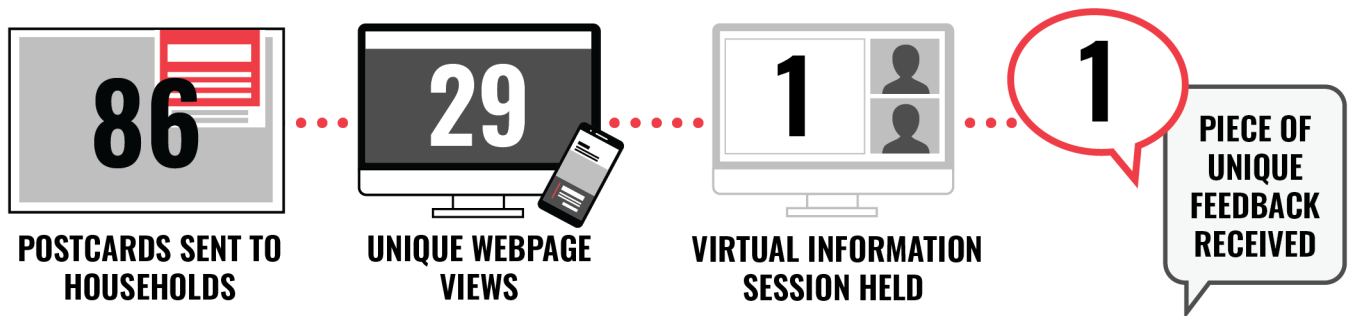


DIRECT UNIT
ENTRANCES TO
HILL STREET
(FOR FRONT
FACING UNITS)

Timeline



Community Engagement by the Numbers



Key Themes Heard and Our Response

Architectural Style

- The project team will work with the developer through the site plan approvals process to explore opportunities to make modifications to the building design to ensure it is complementary to the character of the SoHo Neighbourhood.

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 McCormick Villages Inc.
1156 Dundas Street
Public Participation Meeting
Date: October 5, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by McCormick Villages Inc. relating to lands located at 1156 Dundas Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on October 17, 2022 to amend The London Plan by revising policy 1059_ to allow uses permitted under the Mid-Rise Residential designation and a maximum height of up to 4 storeys instead of 5 storeys south of the extension of Gleeson Street between McCormick Boulevard and Ashland Avenue; and to allow uses permitted under the Low-Rise Residential designation north of the western extension of Gleeson Street, consistent with the McCormick Area Secondary Plan;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2022 to amend the McCormick Area Secondary Plan to revise Schedule 1 "Community Structure Plan" to remove two segments of the "Potential Connection" delineation extending west from Sparton Street between Ashland Avenue and McCormick Boulevard and extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and to add a new segment of the "Potential Connection" between Ashland Avenue and McCormick Boulevard; to revise policy 20.8.2.2 to include wording such that "opportunities should be explored to create new public connections to increase the walkability of the area", and "the creation of other east-west local streets as public connections, either in the form of public streets or public pathways, are also ideal opportunities to provide new linkages when sites redevelop"; and to revise Schedule 3 "Street Hierarchy" to remove one segment of the "Future Publicly Accessible Connection" delineation extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and to add a new segment of the "Future Publicly Accessible Connection" between Ashland Avenue and McCormick Boulevard;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting October 17, 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 Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, a Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, and an Open Space (OS1) Zone **TO** a Holding Business District Commercial Special Provision (h•h-5•h-100•h-120•h-149•h-204•h-205•h-__•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h-__•h-__•R6-5(41)•H13.5) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h-__•h-__•R6-5(41)•H15) Zone, a Holding Residential R4 Special Provision (h•h-5•h-100•h-202•h-203•h-205•h-__•h-__•R4-3()) Zone, and an Open

Space (OS1) 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 McCormick Villages Inc. relating to the lands located at 1156 Dundas Street;
- (e) the Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by McCormick Villages Inc. (Project No. 180204), certified by Terry Dietz O.L.S., dated September 21, 2021 and revised September 2022, as red-line amended, which shows 1 medium density/commercial block, 3 medium density blocks, 1 park block, 1 future road block, 1 road widening block, 1 road realignment block, and 3 reserve blocks, served by 1 new street (Gleeson Steet), **SUBJECT TO** the conditions contained in the attached Appendix 'D'; and,
- (f) the request to amend Zoning By-law No. Z.-1 to amend the zoning on Block 3 of the proposed draft plan of subdivision from a Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone to a Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H21•D150) Zone permit a maximum height of 21 metres and a maximum density of 150 units per hectare whereas a maximum height of 15 metres and a maximum density of 125 units per hectare are currently permitted, **BE REFUSED** for the following reasons:
 - i) The proposed amendment does not conform to the in-force policies of The London Plan, including but not limited to the Key Directions, Rapid Transit Corridors Place Type and Neighbourhoods Place Type Policies.
 - ii) The proposed amendment does not conform to the in-force policies of The McCormick Area Secondary Plan, including but not limited to the Principles and Character Area Land Use Designations Policies.

Executive Summary

Summary of Request

The request is for approval of a Draft Plan of Subdivision consisting of one (1) medium density residential/commercial block, three (3) medium density residential blocks, one (1) park block, one (1) future road block, one (1) road widening block, one (1) road alignment block, three (3) reserve blocks, serviced by the extension of the Gleeson Street; and for approval of zoning by-law amendments associated with blocks with the proposed Plan of Subdivision. Amendments to *The London Plan* and the *McCormick Area Secondary Plan* have been initiated by the City to ensure clearer interpretation of the Official Plan and to assist in implementing future development proposals.

Purpose and Effect of the Recommended Action

The purpose and effect is to recommend that the Approval Authority for the City of London issue draft approval of the proposed draft plan of subdivision, subject to conditions attached to this report; and that Municipal Council approve the recommended Official Plan amendment and Zoning By-law amendment. It is noted that City staff are recommending refusal of the requested Zoning By-law Amendment on Block 3 of the proposed Draft Plan to a maximum height of 21 metres and a maximum density of 150 units per hectare as it is not consistent with *The London Plan* and the *McCormick Area Secondary Plan*. Staff are recommending that the current zone regulations for density and height are appropriate for the block and should be maintained, consistent with the City-initiated amendment to *The London Plan* policy to allow a height of up to 4 storeys instead of 5 storeys on the western half of the subject site fronting McCormick Boulevard, consistent with the *McCormick Area Secondary Plan*.

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 Rapid Transit Corridor Place Type, 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 London Plan*, including but not limited to the Rapid Transit Corridor Place Type and the Neighbourhoods Place Type.
4. The proposed and recommended amendments conform to the in-force policies of the *McCormick Area Secondary Plan*, including but not limited to the Transit Oriented designation, Mid-Rise Residential designation and the Low-Rise Residential designation.
5. 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 *McCormick Area Secondary Plan*.
6. The recommended Draft Plan is focused on the restoration and adaptive re-use of the former McCormick's Factory into a mid-rise mixed use building. The recommended Draft Plan also supports a mix of housing types within the site including street townhouses, a long-term care facility and a seniors' apartment building. The Draft Plan has been designed to support these uses and to achieve the adaptive re-use of a significant, heritage designated former industrial building and a future development pattern that is pedestrian friendly, transit supportive and accessible to the surrounding community. The Applicant will providing a publicly accessible multi-use pathway to allow for interior and exterior connectivity to the site. The Applicant will enter into a public use agreement with the City.

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

November 26, 2015 – Report to Planning and Environment Committee – Draft McCormick Area Secondary Plan (File No. OZ-7601).

November 26, 2015 – Report to Planning and Environment Committee – 1156 Dundas Street Application for Approval Official Plan Amendment and Zoning By-law Amendment – City of London (File No. OZ-8489).

1.2 Property Description

The subject lands are located at 1156 Dundas Street and consist of the lands associated with the former McCormick' Factory with a total area of approximately 5

hectares (12 acres). The property is in the McCormick Area Secondary Plan area, and is unique to the area as it is the only property currently designated under Part IV of the *Ontario Heritage Act*. The former industrial property is a brownfield site and has been vacant for a number of years.

The lands are surrounded by an established residential neighbourhood to the north and east, and to the south has frontage along Dundas Street, which is designated as one of the City's Rapid Transit corridors. Directly to the west, the lands consist of active and non-active industrial and office uses that are transitioning over time to less-intensive uses. Within this area and further to the west and northwest, a number of properties contribute the industrial heritage character of the area, and are under consideration for identification as being of potential heritage value or interest by the City. To facilitate the transition to less-intensive uses, the surrounding lands are designated for residential, mixed-use, industrial-commercial, and the greatest level of commercial and residential use intensity is focused along Dundas Street to support the Rapid Transit corridor.

1.3 Current Planning Information (see more detail Appendix F)

- The London Plan Place Type – Rapid Transit Corridor and Neighbourhoods
- McCormick Area Secondary Plan Designation – Transit Oriented, Mid-Rise Residential and Low-Rise Residential
- Zoning – Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, Open Space (OS1) Zone

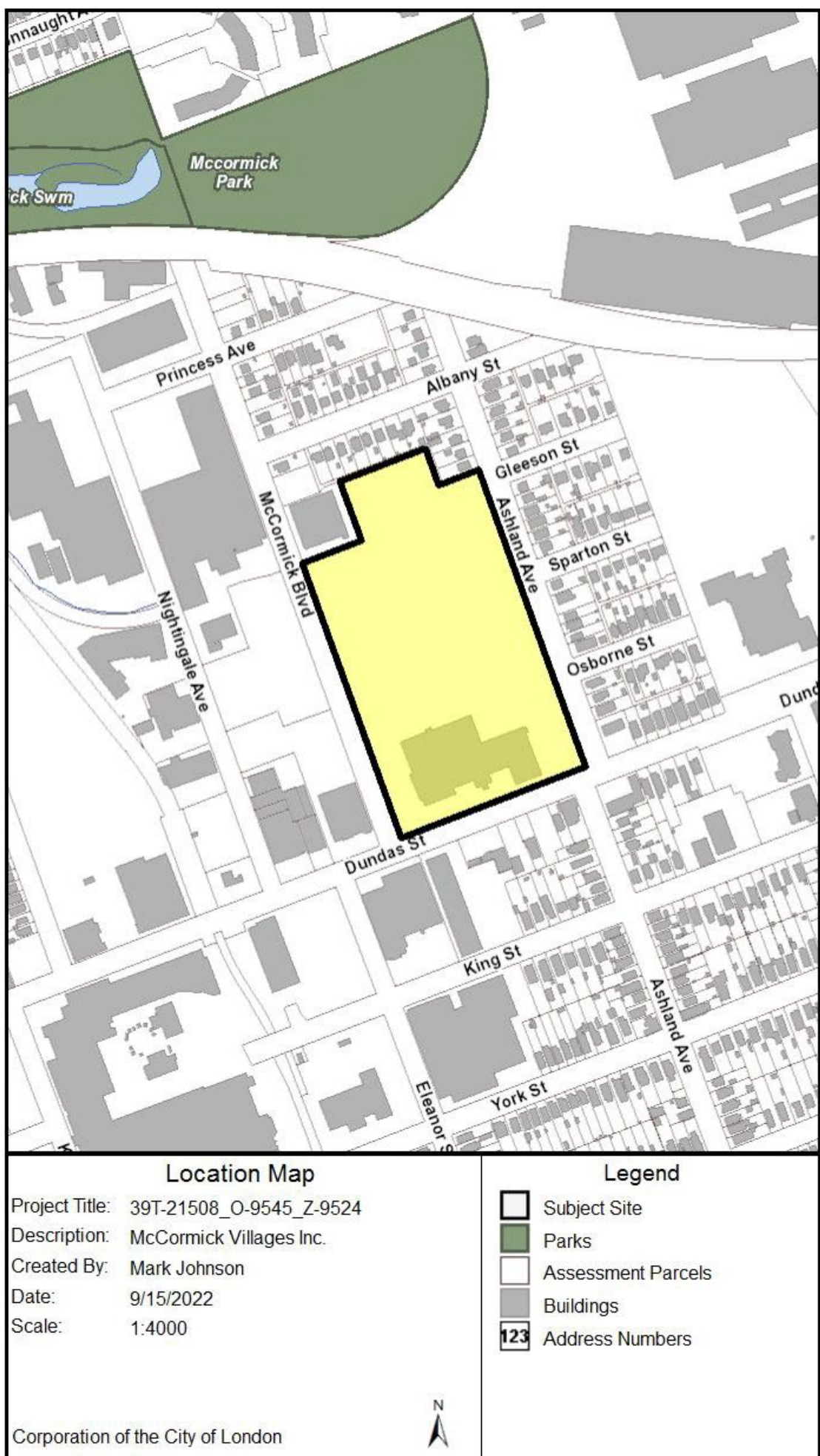
1.4 Site Characteristics

- Current Land Use – industrial, vacant
- Frontage – approx. 178 metres (584 ft) on Dundas Street
- Depth – 318 metres (1043 ft)
- Area – 5 hectares (12 acres)
- Shape – irregular

1.5 Surrounding Land Uses

- North – existing residential
- East – existing residential
- South – commercial
- West – industrial/office

1.6 Location Map



1.7 Planning History

On December 8, 2015, Municipal Council adopted the McCormick Area Secondary Plan to guide the evolution of the former McCormick's Factory and adjacent lands into a vibrant mixed-use neighbourhood which permits specified new uses within the industrial heritage area, creates open space linkages, integrates with the surrounding neighbourhood and supports emerging businesses. At the same Council meeting, City staff also brought forward a report to amend the Official Plan and Zoning By-law to facilitate the redevelopment of the McCormick Factory property. The recommended amendments were approved by Municipal Council and delineated the site into 3 distinct areas, including the extension of Gleeson Street from Ashland Avenue to McCormick Boulevard, as illustrated below in Figure 1. Area 1 is to retain the original historic portion of the McCormick Factory building and repurpose for mixed-use residential/commercial and parking. Within Area 2, the later additions to existing McCormick building are to be demolished and open space is to be provided in the northwest corner, and it is envisioned that mid-rise apartment buildings, a low-rise seniors apartment building, and townhouses would be developed. Within Area 3, it's contemplated that single detached dwellings will be developed, including the extension of Gleeson Street from Ashland Avenue to McCormick Boulevard. Since the adoption of the Plan in 2015, the Owner of the subject lands has been working remediate the site, and on March 4, 2022, a Record of Site Condition was filed on the Ministry of Environment, Conservation and Parks (MOECP) Environmental Site Registry.



Figure 1 – Former McCormick Factory property, known municipally at 1156 Dundas Street, shown as three distinctly separate areas

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 one (1) medium density residential/commercial block (Block 1); three (3) medium density residential blocks (Blocks 2-4); one (1) park block (Block 7); one (1) future road block; one (1) road

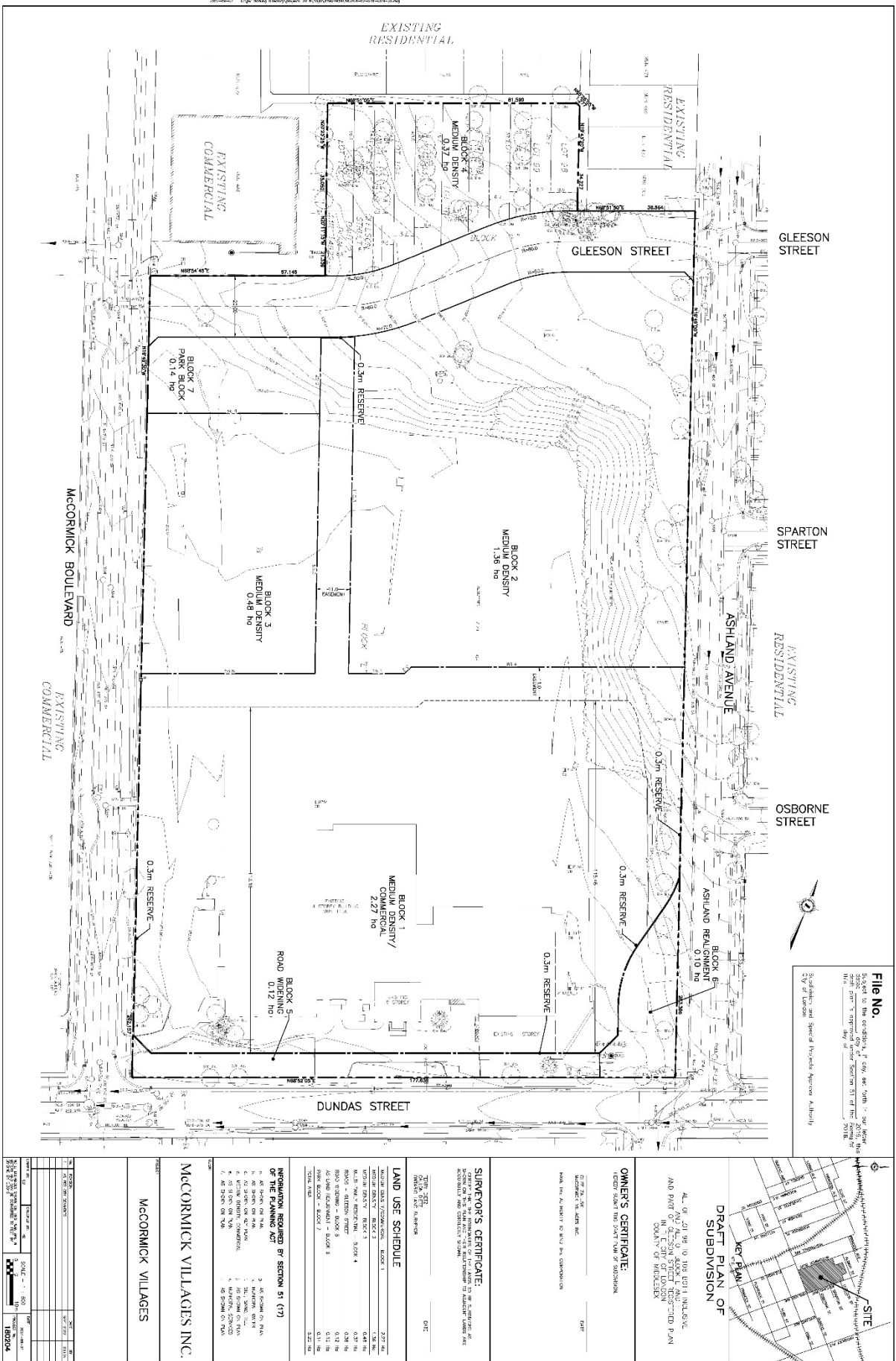
widening block (Block 5); one (1) road realignment block (Block 6); and three (3) reserve blocks, serviced by the extension of Gleeson Street; and for the approval of zoning by-law amendments associated with the blocks with the proposed plan of subdivision.

The Draft Plan incorporates the following key features:

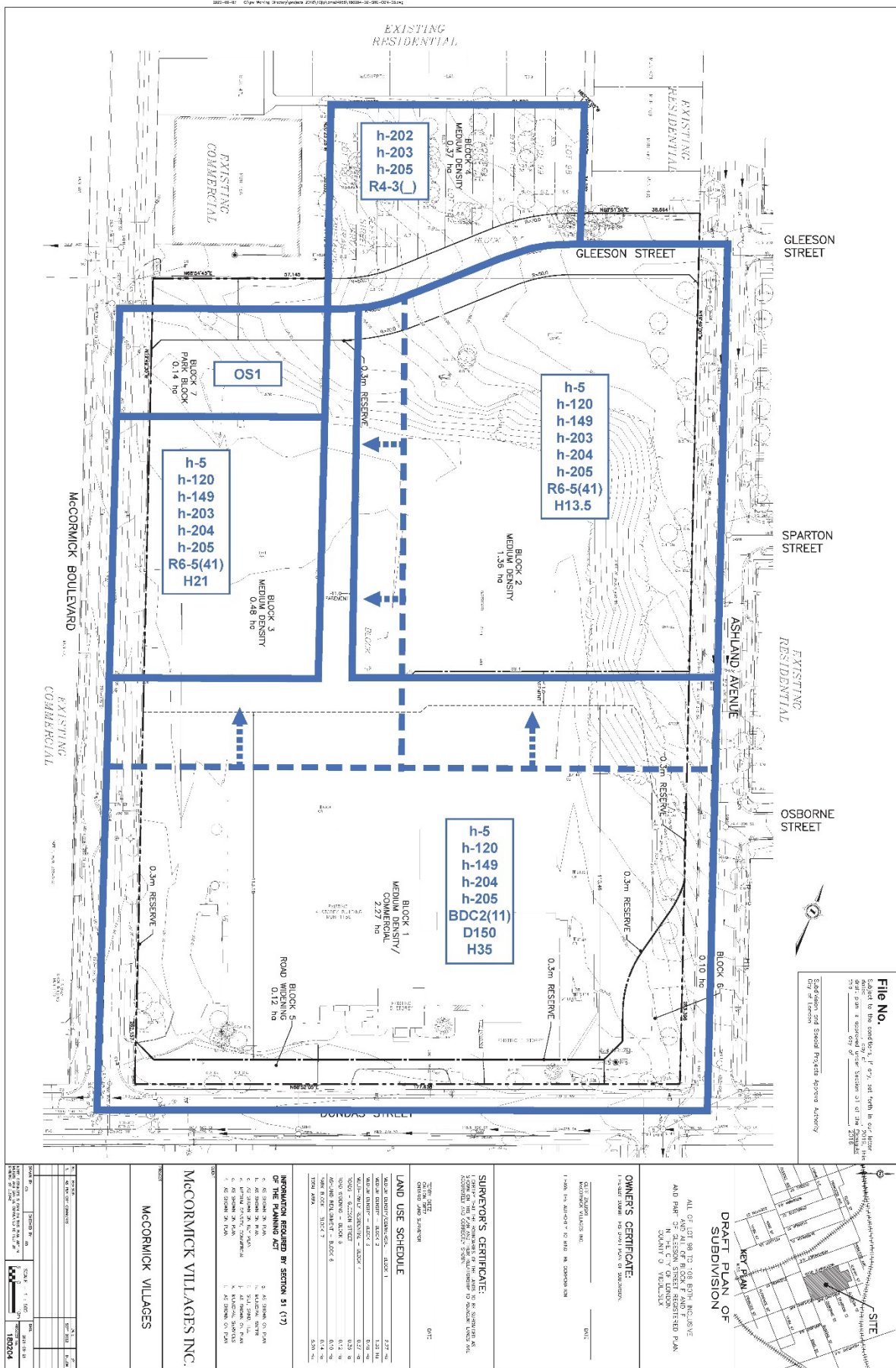
- redevelopment of the former McCormick's Factory property designated under Part IV of the *Ontario Heritage Act*)
- remediation and redevelopment of a brownfield site
- restoration and adaptive reuse of the heritage building into a mid-rise mixed-use building (e.g. office, retail, apartment uses)
- highest building heights and densities will be within existing McCormick building fronting Dundas Street and transition to the interior of the site which is proposed to include a long-term care facility on the eastern side of the site and seniors' apartments for the western side of the site, south of the future extension of Gleeson Street
- street townhouses to the north of the extension of Gleeson Street are planned to complement and integrate with the established residential neighbourhood, and to assist in transitioning from the heights and densities that are proposed for the medium density residential development within the site
- medium density housing is planned to be compatible with the existing residential neighbourhood adjacent to the site, and to help create a "complete community" that provides residents opportunities for different housing options and affords them the ability to age in place as their housing needs change
- neighbourhood park is planned for northwest area of the site, and is intended to provide amenity space for the residents within the neighbourhood
- proposed pathway system to provide internal and exterior connectivity to site, and Gleeson Street will be extended to west and the "Green Link" corridor will be incorporated within public right-of-way
- further detail on the application can be found in the "Requested Amendment" section of the report

It is noted that an end user has been identified for Block 2 (Extendicare Canada Inc.), and is concurrently proceeding through the site plan process to facilitate a long-term care facility for the lands.

2.2 Proposed Draft Plan of Subdivision



2.3 Proposed Zoning By-law Amendment Sketch



2.4 Requested Amendment

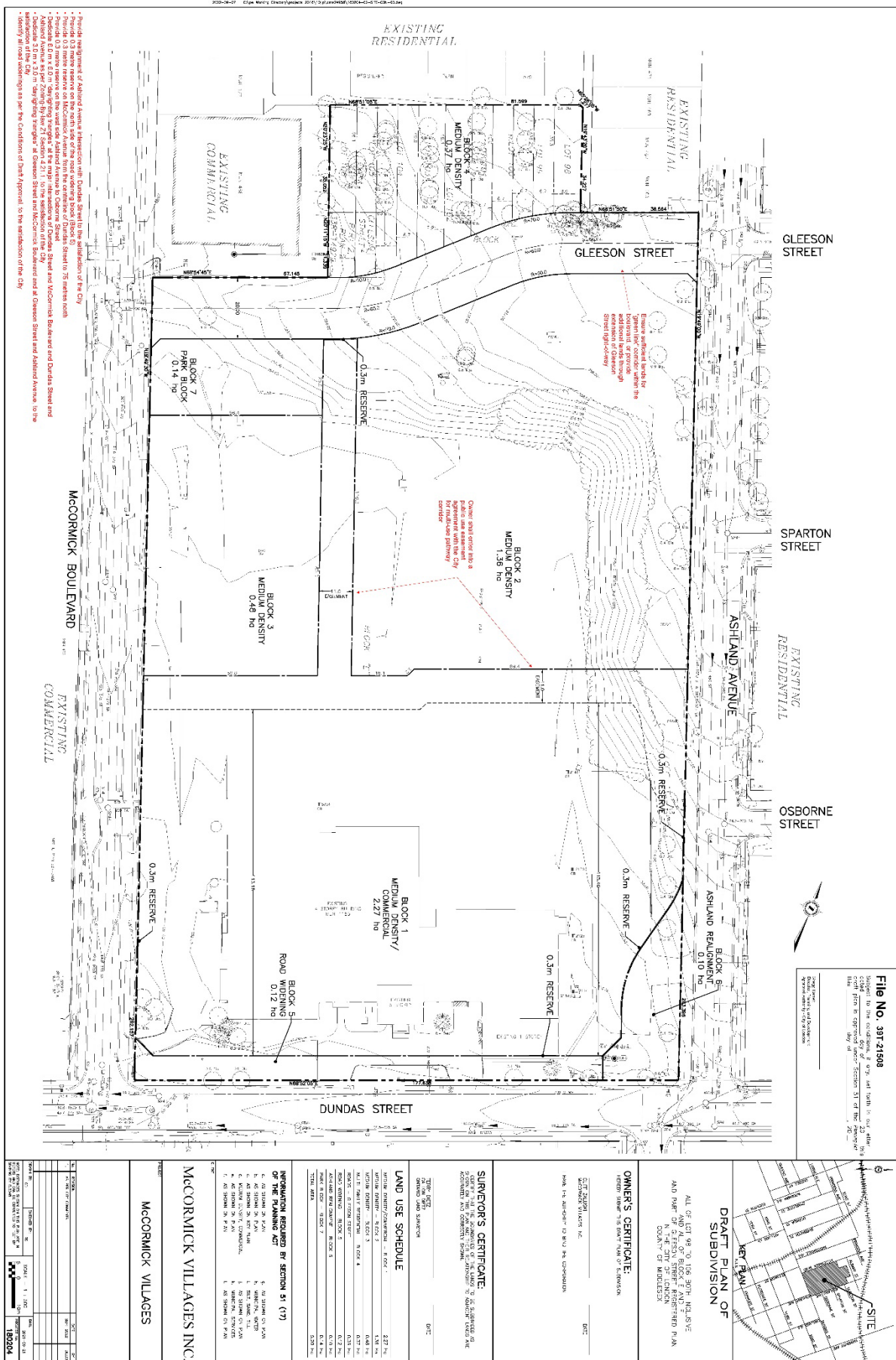
Request for consideration of a proposed Draft Plan of Subdivision consisting of one (1) medium density/commercial block (Block 1); three (3) medium density residential blocks (Blocks 2-4); one (1) park block (Block 7) one (1) future road block; one (1) road widening block (Block 5); one (1) road realignment block (Block 6); and three (3) reserve blocks, serviced by the extension of Gleeson Street.

Request to amend to the zoning by-law to change the zoning from a Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, Holding Residential R4 Special Provision (h-202•h-203•h-205•R4-3) Zone, and Open Space (OS1) Zone to the following zones:

- **Holding Business District Holding Business District Commercial Special Provision (h-5•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone (Block 1)** to permit a broad range and mix of uses, such as animal hospitals, apartment buildings with any or all of the other permitted uses on the first floor, bake shops, clinics, commercial recreation establishments, commercial parking structures and/or lots, day care centres, dry cleaning and laundry depots, duplicating shops, emergency care establishments, financial institutions, grocery stores, laboratories, laundromats, libraries, medical/dental offices, personal service establishments, private clubs, restaurants, retail stores, service and repair establishments, studios, video rental establishments, cinemas, convenience store, dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor, antique store, artisan workshop, craft brewery, assembly halls, places of worship, community centres, funeral homes, institutions, schools, and fire halls; together with a special provision to permit senior citizen apartment buildings, special zone regulations to include minimum front yard depth of 9 metres, building step-back of 3.0 metres above the height of the building as existing on the date of passage of the by-law, parking standard for office uses minimum 1 parking space per 90 m², parking standard for senior citizen apartment buildings minimum 0.25 spaces per unit, parking standard for apartment buildings minimum 1 parking space per unit, and the maximum density of 150 units per hectare and maximum height 35 metres;
- **Holding Residential R6 Special Provision (h-5•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H13.5) Zone (Block 2)** to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouse, and stacked townhouse dwellings, and apartment buildings; together with a special provision to permit continuum-of-care facility, retirement homes, and senior citizen apartment buildings, special zone regulations include parking standard for senior citizen apartment buildings minimum 0.25 spaces per unit, parking standard for cluster townhouses minimum 1 parking space per unit, parking standard for apartment buildings minimum 1 parking space per unit, and maximum density of 125 units per hectare and a maximum building height of 13.5 metres;
- **Holding Residential R6 Special Provision (h-5•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H21) Zone (Block 3)** to permit cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouse, and stacked townhouse dwellings, and apartment buildings; together with a special provision to permit continuum-of-care facility, retirement homes, and senior citizen apartment buildings, special zone regulations include parking standard for senior citizen apartment buildings minimum 0.25 spaces per unit, parking standard for cluster townhouses minimum 1 parking space per unit, parking standard for apartment buildings minimum 1 parking space per unit, and maximum density of 150 units per hectare and a maximum building height of 21 metres;

- **Holding Residential R4 (h-202•h-203•h-205•R4-3) Zone (Block 4)** to permit street townhouse dwellings on lots with a minimum lot area of 200 square metres and minimum lot frontage of 5.5 metres per unit; and,
- **Open Space (OS1) Zone (Block 7)** to permit such uses as conservation lands, golf courses, private parks, public parks, and recreational buildings associated with conservation lands and public parks.

2.5 Red-lined Draft Plan of Subdivision



2.6 Community Engagement (see more detail in Appendix E)

There was one (1) e-mail response received from the community. Comments/concerns received are summarized as follows:

- Concern with proposed change in density on north portion of property.

2.7 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 and is not limited to health, safety, accessibility for persons with disabilities, cultural features, location of growth and development, supportive of public transit and the welfare of the present and future inhabitants of this Municipality.

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 applications has been reviewed for consistency with the Provincial Policy Statement. Policy objectives of significance 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; integration of land use planning growth management, transit supportive development, intensification and infrastructure planning to optimize transit investments, and improving accessibility for differently abled and older persons (Section 1.1). *PPS* encourages settlement areas to be focus of growth and development (1.1.3.1), and directs that land uses within this area provide for densities and a mix of uses which: are appropriate and efficiently use land, infrastructure, and public services; support active transportation, and are transit-supportive (1.1.3.2). Planning authorities are also directed to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, including brownfield sites, and the availability of existing or planned infrastructure and public service facilities (1.1.3.3). 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, and managing cultural heritage resources (Section 1.2.1). The *PPS* also promotes an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents (Section 1.4.3). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (1.4.3 b) and c)). It encourages 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, and that that healthy and active communities should include

planned public streets, spaces and facilities that are safe and meet the needs of pedestrians and facilitate community connectivity (1.4.3 d) and 1.5.1 a)). 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 *PPS* also seeks to protect significant built heritage resources and significant cultural heritage and requires that these be conserved (2.6.1).

The London Plan

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 designated within the Rapid Transit Corridors Place Type along the frontage of Dundas Street and Neighbourhoods Place Type for the balance of the site. The lands are also adjacent to future Rapid Transit Station, and is within Protected Major Station Areas as identified on Map 10. The Rapid Transit Corridor Place Type permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings are encouraged while large floor plate, single use buildings will be discouraged. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade (policy 837). Rapid Transit Corridors require a minimum height of 2-storeys or 8 metres, and permit a standard maximum height of 10 storeys and an upper maximum height of 12-storeys. When a property is located on a Rapid Transit Corridor and is within 100 metres of a rapid transit station 16-storeys can be achieved. Development within these Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. The Neighbourhoods Place Type at this location permits a range of residential uses, including: single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, and group homes (Table 10). A minimum height of one (1) storey and maximum of three (3) storeys is permitted at the intersection of Neighbourhood Streets (Table 11*). The Neighbourhoods Place Types also contains a specific policy for 1156 Dundas Street, the location of the former McCormick's Factory property, and provides direction on permitted uses, heights, and densities within the subject lands.

McCormick Area Secondary Plan

The lands are within the McCormick Area Secondary Plan and are subject to the vision, principles and detailed policies of the Secondary Plan. The Secondary Plan was completed prior to the adoption of *The London Plan*, and before the front portion of the lands were envisioned to form one of the Rapid Transit Corridors in the City. The Secondary Plan establishes a more specific policy framework to guide the evolution of the former McCormick's Factory and adjacent lands into a vibrant mixed-use neighbourhood which permits specified new uses within the industrial heritage area, creates open space linkages, integrates with the surrounding neighbourhood and supports emerging businesses. The Plan acknowledges that it is located between two established residential neighbourhoods, and they have residential street patterns that are considerably finer than the existing street network in the Secondary Plan area. The Secondary Plan has identified "Potential Connections" to these neighbourhoods on Schedule 1 and also has identified a street network that contains a "Future Publicly Accessible Connection" on Schedule 3. The Secondary Plan designates the lands as Transit Oriented, Mid-Rise Residential, and Low-Rise Residential on Schedule 4.

Z.-1 Zoning By-law

The appropriateness of the proposed zoning by-law amendment has been reviewed against the current regulatory requirements of Zoning By-law Z.-1. The current zoning on the subject lands is as follows:

Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone which permits a broad range and mix of uses, such as animal hospitals, apartment buildings with any or all of the other permitted uses on the first floor, bake shops, clinics, commercial recreation establishments, commercial parking structures and/or lots, day care centres, dry cleaning and laundry depots, duplicating shops, emergency care establishments, financial institutions, grocery stores, laboratories, laundromats, libraries, medical/dental offices, personal service establishments, private clubs, restaurants, retail stores, service and repair establishments, studios, video rental establishments, cinemas, convenience store, dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor, antique store, artisan workshop, craft brewery, assembly halls, places of worship, community centres, funeral homes, institutions, schools, and fire halls; together with a special provision to permit senior citizen apartment buildings. Special zone regulations include minimum front yard depth of 9 metres, building step-back of 3.0 metres above the height of the building as existing on the date of passage of the by-law, parking standard for office uses minimum 1 parking space per 90 m², parking standard for senior citizen apartment buildings minimum 0.25 spaces per unit, parking standard for apartment buildings minimum 1 parking space per unit. The maximum density is 150 units per hectare and maximum height 35 metres.

Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone which permits cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouse, and stacked townhouse dwellings, and apartment buildings; together with a special provision to permit continuum-of-care facility, retirement homes, and senior citizen apartment buildings. Special zone regulations include parking standard for senior citizen apartment buildings minimum 0.25 spaces per unit, parking standard for cluster townhouses minimum 1 parking space per unit, parking standard for apartment buildings minimum 1 parking space per unit, and maximum density of 125 units per hectare. The maximum building height is 12 metres.

Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone which permits the same range of uses and zone regulations as the zone above, with a maximum building height of 15 metres.

Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone which permits single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 300 square metres.

Open Space (OS1) Zone which permits such uses as conservation lands, golf courses, private parks, public parks, and recreational buildings associated with conservation lands and public parks.

Several holding provisions have also been applied in conjunction with the zoning of the subject lands. The conditions and requirements for removing the holding provision are briefly summarized as follows:

- h-5 requirement for public site plan review
- h-67 requirement for completion of Record of Site Condition
- h-120 requirement for completion of Traffic Impact Study
- h-149 requirement for completion of sanitary and stormwater servicing reports
- h-202 requirement for tree preservation report and plan
- h-203 requirement for dedication and construction of Gleeson Street as a public road through an agreement associated with a plan of subdivision
- h-204 requirement for high quality urban design consistent with the conceptual

site plan and Urban Design Guidelines attached as schedules to previously approved zoning by-law amendment h-205 requirement for Land use Compatibility report associated with a site plan

A map excerpt from Zoning By-law Z.-1 Schedule A can be found at Appendix G.

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. Issue and Consideration #1 – Conformity with Secondary Plan

The McCormick Area Secondary Plan was approved prior to the adoption of *The London Plan*, and before the portion of the lands fronting Dundas Street were identified as a Rapid Transit Corridor. The purpose of the Secondary Plan is to establish a more specific land use policy framework to guide the evolution of the former McCormick's Factory and adjacent lands into a vibrant mixed-use neighbourhood which permits new uses within the industrial heritage area, creates open space linkages, integrates with the surrounding neighbourhood and supports emerging businesses. The vision for the McCormick community is to be a connected, green, mixed-use neighborhood with a unique industrial heritage character.

The Secondary Plan provides a greater level of detail than the general policies in the Official Plan. The Secondary Plan serves as a basis for the review of planning applications and constitutes Official Plan policy which will be used in conjunction with the other policies of the Official Plan.

Use

The subject lands are designated as Transit Oriented, Mid-Rise Residential and Low-Rise on Schedule 4 of the Secondary Plan, permitting a variety of low and medium residential development, including small scale office and commercial uses for the site. The former McCormick's Factory property is a brownfield site and is unique to the Secondary Plan area as it is the only property designated under Part IV of the *Ontario Heritage Act*. The proposal is focused on the restoration and adaptive reuse of the heritage building into a mid-rise mixed-use building (Block 1). The proposed reuse of the heritage building consists of retail, office and residential apartment uses. The Draft Plan also proposes two (2) medium density blocks and one (1) low density residential block. The proposed higher density housing options will help create a "complete community" that provides residents opportunities for different housing options and affords them the ability to age in place as their housing needs change. Inclusion of a public park and a privately-owned but publicly accessible multi-use pathway within the subject lands will enhance the neighbourhood character, provide a gathering place to serve the residents within new community, and create a linkage to the existing established residential neighbourhoods located outside the Secondary Plan area, enhancing the walkability of the area. The Draft Plan will create a connected neighbourhood to allow residents opportunities to enjoy amenities that are close by along Dundas Street and nearby Old East Village, and provide residential and non-residential uses that can integrate with established residential neighbourhoods to the north and east, and to the future uses planned to the west of the site.

Lands within the Secondary Plan area have been historically used for industrial purposes; several industrial uses are near the site and appear to be active businesses. Compatibility between new sensitive residential uses, and existing industrial uses needs to be planned for as part of the subdivision design. The subject lands are also in proximity to the Canadian Pacific (CP) rail corridor to the north, and the spur rail line that connects the CP and Canadian National (CN) main lines. The potential impacts created by these industrial uses, such as noise, vibration, dust and odour can be

reduced through mitigation measures at both the source and the receiving lands. As part of the City initiated rezoning of the lands that was undertaken in 2015, an 'h-205' was placed on the entirety of site, which requires that a Land Use Compatibility report associated with the site plan process be undertaken to provide direction on how the proposed sensitive land uses can be appropriately designed, buffered and/or separated from the existing major facilities to prevent or mitigate potential adverse effects. The subdivision design includes possible mitigation measures that can be employed within the site to ensure adverse impacts from industrial uses are minimized which includes, and is not limited to, siting the proposed park at the corner of McCormick Boulevard and the future extension of Gleeson, orientation of future building envelopes with Block 2 and 3, and location future residential outdoor amenity space away from potential sources.

Intensity

The Secondary Plan land use designations across the site permit a range of low and medium residential development. Along the Dundas Street frontage the Transit Oriented designation permits the most intensive form of development, with a maximum density of 150 units per hectare, and 5 storeys. Transitioning from the Transit Oriented designation to the interior and northerly portion of the site, medium density residential and low density residential designations are identified for the lands, including the Mid-Rise and Low-Rise designations, permitting up to a maximum density of 75 units per hectare and a height of 4 storeys, and up to a maximum density of 30 units per hectare and a height of 3 storeys, respectively. However, as part of a condition of the Purchase and Sale Agreement between the City of London and Sierra Construction, a City initiated Zoning By-law amendment was undertaken in 2015 to pre-zone the lands to facilitate the future development of residential, commercial, and commercial-residential mixed uses.

The Council-approved zoning includes a Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, a Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, and an Open Space (OS1) Zone. It is noted that the special provisions accompanying each of the zones put in place a maximum density of 150 units per hectare and height of 35 metres for the Business District Commercial zone, a maximum density of 125 units per hectare and height of 12 metres for the Residential R6 zone adjacent to Ashland Avenue, a maximum density of 125 units per hectare and height of 15 metres for the Residential R6 zone adjacent to McCormick Boulevard.

The proposal consists of a mix of housing types consisting of street townhouses, a long-term care facility, and a seniors' apartment building within the Draft Plan. The proposal transitions from the existing McCormick building along the southerly edge facing Dundas Street, which as noted previously is proposed to include the restoration and adaptive reuse of the heritage designated building into a mid-rise mixed use building (Block 1), to the interior of the site which will include a long-term care facility (Block 2) and proposed seniors' apartments (Block 3). Fronting the future extension of Gleeson Street and at the corner of McCormick Boulevard is proposed for a City owned park, and street townhouses to the north of Gleeson Street. The street townhouses will assist in transitioning from the heights and densities that are proposed medium density residential development (Block 2 and 3) to better integrate with the adjacent established residential neighbourhoods. The applicant has provided a conceptual plan to the City that demonstrates an appropriate form of housing that is consistent with the Urban Design Guidelines for the McCormicks Site and the concept plan that accompanied the 2015 City initiated pre-zoning of the lands. It is noted that there are significant differences between the 2015 concept plan and the concept plan that has been submitted by McCormick Villages Inc. in support of the Draft Plan. Based on background reports that were submitted and discussions between the Applicant and City staff, it has been identified that due to the topographical challenges of the site (i.e. steep slope coming down from Ashland Avenue across the property), the block size

needed to accommodate the long-term care facility for Block 2, and the amount of surface parking that has been requested to facilitate the redevelopment of Block 1 and the development of Block 2, the proposed street network and block sizes differ from what was envisioned by the 2015 concept plan and the Secondary Plan. Further discussion and analysis of these differences follows in the “Form and Connectivity” section provided below. It is noted that a holding symbol (h-204) is already in place for the site to provide an opportunity for the City to work with the Applicant to refine the concepts for Block 1 (McCormick building), and Blocks 2-4 (medium density blocks) to maintain the intent of the 2015 concept plan and the Secondary Plan. The holding symbol (h-5) is already in place for Blocks 1 -3 and is recommended to be added to Block 4.

It is also noted that Blocks 1-4 will be subject to the site plan review. Interior and rear yard setbacks adjacent to the pathway corridor (easement) will be minimum 1.5 metres to provide a grassed strip to be used in conjunction with the landscaping (i.e. trees) that is to be planned within the 11 metre pathway corridor to create an appropriate landscape strip for each development. Plantings within the walkway block will function as a buffer and screening for the adjacent parking lots. A conceptual design and landscape plan for the pathway easement will be submitted during Engineering Review to address issues such as servicing, grading and lighting. The detailed design and landscape plan for the pathway easement will be undertaken/implemented at the time of development for Block 1.

While the built form proposed by the Applicant varies from the 2015 McCormick Secondary Plan and the development concept accepted by Council, the proposed unit count is comparable and will provide similar densities to support future rapid that is planned along Dundas Street.

Form and Connectivity

The Secondary Plan provides more specific land use policy framework to guide the evolution of the former McCormick’s Factory and adjacent lands. The Plan acknowledges that it’s located between two established residential neighbourhoods, and has a street pattern that is finer than the existing street network in the Secondary Plan area. The Secondary Plan envisions that the existing east-west residential streets should be extended to create appropriately-sized blocks and to enhance the walkability of the area.

Within the subject site, the Secondary Plan has identified “Potential Connections” on Schedule 1 – Community Structure Plan as east-west extensions of Osborne Street and Sparton Street. These linkages are to be public connections, either in the form public streets or public pathways. Schedule 1 – Community Structure Plan is to be reviewed in conjunction with the street network identified on Schedule 3 – Street Hierarchy. The intent of the street network is to establish the framework for the community structure and provide access and connections within the site and to the surrounding area.

Within the subject site “Future Public Streets” and “Future Publicly Accessible Connections” have been identified on Schedule 3, as east-west extensions of Gleeson Street and Osborne Street. “Future Publicly Accessible Connections” are to be public connections and can be established as public streets or public pathways. The Secondary Plan also contains a “Green Link” overlay that identifies streets and public pathways that are critical to connecting the Secondary Plan area and the surrounding neighbourhoods to the established park and open space system north of the CP rail corridor. Figures 2 and 3 are provide below to illustrate the policy context of Schedule 1 – Community Structure Plan and Schedule 3 – Street Hierarchy.



Schedule 1: Community Structure Plan

Figure 2 – Schedule 1: Community Structure Plan



Schedule 3: Street Hierarchy

Figure 3 – Schedule 3: Street Hierarchy

The proposal builds upon the grid system of established neighbourhoods by implementing the extension Gleeson Street as a new public street connection, and also by incorporating a section of the “Green Link” within the right-of-way of the future street. However, the potential east-west connections identified on Schedule 1 as the extensions of Sparton Street and Osborne Street, and on Schedule 3 as the extension of Osborne Street have posed challenges to implementation.

The existing building envelope for the McCormick building does not allow enough physical separation between the heritage building and the extension of Osborne Street to make the street feasible. Due to topography challenges with the grade from Ashland Avenue, it was determined that the siting of the building for the long term facility (Block 2) was not able to be located along the street frontage. Instead a privately-owned publicly accessible open space (or POPS) is to be situated along the frontage of the extension of Gleeson Street as a solution to the topography challenges of the site. For these two reasons the potential extensions of Sparton Street and Osborne Street as identified on Schedules 1 and 3 are not recommended to be implemented as envisioned by the Secondary Plan. The Secondary Plan provides flexibility that the exact location of “Potential Connections” may be modified to accommodate development proposals as needed, provided the intent of these connections is maintained. The Secondary Plan contemplates variations in the routes of “Future Local Streets” identified on Schedule 3 due to circumstances such as topography constraints and other land use challenges, however, this flexibility is not afforded to “Future Publicly Accessible Connections”.

To address the implementation challenges as it relates to the potential east-west extensions identified on Schedule 1 and Schedule 3, City staff have worked with the Applicant, and are recommending a possible east-west public pathway and an extension of the pathway to the north-south to connect with the “Green Link” corridor and public park that is planned along the frontage of the extension of Gleeson Street at the corner of McCormick Boulevard. These two privately owned but publicly accessible pathways will provide interior and exterior connectivity to the site and adjacent lands. Figure 4 provided below illustrates the routing of the proposed pathway for the site. While the Secondary Plan contemplates the extension of the local streets as pathway corridors, the public pathway proposed in this Draft Plan will provide a midblock connection through the site and be aligned to connect with Ashland Avenue between the potential extensions of Sparton Street and Osborne Street.

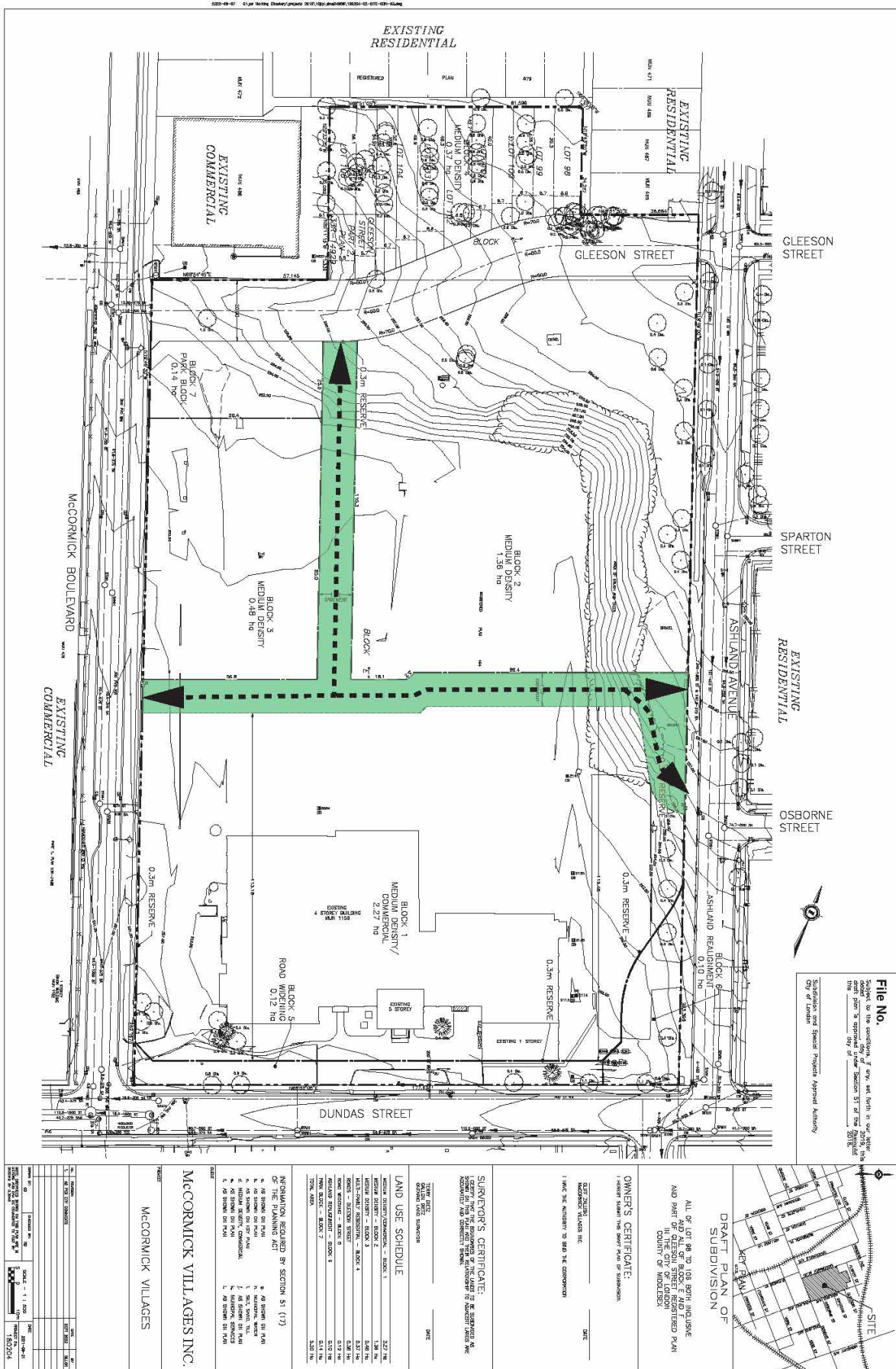


Figure 4 – Draft Plan with proposed pathway overlay

The proposed public pathway will be owned and maintained by the Applicant, and will require a public easement over the lands to delineate the boundaries of the proposed pathway and also require the Applicant to enter into a joint use agreement with the City. The extent of the proposed pathway easement will be 11 metres in width, with additional 1.5 metres of landscape strips on either side of the pathway that will have a dual purpose of providing additional grassed area for trees adjacent to the pathway to grow and snow storage space during the winter months. This public connection will meet the intent of the Secondary Plan, and also have a width that is larger than the street width

that would be provided by the private condominium street pattern that was envisioned by the 2015 conceptual plan.

The planned street network and block pattern creates a subdivision layout that provides a safe environment for pedestrians, cyclists and motorists. The neighbourhood park is planned to meet the needs of the residents within the neighbourhood. It is also integrated with the “Green Link” corridor and proposed east-west and north-south public pathway to connect to the established residential neighbourhoods outside the Secondary Plan area, and as the McCormick area redevelops, an ultimate connection to the park and open space system north of the CP rail line.

The extension of Gleeson Street and proposed public pathway within the site will enhance connectivity through the site, and increase opportunities for residents to access amenities along Dundas Street and nearby Old East Village. To ensure street oriented development for the medium density blocks along Ashland Avenue and McCormick Boulevard, a ‘h-’ holding provision is recommended to ensure building orientation to the street, park, or open-space frontages. It is also recommended that a ‘h-’ holding provision be added with respect to the easement for townhouses for Block 4 to ensure that access easements benefiting adjacent landowners be provided to protect the abutting landowners’ access to the rear yards of the units.

Heritage Conservation and Adaptive Re-Use of McCormick Factory

The Secondary Plan area contains a number of significant cultural heritage resources that reflect London’s industrial heritage. These cultural assets contribute to the industrial-heritage character of the area, and conserving the character is a fundamental principle of the Secondary Plan. As noted above, the former McCormick’s Factory property is the only property in the Secondary Plan area currently designated under Part IV of the *Ontario Heritage Act*. The Secondary Plan seeks to conserve and encourage adaptive re-use and redevelopment of the heritage property, including the McCormick Factory building. The proposal is focused on the restoration and adaptive reuse of the former McCormick’s Factory into a mid-rise mixed-use building (Block 1). The proposed Plan of Subdivision will conserve the property’s cultural heritage value and interest, and the McCormick’s Factory will maintain its prominent location along Dundas Street and continue to be a contributing property to the streetscape. The views to the existing building within the immediate area will remain unobstructed as the proposed development is built at the rear of the property.

It is noted that the concept plan submitted with the Draft Plan application includes a large amount of surface parking associated with redevelopment of the McCormick’s factory building (Block 1). The Applicant has indicated that the amount of requested surface parking is needed to make the redevelopment of the heritage building financially feasible. As part of discussions between the City and the Applicant regarding the surface parking that is proposed, City staff shared with them recent initiatives that have been undertaken by the City to encourage a reduction in surface parking, including but not limited to the goals of the City’s Climate Emergency initiative, City-wide study of reduced parking requirements, City’s Rapid Transit project, and heritage considerations to ease the transition from the existing heritage building to new development on the property.

As noted previously, it is a primary goal of the Secondary Plan to ensure the conservation and adaptive re-use of the McCormick Factory, so with this in mind it is recommended that a phased parking approach be considered to allow the proposed surface parking to be approved as part of the development applications to enable the feasibility of the work to be undertaken to rehabilitation and reuse the McCormick building. In addition, it is recommended all site plan requirements will be implemented through the site plan process, including but not limited to buffering, landscaping, screening of parking lots, and the parking lot not extending beyond the front of the building along Dundas Street as currently proposed in the concept plan. In the future, when Rapid Transit is in operation along Dundas Street, the applicant may re-evaluate the amount of surface parking required. If the current amount of parking is no longer

needed, it recommended that development opportunities to more efficiently use the land be pursued.

It is anticipated that an updated Heritage Impact Assessment will be undertaken as part of the Focused Design Studies submission (draft plan condition 17) and implemented at time of site plan. Future approvals will also be required including an amendment of the heritage designating by-law for the subject property to accurately reflect the legal description of the property that is of cultural heritage value or interest, and approval of a Heritage Alteration Permit for the adaptive re-use and conservation of the existing factory.

4.2. Issue and Consideration #2 – Proposed Secondary Plan Amendments

The proposed Draft Plan of Subdivision and recommended zoning have been reviewed within the context of the Secondary Plan, and in conjunction with the other policies of The London Plan, and are generally consistent with and conform to them. However, in some instances there are differences between the proposal that was submitted by the Applicant and the Secondary Plan, noting that the intent of the policy framework has been maintained despite some elements of the proposal not being in complete alignment. The Secondary Plan provides a degree of flexibility to allow for the potential extensions of Sparton Street and Osborne Street to not be implemented as identified on Schedule 1, however, the current policy framework does not afford “Future Publicly Accessible Connections” as identified on Schedule 3 the flexibility to vary the location of them. Therefore, it is recommended by City staff that the following revisions be made to the Secondary Plan to ensure clearer interpretation and assist in implementing future development proposals.

Proposed Amendment #1

As noted previously, the potential east-west connections identified on Schedule 1 – Community Structure Plan as the extensions of Sparton Street and Osborne Street have posed challenges in being implemented as part of the redevelopment of the site. To provide clearer interpretation and assist in implementing future development proposals for the site, it is recommended that a City initiated amendment be made to the Secondary Plan to revise Schedule 1 “Community Structure Plan” to remove a segment of the “Potential Connection” extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and a segment of the “Potential Connection” extending west from Sparton Street between Ashland Avenue and McCormick Boulevard identified on Schedule 1 – Community Structure Plan. The two segments will be replaced by a new segment of the “Potential Connection” between Ashland Avenue and McCormick Boulevard. Figure 5 below is provided to illustrate the proposed change to the Schedule 1 of the Secondary Plan.

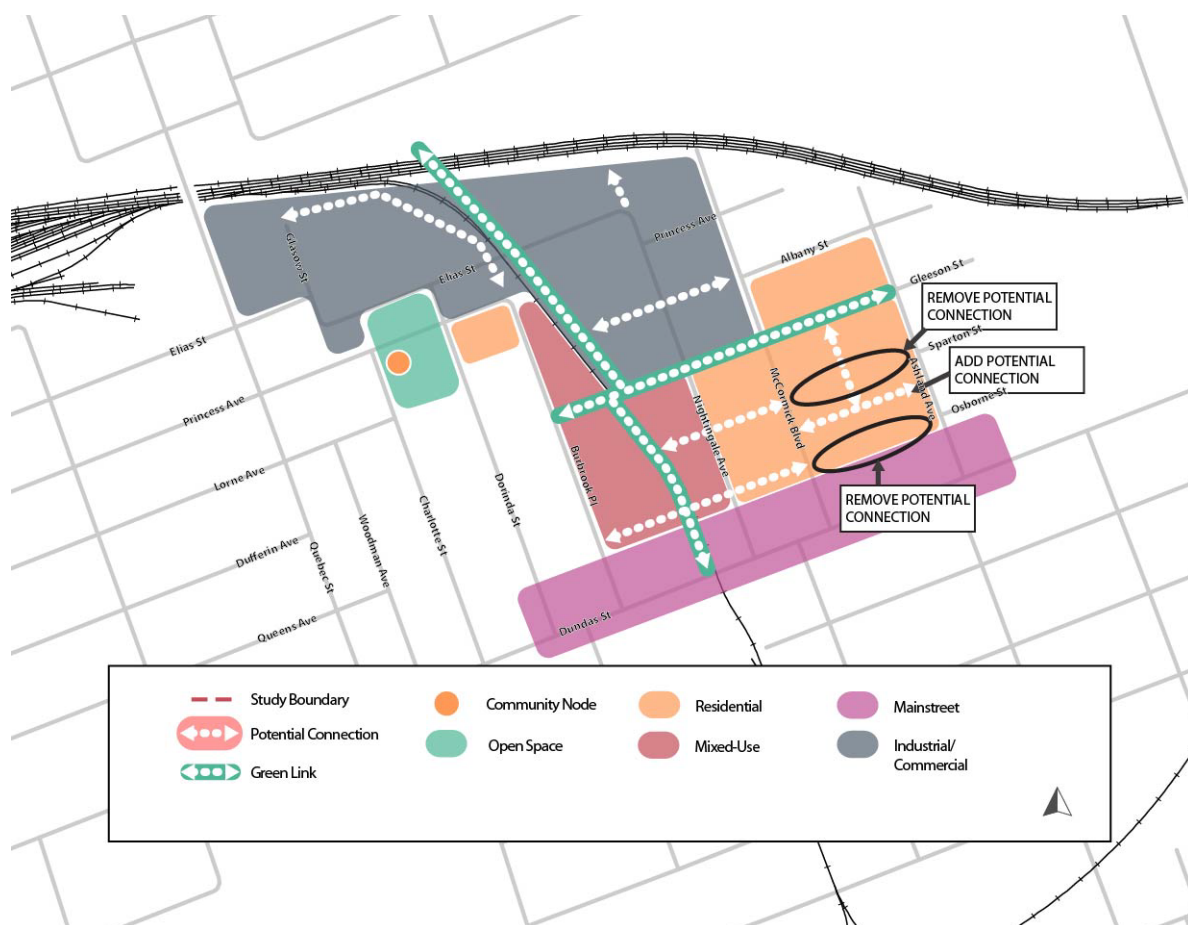


Figure 5 – Proposed Amendments - Schedule 1: Community Structure Plan

Proposed Amendment #2

As noted in Proposed Amendment #1, the potential east-west connections identified on Schedule 1 – Community Structure Plan have posed challenges in being implemented as part of redevelopment proposal. Currently, the direction in policy provided by the Community Structure Plan, specifically policy 20.8.2.2 Connectivity encourages the street patterns within the established residential neighbourhoods that are adjacent to the subject lands to be extended to decrease the block sizes, which will increase the walkability of the area. To provide clearer interpretation and assist in implementing future development proposals for the site, it is recommended that a City initiated amendment be made to the Secondary Plan to revise policy 20.8.2.2 to include wording such that “opportunities should be explored to create new public connections to increase the walkability of the area”, and “the creation of other east-west local streets as public connections, either in the form of public streets or public pathways, are also ideal opportunities to provide new linkages when sites redevelop”.

Proposed Amendment #3

As noted previously, the potential east-west connection identified on Schedule 3 – Street Hierarchy as the extension of Osborne Street has posed challenging in being implemented as part of the redevelopment of the site. To provide clearer interpretation and assist in implementing future development proposals for the site, it is recommended that a City initiated amendment be made to the Secondary Plan to revise Schedule 3 “Street Hierarchy” to remove a segment of the “Future Publicly Accessible Connection” extending west from Osborne Street between Ashland Avenue and McCormick Boulevard. The segment will be replaced by a new segment of the “Future Publicly Accessible Connection” between Ashland Avenue and McCormick Boulevard. Figure 6 below is provided to illustrate the proposed change to the Schedule 3 of the Secondary Plan.

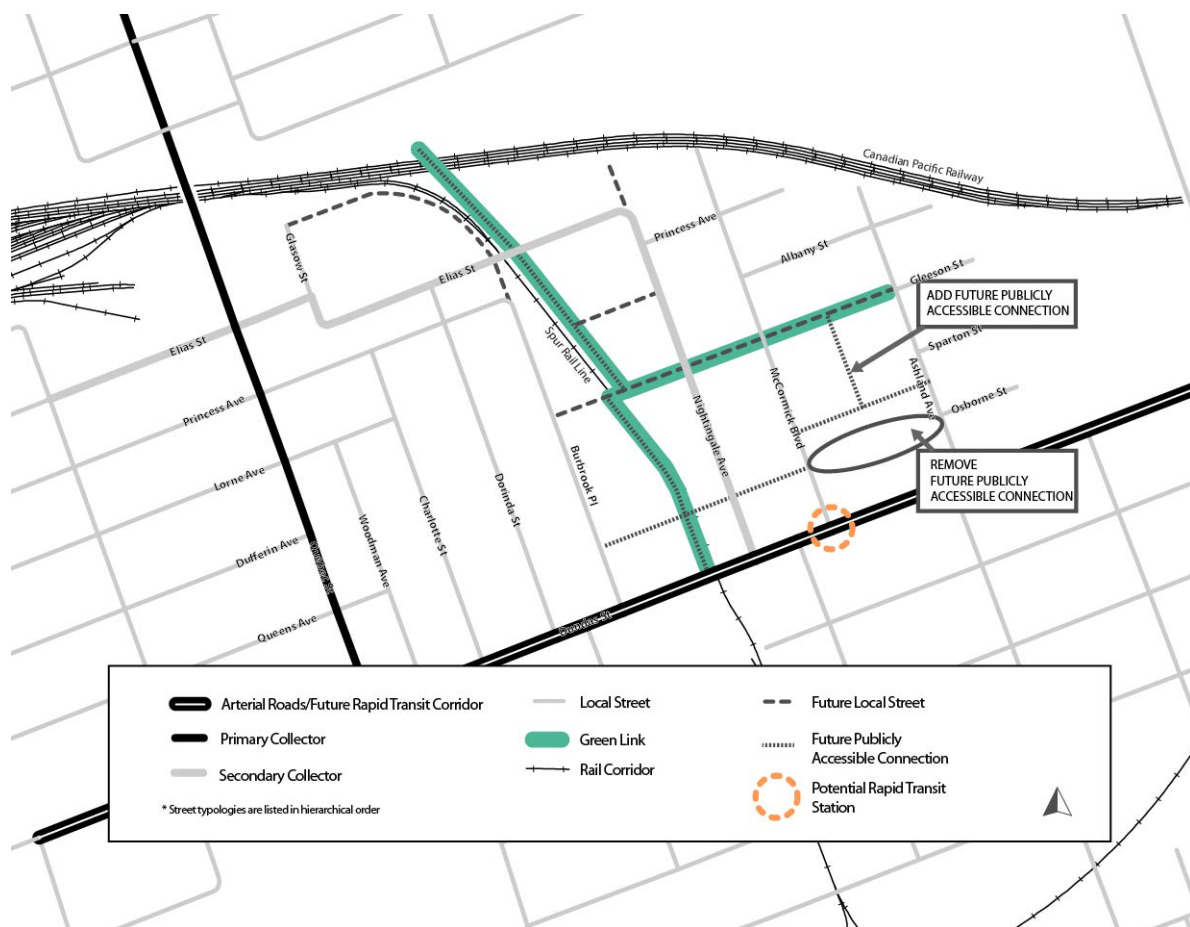


Figure 6 – Proposed Amendments - Schedule 3: Street Hierarchy

4.3. Issue and Consideration #3 – Proposed London Plan Amendments

The front portion of the site is located in the Rapid Transit Corridor Place Type, and the interior of the lands are currently designated with the Neighbourhoods Place Type. The Neighbourhoods Place Type contains specific policy direction to guide the development of interior of the McCormick site and north of the future extension of Gleeson Street (policy 1059). For the western half of the site fronting McCormick Boulevard, a height of 5 storeys may be permitted, and for the eastern half of the site fronting Ashland Avenue, a maximum height of 3 storeys may be permitted to provide a transition between the existing residential neighbourhood on the east side of Ashland Avenue. The policy also directs that Gleeson Street will be extended to the west to provide access to the subject site and allow for the development of single detached dwellings to the north.

In the McCormick Area Secondary Plan, the interior of the site is identified as Mid-Rise Residential designation, permitting a maximum height of 4 storeys, and Low-Rise Residential, permitting single detached and semi-detached, including row houses and cluster houses. To create better alignment with *The London Plan* policy 1059 and the direction of the Secondary Plan and to ensure clearer interpretation of the Official Plan to assist in implementing future development proposals, it is recommended that a City initiated amendment to *The London Plan* to revise policy 1059 to allow uses permitted under the Mid-Rise Residential designation and a maximum height of up to 4 storeys instead of 5 storeys south of the extension of Gleeson Street between McCormick Boulevard and Ashland Avenue, and to allow uses permitted under the Low-Rise Residential designation north of the western extension of Gleeson Street, consistent with the Secondary Plan.

4.4. Issue and Consideration #4 - Servicing

The proponents have updated and resubmitted the draft plan of subdivision to incorporate the future realigned intersection of Ashland Avenue and Dundas Street. This realignment was envisioned as part of the City's Rapid Transit Initiative and identified as part of the project planning for the rapid transit corridor along Dundas

Street. Conditions of draft plan approval are recommended to ensure the dedication of sufficient lands (depicted as Block 6 on the proposed draft plan) for the future realignment to be designed and constructed by the City. A road widening dedication to widen Dundas Street to 24.0 metres from the centreline of the existing road allowance is reflected on the proposed draft plan (Block 5) and in the conditions of draft approval, as well as the standard “daylighting triangles” and 0.3 metre reserve blocks have been incorporated to restrict vehicular access along the Dundas Street frontage. Access will be provided to Block 1 from Ashland Avenue aligned with the intersection of Osborne Street, and from McCormick Boulevard located at a minimum 75 metres north of Dundas Street.

With respect to sewer and water services, conditions of draft approval will require the owner to construct sewers and connect them to the existing sanitary and stormwater sewers systems, namely the 375 mm diameter sanitary sewer located on McCormick Boulevard, the 750 mm diameter storm sewer located on McCormick Boulevard and 450mm diameter storm sewer on Ashland Avenue. Through the focused design studies and engineering drawing review process the owner will be required to confirm population estimates for compatibility with sanitary drainage area plans and sewer outlet design. A Storm/Drainage and SWM Servicing Report of Confirmation will also be required through this review process. The proposed watermain to service this plan are to connect with the existing low-level municipal system, namely the existing 300 mm diameter watermain on McCormick Boulevard, the existing 300 mm watermain on Dundas Street, and the 150 mm diameter watermain on Ashland Avenue.

A Water Servicing Report will be required as part of the servicing drawing review, including water distribution system analysis and modeling, hydraulic calculations, and fire flows from the low-level water distribution system. Future calculations and modeling will be required again at the site plan approval stage for each development block. It is recommended that a holding provision be applied to the zoning until such time as the owner/developer can demonstrate whether the existing municipal water system is adequate to support the proposed developments, and if fire flows required are larger than what is identified in the Dillon Consulting revised report, it would be a responsibility of the developer to upsize any municipal watermain(s) necessary to meet the fire flow demands required for development to the satisfaction of the City.

4.5. Issue and Consideration #5 - Requested Zoning Amendments

To facilitate the development proposal, the Applicant has requested a number of Zoning By-law amendments. Provided below is a summary of the requested amendments and the City’s response to them.

Proposed BDC2(11) and R6-5(41) Boundary Change

The McCormick Factory and adjacent land has been pre-zoned by the City with the Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone Business District Commercial Zone to facilitate the adaptive re-use of the heritage building. The areas immediately adjacent to the heritage buildings have been pre-zoned by the City with a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41) Zone, and a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone. These zones provide for a range of housing forms and commercial uses at varying levels of intensity.

The Applicant has requested to adjust the boundaries between the BDC2(11) and R6-5 zones and move the line to the north to align with the proposed block sizes in the Draft Plan of Subdivision. The justification provided by the Applicant is the need to ensure that the renovated McCormick building can be flexibly used in a way that is economically sustainable. The Applicant has indicated the maximum parcel size area currently zoned BDC2(11) does not provide enough room to provide adequate off-street parking for the proposed mixture of residential and commercial uses that are integral to the redevelopment proposal. To support the City’s request for the realignment of

Ashland Avenue the Applicant is proposing a parking structure attached to the heritage building in order to mitigate the loss of on-site parking.

City staff has had discussions with the Applicant regarding the amount of surface that is proposed, and has encouraged them to consider a reduction in surface parking, given the context of the City's Climate Emergency initiative, City-wide study of reduced parking requirements, City's Rapid Transit project, and heritage considerations. To ensure the conservation and adaptive re-use of the McCormick Factory, staff support the proposed surface parking and realignment of the zone boundaries as this will support the rehabilitation and reuse the McCormick building. When Rapid Transit is in operation along Dundas Street, the applicant may re-examine the amount of surface parking. If the amount of parking is no longer needed, it recommended that future development opportunities to more efficiently use the land be pursued.

Proposed Rezoning of Block 4 from R1-2 to R4-3

The proposal includes street townhouses in the north portion of the site, adjacent to future extension of Gleeson Street. The Secondary Plan designates the lands Low-Rise Residential and provides policy direction for a transition between the existing low density residential forms in the surrounding community and the medium density forms planned for the majority of the Secondary Plan area south of Gleeson Street. Row houses or cluster houses may also be permitted subject to the policies the Secondary Plan, provided they do not exceed a maximum density of 30 units per hectare. The Applicant has requested to amend the zoning from R1-2 to R4-3 to permit the development of street townhouses. The proposed street townhouses would provide a transition between the established single detached neighbourhood to the north and the proposed medium density residential development that is proposed immediately south the extension of Gleeson Street. The proposed rezoning of Block 4 to Residential Zone 4 (R4-3) to permit street townhouse dwellings is in conformity with the McCormick Area Secondary Plan. Special provisions are recommended for minimum lot frontage and to discourage projecting garages. More detail is provided in Appendix F – Policy Context.

Increasing the Maximum Height for Block 2 Zoning

The proposal for Block 2 includes a long-term care facility and private park space along the frontage of the extension of the Gleeson Street. The Secondary Plan designates the lands Mid-Rise Residential, and permits continuum of care facilities, rest homes and homes for the aged, with a maximum height of four (4) storeys. The Applicant has requested that the maximum height for Block 2 zoning increase from 12 metres to 13.5 metres. This proposed change has been requested due to uncertainty about the final average finished grade on the site. The requested height increase will provide the prospective purchaser (Extendicare Canada Inc.) the flexibility required to ensure that their proposed building is designed to meet their unique needs while responding to the topographical challenges of the site (i.e. steep slope coming down from the Ashland Avenue). City staff is in agreement with the Applicant that requested height will not negatively impact the public realm or the surrounding properties. It is noted that the proposed height increase of 1.5 metres is not large enough to permit the proposed building to create an additional fourth storey, but would provide flexibility for building design. The requested amended is in conformity with the Secondary Plan.

Increasing the Maximum Height and Density for Block 3 Zoning

The proposal for Block 3 includes a seniors' apartment building on the east side of McCormick Boulevard, south of the proposed park fronting the extension of Gleeson Street. The Secondary Plan designates the lands Mid-Rise Residential, and permits continuum of care facilities, rest homes and homes for the aged, with a maximum height of four (4) storeys. As noted previously, this area of the site was pre-zoned to R6-5(41), and includes a special provision to allow senior citizen apartment buildings. The Applicant has requested that the maximum height for Block 3 zoning increase from 15 metres to 21 metres, and the maximum density to increase from 125 units per hectare to 150 units per hectare. These changes have been requested to increase the intensity

of development that would be permitted on Block 3. The Applicant has indicated that the height increase of 6 metres would allow two additional storeys for the future development proposal. In support of the requested height and density the Applicant has submitted justification that has been reviewed by the City.

City staff are not in agreement with this request, and note that the request for increased height and density is not consistent with the principles and land use designations of the Secondary Plan, which include Principle 2: Integration with Adjacent Neighbourhoods - transition uses, building heights, and densities to be compatible with those in surrounding neighbourhoods, Principle 4: Redefine Dundas Street - direct the highest development intensity within the Secondary Plan area towards Dundas Street to focus activity and support transit, Principle 5: Cultural Heritage Conservation - ensure the industrial heritage character within the Secondary Plan area is reinforced through sensitive and compatible design of new buildings. Transit Oriented Designation directs the tallest building heights and the highest intensity of residential uses in the Secondary Plan area to support future rapid transit service along Dundas Street.

Removal of Holding Provisions

The Zoning By-law Amendment that was submitted the Applicant requested that several of holding provisions that are currently on the lands be lifted. With recent changes to the *Planning Act* the ability to remove holding provisions has been delegated by Municipal Council to Civic Administration, and as such, it is no longer a requirement that requests to remove holding provisions to be brought forward for consideration and approval by Municipal Council. It has been communicated to the Applicant that City staff are now able remove the holding provisions administratively when the conditions have been satisfied. The Applicant has provided to the City a clearance letter from the Province as it relates to their Record of Site Condition. This satisfies the requirements for h-67, and the holding provision can be removed from the site.

4.6. Issue and Consideration #6 – Public Comments

As noted previously, there was one (1) e-mail received from the community in response to the Notice of Application that was sent on June 15, 2022 to property owners in the surrounding area, and that was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 16, 2022. The concern expressed by a member of the public relates to the proposed change in density on north portion of property. It is noted that the lands north of the extension of Gleeson Street that are identified as Block 4 on the Draft Plan are proposed to be street townhouses. This housing type is consistent with the Low-Rise Residential designation in the Secondary Plan and Neighbourhoods Place Type in *The London Plan* that are identified for this portion of the site. The street townhouses will provide a transition in the heights and densities that are proposed for the medium density residential development within Blocks 2 and 3 to better integrate with the adjacent established residential neighbourhoods.

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 the McCormick Area Secondary Plan. The proposed development will facilitate restoration and adaptive reuse of the McCormick's Factory building, a unique cultural heritage resource within the Secondary Plan area. 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. City staff are satisfied the proposal represents good planning and recommend approval.

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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
Matt Davenport, Manager, Development Engineering

September 26, 2022
GB/BP/MJ/

Z:\DEVELOPMENT SERVICES\4 - Subdivisions\2021\39T-21508 - 1156 Dundas Street (MJ)\02-Working\01-Draft
Approval\PEC\DRAFT 1156 Dundas Street - 39T-21508_Z-9524.docx

Appendix A

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 1156
Dundas Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The 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 October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 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 revise policy 1059_ within the Neighbourhoods Place Type, to The London Plan for the City of London to bring it into alignment with the policy framework of the McCormick Area Secondary Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1156 Dundas Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is generally consistent with the policies of the *Provincial Policy Statement, 2020*, it conforms to the in-force policies of *The London Plan* for the City of London, and are appropriate in order to facilitate the proposed Draft Plan of Subdivision. The recommended housekeeping amendment would align *The London Plan* policy 1059_ better with the direction of the Secondary Plan to ensure clearer interpretation of the Official Plan and to assist in implementing future development proposals.

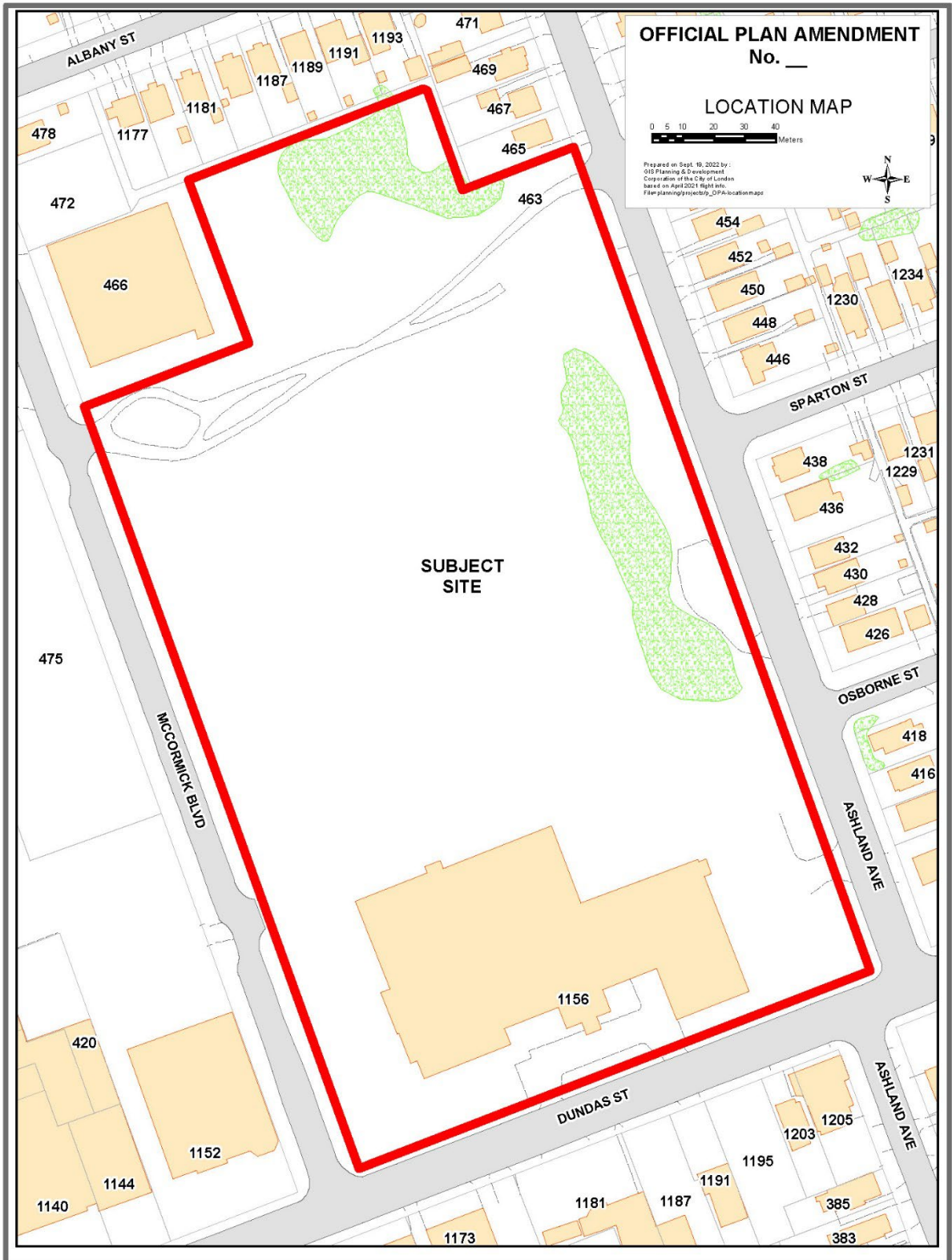
D. THE AMENDMENT

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

The London Plan is hereby amended as follows:

1. Policy 1059_ within the Neighbourhoods Place Type, to The London Plan for the City of London Planning Area is deleted in its entirety, and replaced with the following:

1059_ South of the extension of Gleeson Street between McCormick Boulevard and Ashland Avenue the uses within the Mid-Rise Residential designation may include cluster townhomes fronting on Gleeson Street. A maximum height of up to 4 storeys may be permitted on the subject site, consistent with the *McCormick Area Secondary Plan*, to provide a transition to existing neighbourhood to the east of Ashland Avenue. A western extension of Gleeson Street will be required to be constructed and dedicated at no cost to the City between Ashland Avenue and McCormick Boulevard to provide access to the subject site and to allow uses permitted under the Low-Rise Residential designation north of the western extension of Gleeson Street, consistent with the *McCormick Area Secondary Plan*. A park block with a minimum frontage and depth of 25 metres will be required to be dedicated to the City at the southeast corner of McCormick Boulevard and the future extension of Gleeson Street.



Appendix B

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

By-law No. C.P. ____

A by-law to amend the McCormick Area
Secondary Plan.

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 McCormick Area Secondary Plan for the City of London Planning Area, 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 October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 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 remove two segments of the “Potential Connection” identified on Schedule 1 “Community Structure Plan” of the McCormick Area Secondary Plan and add a new segment of the “Potential Connection” identified on Schedule 1 “Community Structure Plan”.
2. To revise policy 20.8.2.2 Connectivity within the Community Structure of the McCormick Area Secondary Plan to recognize the topography challenges of the McCormick Factory site (i.e. steep slope coming down from Ashland Avenue across the property), and to assist in implementing future development proposals.
3. To remove one segment of the “Future Publicly Accessible Connection” identified on Schedule 3 “Street Hierarchy” of the McCormick Area Secondary Plan and add a new segment of the “Future Publicly Accessible Connection” identified on Schedule 3 “Street Hierarchy”.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1156 Dundas Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is generally consistent with the policies of the *Provincial Policy Statement, 2020*, it conforms to the in-force policies of *The London Plan* for the City of London, and are appropriate in order to facilitate the proposed Draft Plan of Subdivision. The recommended housekeeping amendment would ensure clearer interpretation of the Secondary Plan and to assist in implementing future development proposals.

D. THE AMENDMENT

The McCormick Area Secondary Plan, 2015 is hereby amended as follows:

1. Schedule 1, Community Structure Plan, to the McCormick Area Secondary Plan is amended by changing the “Potential Connection” of those lands located 1156 Dundas Street in the City of London, as indicated on “Schedule 1” attached hereto to remove two segments of the “Potential Connection” extending west from Sparton Street between Ashland Avenue and McCormick Boulevard and extending west from Osborne Street between Ashland Avenue and McCormick Boulevard. A new segment of the “Potential Connection” will be added between Ashland Avenue and McCormick Boulevard.
2. 20.8.2.2 Connectivity within the Community Structure, to the McCormick Area Secondary Plan is deleted in its entirety, and

replaced with the following:

The McCormick Area Secondary Plan area is located between two well-established residential neighbourhoods. Their residential street patterns are considerably finer than that existing in the Secondary Plan area; opportunities should be explored to create new public connections to increase the walkability of the area.

The extension of Gleeson Street presents the best opportunity for creating a new public street connection, as there are currently no structures that would prevent the construction of this street extension. The creation of other east-west local streets as public connections, either in the form of public streets or public pathways, are also ideal opportunities to provide new linkages when the sites redevelop.

Better access to the northern extent of the Secondary Plan area can be gained by creating a publicly accessible connection from Dundas Street over the CP Rail corridor. This connection would create the opportunity to link to McCormick Park, the green space to the north. A pedestrian linkage would require an overpass to cross the rail corridor to create a safe connection.

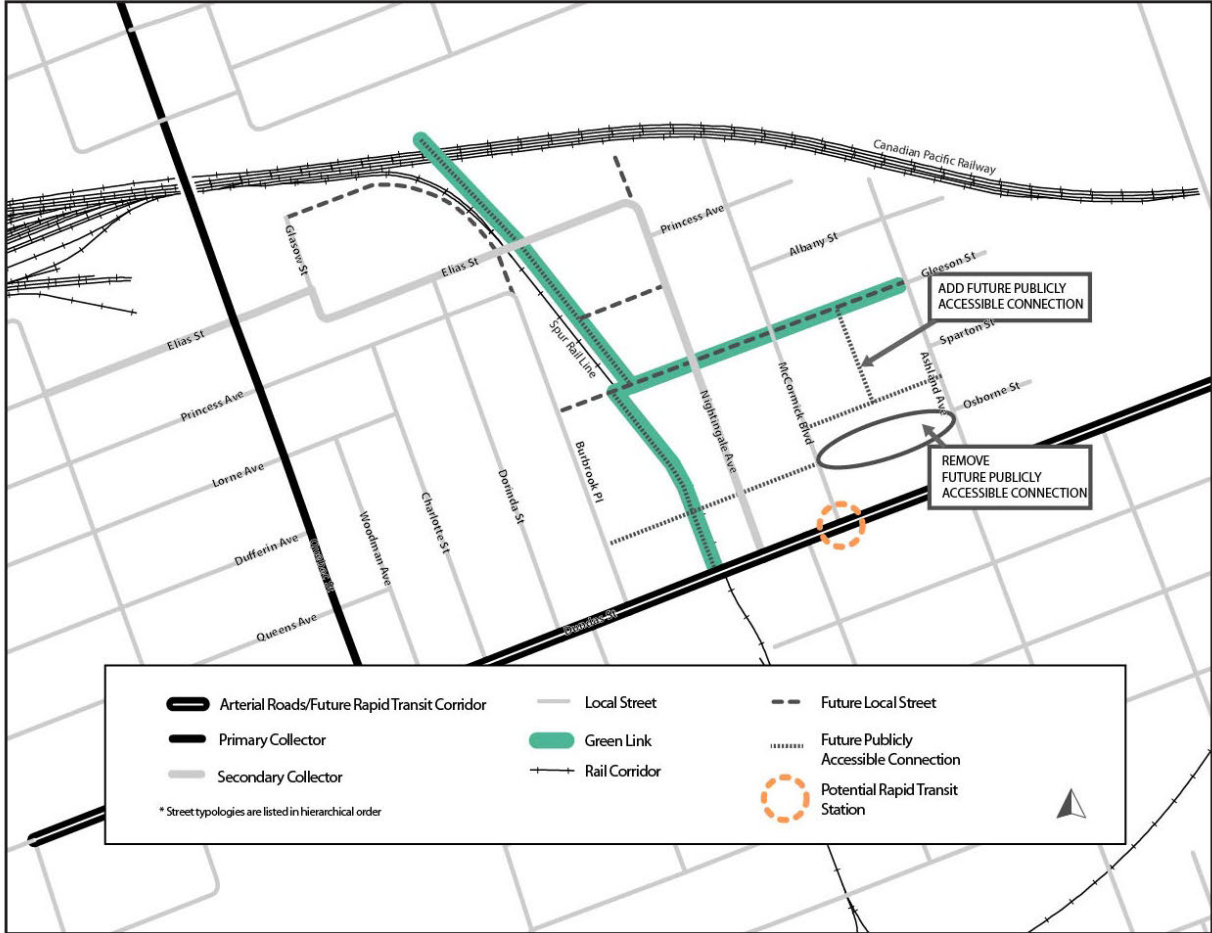
The intent of these connections should be maintained, however the exact location may be modified to accommodate new development as needed. Additional connections can be included even if not identified on Schedule 1.


3. Schedule 3, Street Hierarchy, to the McCormick Area Secondary Plan is amended by changing the “Future Publicly Accessible Connection” of those lands located 1156 Dundas Street in the City of London, as indicated on “Schedule 2” attached hereto to remove one segment of the “Future Publicly Accessible Connection” extending west from Osborne Street between Ashland Avenue and McCormick Boulevard. A new segment of the “Future Publicly Accessible Connection” will be added between Ashland Avenue and McCormick Boulevard.



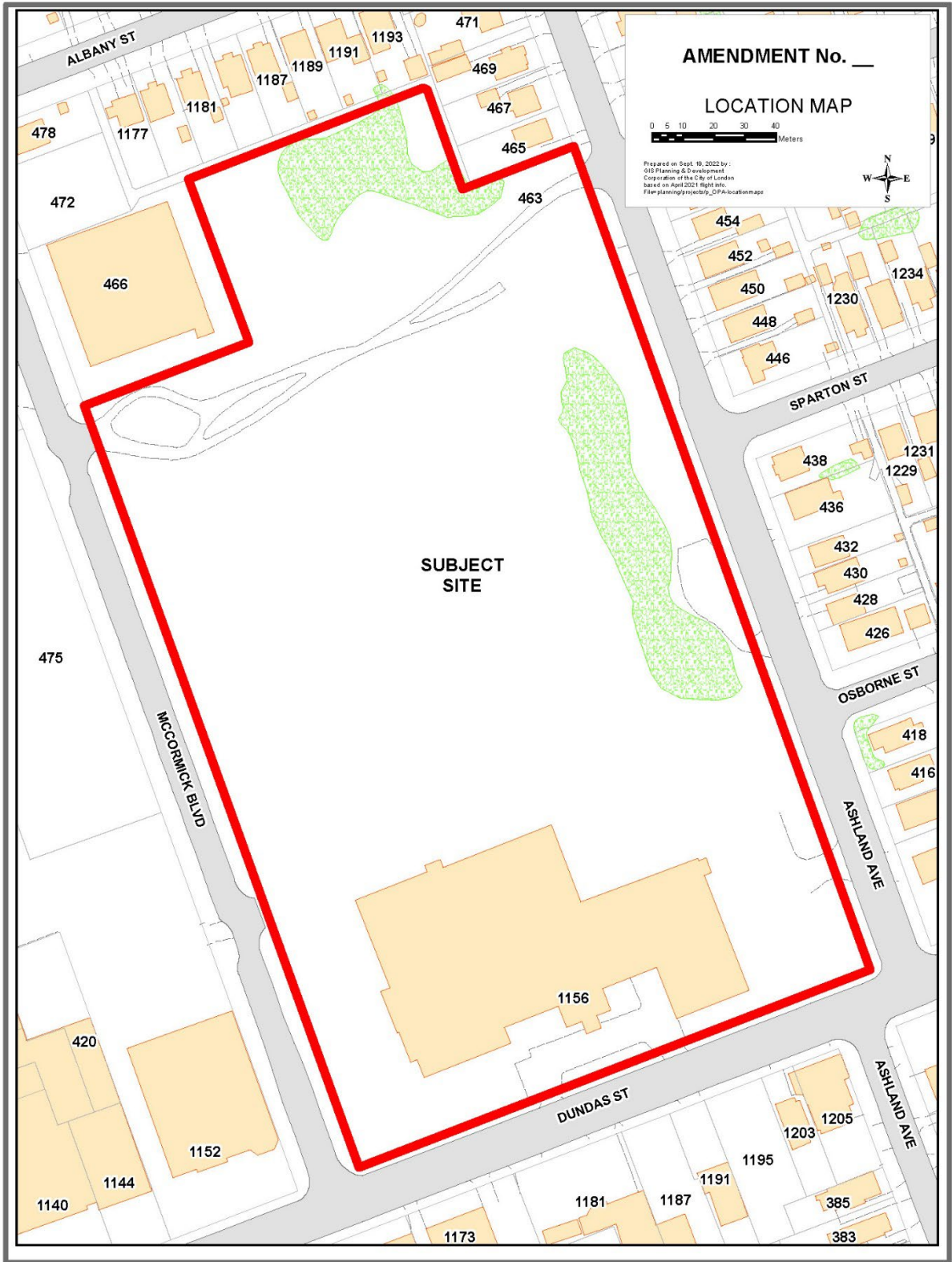
<p>CITY OF LONDON McCormick Area Secondary Plan AMENDMENT NO: __ PREPARED BY: Planning & Development</p>		<p>File Number: Z-9524/39T-21508 Planner: MJ Technician RC Date: 2022/9/14</p>
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<p>CITY OF LONDON McCormick Area Secondary Plan AMENDMENT NO: __ PREPARED BY: Planning & Development</p>		<p>File Number: Z-9524/39T-21508 Planner: MJ Technician: RC Date: 2022/9/14</p>
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Appendix C

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1156 Dundas Street.

WHEREAS McCormick Villages Inc. has applied to rezone an area of land located at 1156 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1156 Dundas Street, as shown on the attached map, **FROM** a Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, a Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, and an Open Space (OS1) Zone **TO** a Holding Business District Commercial Special Provision (h•h-5•h-100•h-120•h-149•h-204•h-205•h•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h-____•h-____•R6-5(41)•H13.5) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h-____•h-____•R6-5(41)•H15) Zone, a Holding Residential R4 Special Provision (h•h-5•h-100•h-202•h-203•h-205•h-____•h-____•R4-3()) Zone, and an Open Space (OS1) Zone
- 2) Section 3.8 of the Holding (h) Zones to By-law No. Z.-1 is amended by adding the following Holding Provisions:

h-()

Purpose: To ensure the Owner/Developer can demonstrate the existing municipal water system is adequate to support the proposed development and if fire flows required are larger than what is identified in Dillons revised report, it would be a responsibility of the developer to upsize any municipal watermain(s) necessary to meet the fire flow demands required for that development, all to the specifications and satisfaction of the City.

h-()

Purpose: To encourage street orientated development for the two medium density blocks, the Owner shall prepare a concept plan to demonstrate how the front façade of the buildings can be oriented towards public streets, parks and open spaces, which will be executed by a future development agreement for Blocks 2 and 3 prior to the removal of the "h-_" symbol.

h-()

Purpose: To ensure that access easements benefiting adjacent landowners be provided to protect the abutting landowners' access to the rear yards of the units, which will be executed by a future development agreement for Block 4 prior to

the removal of the “h-__” symbol.

- 3) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provision:

R4-3()

- a) Regulations
- i) Lot Frontage (minimum) 6.7 metres
 - ii) 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 e) of the Residential R6 Zone is amended by amending the following special provision to read as follows:

R6-5(41) 1156 Dundas Street

- a) Additional Permitted Uses:
- i) Continuum-of-Care Facility
 - ii) Retirement Homes
 - iii) Senior Citizen apartment buildings
- b) Regulations
- i) Parking Standard for Senior Citizen Apartment Building (Minimum) 0.25 spaces per unit
 - ii) Parking Standard for Cluster Townhouses (Minimum) 1 parking space per unit
 - iii) Parking Standard for Apartment Buildings (Minimum) 1 parking space per unit
 - iv) Density (Maximum) 125 units per hectare
 - v) Interior Side Yard Depth for Buildings adjacent to a Pathway Easement (Minimum) 1.5 metres

- 5) Section Number 25.4 of the Business District Commercial Zone is amended by amending the following special provision to read as follows:

BDC2(11) 1156 Dundas Street

- a) Additional Permitted Uses
- i) Senior Citizen apartment buildings
- b) Regulations
- i) Front Yard Depth 9 metres (29.5 feet) (Minimum)
 - ii) Building setback of 3.0 metres above the height of the building as existing on the date of the passage of this by-law
 - iii) Parking Standard for Office uses 1 parking space per 90m² (969 sq.ft)

- (Minimum)
- iv) Parking Standard for Senior Citizen Apartment Building 0.25 spaces per unit (Minimum)
- v) Parking Standard for Apartment Buildings 1 parking space per unit (Minimum)
- vi) Interior Side Yard Depth 1.5 metres For Buildings adjacent to a Pathway Easement (minimum) per hectare

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.

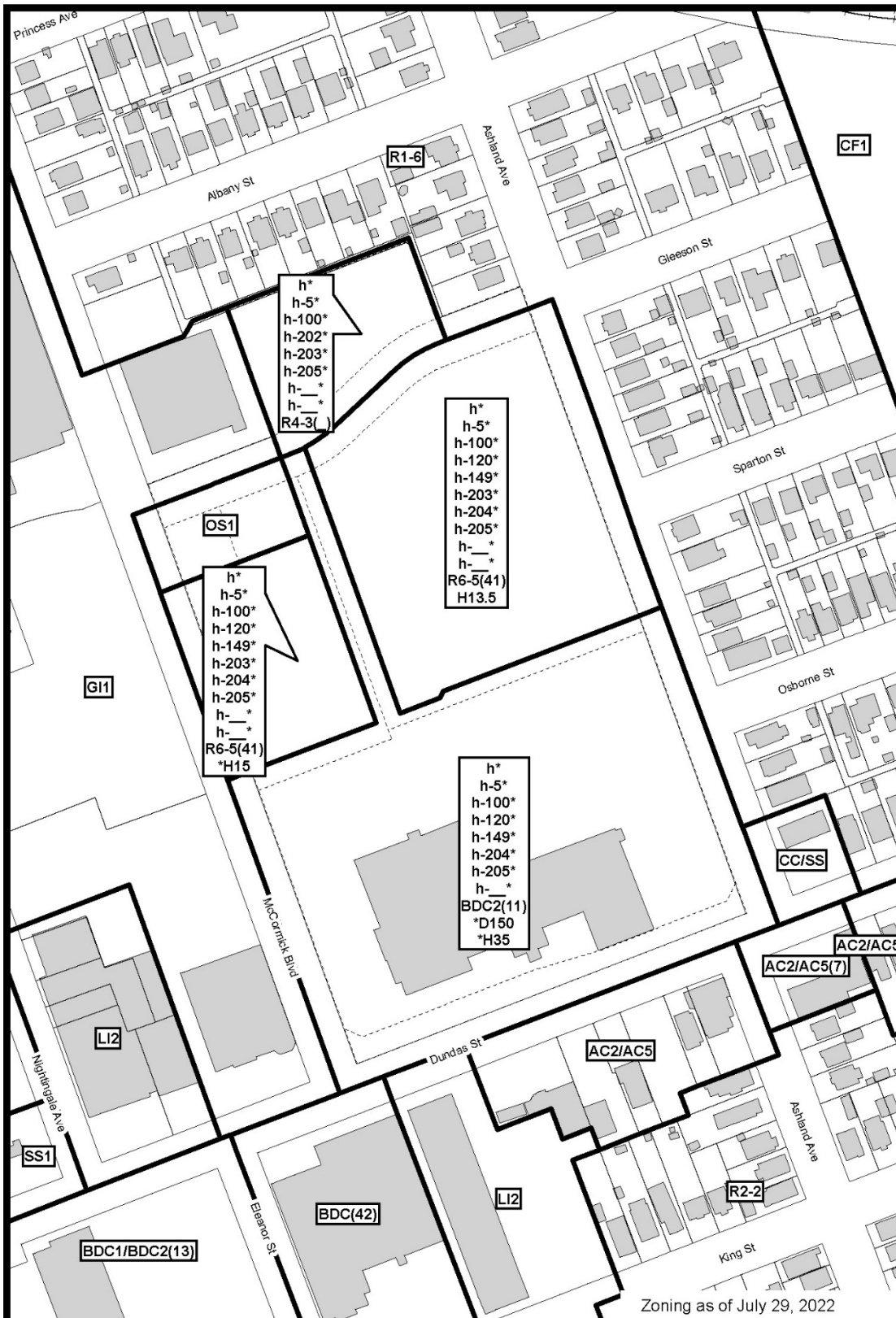
PASSED in Open Council on October 17, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2022
Second Reading – October 17, 2022
Third Reading – October 17, 2022

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



Zoning as of July 29, 2022

File Number: Z-9524/39T-21508
 Planner: MJ
 Date Prepared: 2022/09/13
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters 



Geodatabase

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-21508 ARE AS FOLLOWS:

NO.	CONDITIONS
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General

1. This draft approval applies to the draft plan submitted by McCormick Villages Inc., prepared by Dillon Consulting, certified by Terry Dietz, File No. 39T-21508, drawing no. 180204, **as red-line amended**, which shows a total of four (4) medium density residential blocks, one (1) park block, two (2) road widening blocks, one (1) road alignment block, served by the extension of Gleeson Street.
2. This approval of the draft plan applies for three (3) 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 engineering drawings submission, 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

11. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
12. In conjunction with the engineering drawings submission, the Owner shall submit a lotting plan which complies with all City standards and zoning regulations all to the satisfaction of the City.
13. In conjunction with the Focused Design Studies submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of the adjacent industrial uses. The noise study shall be prepared in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines. Any recommended noise attenuation measures are to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner, or may be incorporated into the subdivision agreement.
14. In conjunction with the engineering drawings submission, the Owner shall submit a landscape plan detailing the design of the pathway corridor including the alignment of the multi-use pathway, vegetation, benches and lighting to the satisfaction of the City.
15. In conjunction with the engineering drawings submission, the Owner shall submit for review a draft public use agreement and reference plan for the north-south and east-west multi-use public pathway corridor on Block 1 of this Plan. The agreement should describe, but not be limited, use, ownership, construction timing, maintenance, security and liability requirements for the pathway corridor.
16. At the time of registration of the plan of subdivision, the Owner shall enter into a public use agreement with the City for the north-south and east-west pathway corridor included in Block 1.

Heritage and Urban Design

17. In conjunction with the Focused Design Studies submission, the Owner will provide an updated Heritage Impact Assessment, completed to the satisfaction of the City to address the following:
 - i) Changes/updates to the Plan of Subdivision or proposed heights/densities since the last submission of the HIA;
 - ii) Adjacent heritage listed properties and potential impacts as a result of the build out of the blocks within the Subdivision;
 - iii) Comment on/prepare recommendations related to building design strategies for the blocks and their relationship to the existing factory;
 - iv) Re-affirm the requirement to amend the heritage designating by-law to accurately reflect the legal description of the property that contains the existing factory;
 - v) Address specific interim protections for the existing factory building and to recommend potential mitigation requirements for any potential impacts that may be experienced during construction of other phases or blocks; and,
 - vi) Identify additional technical heritage studies or permitting requirements for the adaptive re-use of the factory including but not limited to a Conservation Plan and Heritage Alteration Permit.
18. Prior to final approval of the subdivision, the Owner shall make application to the City to amend the heritage designating by-law for the rear portion of the subject property to accurately reflect the legal description of the property that is of cultural heritage value or interest.

19. In conjunction with the engineering drawings submission, the Owner shall provide conceptual block plans for the medium density blocks, detailing locations of buildings, parking areas, building orientation towards the public streets and open spaces, and other relevant information, to the satisfaction of City.
20. As part of Design Studies Submission, the Owner will show a "Green Link" corridor along the south side of the proposed Gleeson Street extension. The "Green Link" should be fully accommodated in the Gleeson Street road allowance.

Environmental and Parks

21. The Owner shall dedicate the Park Blocks as partial fulfillment of the required parkland dedication associated with this draft plan. The balance of parkland dedication shall be provided as cash-in-lieu consistent with the requirements of by-law CP-9.
22. Within one (1) year of registration of this plan, the Owner shall grade, service and seed all Park 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 shall not be used for stockpiling of any kind.
23. 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.

Engineering

Sanitary:

24. In conjunction with the engineering drawings submission, the Owner shall have their consulting engineer prepare and submit the following sanitary servicing design information:
 - i) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced through this draft plan to the satisfaction of the Deputy City Manager, Environment and Infrastructure;
 - ii) Provide clarification that the proposed zoning amendments and the respective changes in population, drainage area and the outlet(s) is compatible with accepted record drawings and drainage area plans. Any areas that are tributary are to be accommodated and routing and sewer extensions are to be shown such that they connect to their respective outlet locations. Any upgrades, if required, are to be at no cost to the City;
 - iii) Provide confirmation of all proposed build forms, lot fabric and layout and ensure that all street facing dwelling units meet municipal standards for narrow lot servicing and are individually serviced to the fronting sewer;
 - iv) Provide confirmation how all blocks are expected to be serviced including block 1 and provide an inventory of all existing storm and sanitary connections as no storm connections from existing McCormick Buildings are permitted to be directed to the sanitary sewer;
 - v) Propose a suitable routing for the sanitary sewer to be constructed through this plan. Further to this, the consulting engineer shall be required to provide an opinion for the need for an Environmental Assessment under the Class EA requirement for this sanitary trunk sewer; and
 - vi) 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.
- vii) 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.
25. 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 375mm (15inch) diameter sewer located on McCormick Boulevard ;
 - 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 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) Implementing all inflow and infiltration mitigation measures to meet allowable inflow and infiltration level as identified by OPSS 407 and OPSS 410 as well as any additional measures recommended in the hydrogeological report

Storm and Stormwater Management (SWM)

26. In conjunction with the Focused Design Studies, the Owner shall have their consulting engineer prepare and submit a Storm/Drainage and a SWM Servicing 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, including but not limited to major and minor storm flow routes and water quantity and quality controls for the subject land and those stormwater/drainage and SWM servicing works shall be design all 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) 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 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). The erosion and sediment control plan and monitoring program shall be developed with consideration for the sensitive downstream habitat and any recommendations associated to the habitat features, if any. Prior to any work on the 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 where applicable. Further, the Owner's Professional Engineer must inspect and confirm that the required erosion and sediment control measures are maintained and operated as intended during all phases of construction;

- vi) 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 must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply with the accepted Design Requirements for permanent Private Stormwater Systems.
 - viii) Provide an erosion/sediment control plan associated with any proposed LID features, if any, that will identify all erosion and sediment control measures to be used prior during and after the LID features are implemented. These measures shall be a component of the Functional Storm/Drainage Servicing Report along with any other identified erosion and sediment control measures for the site, all to the satisfaction of the City.
 - ix) Demonstrate that post-development major stormwater discharge flows from this plan and any identified external area can be contained within the proposed right-of-way throughout this plan and be safely conveyed to the intended outlet, including the evaluation of any required traffic calming measures. If major flows cannot be contained within ROWs, additional quantity storage shall be provided within the limits of this Plan all in accordance with the City's updated Stormwater Management Design Specifications and Requirements Manual (section 6.2.3).
 - x) Include rationale and calculations of representative lot level runoff coefficient values based on all anticipated impervious surfaces such as buildings and hardscaping to verify the proposed development meets approved "C" runoff coefficients.
27. 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.
28. The Owner shall have his professional engineer design and oversee the construction of the proposed storm/drainage to service the total catchment area, all to the satisfaction of the City and according to the recommendations and requirements of the following:
- i) The City's SWM criteria and the environmental targets for the Central Thames Subwatershed Study;

- ii) The Functional Storm/Drainage Servicing Report for the subject development demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off allocated by the City as part of the 2016 Infrastructure Renewal Program – Contract # 4 (AGM, 2017);
 - iii) The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
 - iv) The City’s Waste Discharge and Drainage By-Laws, lot grading standards, policies, requirements and practices;
 - v) The Ministry of the Environment, Conservation and Parks (MECP) Low Impact Development (LID) Stormwater Management Guidance Manual, and
 - vi) 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.
29. 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 stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to serve this plan, located within the Central Thames Subwatershed, and connect storm servicing to serve this Plan to the existing municipal storm sewer system, namely, the 750 mm diameter storm sewer located on McCormick Boulevard and 450 mm diameter storm sewer on Ashland Avenue.
30. In conjunction with the Focused Design Studies submission, the Owner shall have a professional engineer prepare a hydrogeological investigation and/or addendum/update to any existing hydrogeological investigation(s) based on the final subdivision design and as directed by the City’s Hydrogeologist Engineer, 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. Elements of the hydrogeological investigation may include, but are not to be limited to, the following:
- i) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;
 - ii) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features, if any;
 - iii) Completion of a water balance and/or addendum/update to any existing water balance for the proposed development to include the use of LIDs for any nearby natural heritage feature, if any, as appropriate;
 - iv) 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;
 - v) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
 - vi) Confirmation that allowable inflow and infiltration levels have been met as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of

- the sanitary sewers and recommend additional measures, if any, which need to be undertaken, all to the satisfaction of the City;
- vii) Evaluation of construction related impacts and their potential effects on local significant features, if any;
 - viii) Development of appropriate short-term and long-term monitoring plans (if applicable);
 - ix) Development of appropriate contingency plans (if applicable) in the event of groundwater interference related to construction.
 - x) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
 - xi) identify any abandoned wells in this plan
 - xii) any fill required in the plan
 - xiii) provide recommendations for foundation design should high groundwater be encountered
 - xiv) address any contamination impacts that may be anticipated or experienced as a result of the said construction
 - xv) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
31. 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 hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
32. Should the Owner be considering the use of LIDs on this plan of subdivision to manage water quality in lieu of any other alternatives such as OGSs etc., their consultant and Qualified Person must ensure that no groundwater contaminants are mobilized as a result of the incorporation of LID strategies. As a result, any proposed LID for the site, as part of the first phase of this subdivision and subsequent development applications for Blocks 2, 3 and 4, shall not be designed for infiltration. Please refer to Section 6.0 of the City of London Design Standards for guidance on LID implementation and design.
33. In conjunction with the first submission of engineering drawings, the Owner's consulting Professional Engineer shall submit, a Monitoring and Operational Procedure Manual (if applicable) for the maintenance and monitoring program for each of the SWM features within this plan (i.e., LIDs, OGSs, etc.) or within each of the identified phases/stages of development, 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 shall 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.
34. Following construction and prior to the assumption of the stormwater management features, if any, the Owner shall complete the following at no cost to the City, and all to the satisfaction of the City:
- i) Operate, maintain and monitor of any SWM Features 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 monthly monitoring reports (beginning March 1st to November 1st in a calendar year) in accordance with the approved maintenance and monitoring program and the City's "monitoring and Operational Procedure for Stormwater Management Facilities" to the City.

Watermains

35. 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 residential/development Blocks from the low-level water distribution system;
 - iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
 - iv) Include modeling as per section 7.14 of the City Design Standards as well as 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) Provide a servicing concept acceptable to the City Engineer for any proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services is being achieved.
36. The Owner acknowledges that future calculations and water modeling will be required at site plan stage for each block to identify the actual fire flows required for that proposed development, to the satisfaction of the City. These fire flows shall not exceed the maximum fire flows identified in Dillons revised Water Servicing Memo dated June 24, 2022.
- If fire flows required are larger than what is identified in Dillons revised report, it would be a responsibility of the developer to upsize any municipal watermain(s) necessary to meet the fire flow demands required for that development, all to the specifications and satisfaction of the City.
37. In accordance with City standards, or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:

- i) Construct watermains to serve this Plan and connect the proposed watermains to serve this Plan to the existing low-level municipal system, namely the existing 300 mm diameter watermain on McCormick Boulevard, the existing 300 mm diameter watermain on Dundas Street, and the 150 mm diameter watermain on Ashland Avenue.
 - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the Deputy City Manager, Environment and Infrastructure when development is proposed to proceed beyond 80 units;
 - iii) 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;
38. 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

39. 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.
40. 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 m 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 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.

New Special conditions

41. The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
- i) Gleeson Street has a minimum road pavement width (excluding gutters) of 7.5 metres with a minimum road allowance of 20 metres.
42. 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.

43. In conjunction with the first submission of engineering drawings, the Owner shall comply with the Complete Streets Manual to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
44. In conjunction with the first submission of engineering drawings, the Owner shall provide details of the closure and restoration of the boulevard for the existing accesses to Dundas Street, to the satisfaction of the City, at no cost to the City.

Sidewalks

45. In conjunction with the first submission of engineering drawings, the Owner shall provide details of a 1.5 metre (5') sidewalk on both sides of Gleeson Street. A 2.5m boulevard width (back of curb to sidewalk) shall be provided.
46. In conjunction with the first submission of engineering drawings, the Owner shall provide details of a 1.5 metre (5') sidewalk on the east side of McCormick Boulevard. A 2.5m boulevard width (back of curb to sidewalk) shall be provided.
47. In conjunction with the first submission of engineering drawings, the Owner shall provide details of a 1.5 metre (5') sidewalk on the west side of Ashland Avenue. A 2.5m boulevard width (back of curb to sidewalk) shall be provided.

Street Lights

48. 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.
49. 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.
50. In conjunction with the first submission of engineering drawings, the Owner shall provide details of temporary street lighting at the intersection of Gleeson Boulevard and McCormick Boulevard, and Gleeson Boulevard and Ashland Avenue, to the specifications of the City, at no cost to the City.

Boundary Road Works

51. In conjunction with the first submission of engineering drawings, the Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
52. In conjunction with first submission of engineering drawings, the Owner shall provide a pavement marking plan, to include all turn lanes, etc., if necessary, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
53. The Owner shall red-line the draft plan of subdivision to identify the Ashland Avenue realignment to be constructed by the City, to the satisfaction of the City.
54. The Owner shall convey the Ashland Avenue right-of-way, to the City, at no cost to the City, or to the satisfaction of the City.
55. In conjunction with the first submission of engineering drawings, the Owner shall red-line the Plan to realign Ashland Avenue as per the City's design, all to the satisfaction of the City.
56. The Owner shall not develop Blocks 1 until Ashland Avenue is realigned to it's ultimate profile and is constructed to ultimate.

57. The Owner shall provide a temporary working easement along the Dundas Street and Ashland Avenue road frontages of Block 1 in order to allow for the reconstruction of Dundas Street and Ashland Avenue, which shall be released by the City when it is no longer needed, at no cost to the City.
58. The Owner shall convey the Dundas Street right-of-way widening, to the City, at no cost to the City.
59. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Ashland Avenue and Dundas Street. The Owner shall co-operate with the City, as necessary, to complete the project, including providing access to their lands and easements as necessary.
60. In conjunction with the first submission of engineering drawings, the Owner shall identify minor boulevard improvements on Dundas Street, McCormick Boulevard and Ashland Avenue 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.

Road Widening

61. The Owner shall be required to dedicate sufficient land to widen Dundas Street to 24.0 metres from the centreline of the existing road allowance.
62. The Owner shall be required to dedicate sufficient land to widen Ashland Avenue to 10.75 metres from the the future centreline road once Ashland Avenue has been realigned, to the satisfaction of the City.
63. The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the major intersections of Dundas Street and McCormick Boulevard and Dundas Street and Ashland Avenue as per Zoning-By-law Z1 Section 4.21.1, to the satisfaction of the City.
64. The Owner shall be required to dedicate 3.0 m x 3.0 m "daylighting triangles" at Gleeson Street and McCormick Boulevard and at Gleeson Street and Ashland Avenue, to the satisfaction of the City.

Vehicular Access

65. The Owner shall ensure that no vehicular access will be permitted to Block 1 from Dundas Street.
66. The Owner shall restrict access to Block 1 by establishing blocks for a 0.3 metre reserve along the entire Dundas Street frontages, to the satisfaction of the City.
67. The Owner shall restrict access to Block 1 by establishing block for a 0.3 metre reserve along McCormick Boulevard from the centreline of Dundas Street 75 metres northerly, to the satisfaction of the City.
68. The Owner shall restrict access to Block 1 by establishing a 0.3 metre reserve along the west side of Ashland Avenue to Osborne Street, to the satisfaction of the City.

Traffic Calming

69. In conjunction with the first submission of engineering drawings, the Owner shall identify and install the following traffic calming measures along the neighbourhood street road network:
 - Traffic Calming shall be provided on Gleeson Street in the form of speed cushions as per City standards, spaced at 100m, avoiding maintenance covers and intersections to the satisfaction of the Deputy City Manager, Environment and Infrastructure. Coordination with Traffic Calming staff required trafficalming@london.ca.

The traffic calming measures selected for these locations are subject to the approval of the Transportation Planning & Design Division and are to be designed and constructed to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

Construction Access

70. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize McCormick Boulevard via Dundas Street or other routes as designated by the City.

General

71. 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.
72. 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.
73. 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.
74. 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.
75. 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".
76. 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.)
77. 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.
78. 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.
79. 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.

80. 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.
81. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
82. 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.

83. 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.
84. In conjunction with the Focused Design Studies 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.
85. In conjunction with the Focused Design Studies 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.

New Special conditions

86. In conjunction with the Focused Design Studies submission, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
 - i) servicing, grading and drainage of this subdivision
 - ii) road pavement structure
 - iii) dewatering
 - iv) foundation design
 - v) removal of existing fill (including but not limited to organic and deleterious materials)
 - vi) the placement of new engineering fill
 - vii) any necessary setbacks related to slope stability for lands within this plan
 - viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,

- ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability 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.
 - # 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.
87. In conjunction with the first submission of engineering drawings, the Owner shall implement all geotechnical recommendations to the satisfaction of the City.
 88. 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 the specifications and satisfaction of the City.
 89. The Owner shall have the common property line of Dundas Street, McCormick Boulevard and Ashland Avenue graded in accordance with the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
 90. The Owner shall have it's geotechnical engineer provide a Record of Site Condition prior to the issuance of a Certificate of Conditional Approval in accordance with the latest "Guidelines for Use at Contaminated Sites in Ontario", established by the Ministry of the Environment. The Record of Site Condition shall include "Affidavit of Consultant" which summarizes the site assessment and restoration activities carried out at a contaminated site up to the property line. Should the site be free of contamination, the geotechnical engineer shall provide certification to this effect to the City.
 91. Should the required hydrogeological and/or the geotechnical investigations confirm the presence of any existing contaminates within this Plan, then prior to the registration of this Plan, the Owner shall complete the following with respect to the remediation, removal and disposal of contaminates within the proposed Streets, Lots and Blocks in this Plan in accordance to provincial regulations and with the satisfaction of the Deputy City Manager, Environment and Infrastructure at no cost to the City:
 - i) Have his professional engineer incorporate into the engineering drawings for this Plan, all recommendations in the accepted hydrogeological and/or geotechnical reports in regard to contaminates, and submit these drawings to the City for review and acceptance;
 - ii) Enter into a subdivision agreement with the City, with appropriate securities provided to the City, addressing the remediation and/or removal (and disposal) of all existing contaminates that may be anticipated and/or experienced as a result of existing conditions and/or the proposed construction;
 - iii) Implement the recommendation(s) to remediate, removal and/or disposal of any contaminates within the proposed Streets, Lots and Blocks in this Plan under the supervision of the geotechnical engineer, in accordance with the in the accepted hydrogeological and/or geotechnical reports and accepted drawings;
 - iv) Have his geotechnical engineer certify to the City that the proposed Streets, Lots and Blocks within this Plan are free of contamination in accordance with the accepted hydrogeological and/or geotechnical reports and accepted drawings; and
 - v) Have his geotechnical engineer prepare a report that summarizes the site assessment and restoration and/or removal activities carried out at the contaminated site within this Plan and containing a "Schedule A – Record of Site Condition" including an "Affidavit of Consultant" in accordance with the requirements of latest Ministry of Environment "Guidelines for Use at Contaminated Sites in Ontario" and file appropriate documents to the Ministry in this regard with copies provided to the City.

92. 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.
93. In conjunction with the first submission of engineering drawings, the Owner shall identify any adjustments to the existing works and services on streets surrounding this Plan, adjacent to this plan to accommodate the proposed works and services for this Plan (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.
94. Should Commercial, Industrial or Institutional blocks exist within this plan of subdivision, the Owner shall either register against the title of Blocks in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the Deputy City Manager, Environment and Infrastructure.
95. In conjunction with the first submission of engineering drawings, the Owner shall provide all details of any noise walls located within this Plan, all to the specifications and satisfaction of the City.

Appendix E – Public Engagement

Community Engagement

Public Liaison: On June 15, 2022, Notice of Application was sent to 145 property owners in the surrounding area. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 16, 2022. A Notice of Public Meeting was sent out on September 14, 2022 and published in *The Londoner* on September 15, 2022. A Planning Application Sign was also erected on the subject site. A Notice of Application was sent out to internal stakeholders previous to this on December 17, 2021 dealing only with proposed Draft Plan of Subdivision.

Nature of Liaison: The purpose and effect of this application is to 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: 1156 Dundas Street

The purpose and effect of the draft plan of subdivision and zoning by-law amendment would be the creation of residential subdivision. Consideration of a draft plan of subdivision with one (1) medium density residential/commercial block, three (3) medium density residential blocks, one (1) park block, one (1) future road block, and one (1) road reserve block; serviced by the extension of Gleeson Street. Possible amendment to Zoning By-law Z.1 **FROM** a Holding Business District Commercial (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•H35•D150) Zone; a Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone; a Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone; a Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone; and an Open Space (OS1) Zone **TO** a **Holding Business District Commercial (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•H35•D150) Zone (Block 1)** to permit animal hospitals, apartment buildings, with any or all of the other permitted uses on the first floor, bake shops, clinics, commercial recreation establishments, commercial parking structures and/or lots, converted dwellings, day care centres, dry cleaning and laundry depots, duplicating shops, emergency care establishments, existing dwellings, financial institutions, grocery stores, laboratories, laundromats, libraries, medical/dental offices, offices, personal service establishments, private clubs, restaurants, retail stores, service and repair establishments, studios, video rental establishments, lodging house class, cinemas, brewing on premises establishment, food store, animal clinic, convenience store, post office, convenience service establishments, dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses, in the front portion of the ground floor, bed and breakfast establishments, antique store, police stations, artisan workshop, craft brewery, assembly halls, places of worship, community centres, funeral homes, institutions, schools, fire halls, together with a special provision for additional permitted uses: senior citizen apartment buildings, and minimum front yard depth of 9 metres, building setback of 3.0 metres above the height of the building as existing on the date of the passage of this by-law, parking standard for office uses of minimum 1 parking space per 90 m², parking standard for senior citizen apartment buildings of minimum 0.25 spaces per unit, parking standard for apartment buildings of minimum 1 parking space per unit, and maximum density of 150 units per hectare and maximum height of 35 metres; a **Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H13.5) Zone (Block 2)** to permit single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, fourplex dwellings, together with a special provision for additional permitted uses: continuum-of-care facility, retirement homes, and senior citizen apartment buildings, and parking standard for senior citizen apartment buildings of minimum 0.25 spaces per unit,

parking standard for cluster townhouses of minimum 1 parking space per unit, parking standard for apartment buildings of minimum 1 parking space per unit, and maximum density of 125 units per hectare and maximum height of 13.5 metres; a **Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H21•D150) Zone (Block 3)** to permit single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, fourplex dwellings, together with a special provision for additional permitted uses: continuum-of-care facility, retirement homes, and senior citizen apartment buildings, and parking standard for senior citizen apartment buildings of minimum 0.25 spaces per unit, parking standard for cluster townhouses of minimum 1 parking space per unit, parking standard for apartment buildings of minimum 1 parking space per unit, and maximum density of 150 units per hectare and maximum height of 21 metres; a **Holding Residential R4 (h-67•h-202•h-203•h-205•R4-3) Zone (Block 4)** to permit street townhouse dwellings on lots with a minimum lot area of 200 square metres and minimum lot frontage of 5.5 metres per unit; and an **Open Space (OS1) Zone (Park Block)** 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 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.

Responses: One (1) email response was received. A summary of the comments received include the following:

- Concern with proposed changes in density on northerly portion of property.

Telephone	Written
	Mike Kaye 1187 Albany Street

[EXTERNAL] 1156 Dundas Zoning Application



To: Johnson, Mark

You replied to this message on 6/30/2022 7:52 AM.

I'm sending this email in regards to the application to the rezoning for the McCormick property at 1156 Dundas street. As a resident and a stakeholder to this proposed development and rezoning, I would like express my opposition to this new proposal. Back in 2016/17 all this was already decided after public meetings and consultation taking into account the various views and interests of the stakeholders. For this to come about again which includes a change from a low density to medium density in a key north part of the property fills me with a sense of indignation.

Sincerely,
Mike Kaye
1187 Albany Street
London, Ontario
N5W 3L6

Significant Agency / Departmental Comments

CP Rail – June 30, 2022

Good Afternoon,

RE: Comments on File 39T-21508 & Z-9524, within 500m of CP Rail line

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of

Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

CP recommends that the below condition be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the proposed building(s):

“Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of-way and/or yard.”

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Thank you,

CP Proximity Ontario



CP Proximity Ontario
CP_Proximity-Ontario@cpr.ca
7550 Ogden Dale Road SE, Building 1
Calgary AB T2C 4X9

CN Rail – June 30, 2022

Hello Mark,

Thank you for consulting CN on the application mentioned in subject. CN has concerns of developing/densifying residential uses in proximity to railway right-of-way. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. Please refer to CN's guidelines for the development of sensitive uses in proximity to railways. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities.

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. 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 1000m of the railway right-of-way:
3. “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.”

4. 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 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.
5. 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.
6. 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 CN development guidelines.

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

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

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

London Advisory Committee on Heritage – February 9, 2022

b) M. Johnson, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage (LACH) does not object to the conclusions and recommendations of the Heritage Impact Assessment (HIS), dated September 27, 2021, from Zelinka Priamo Ltd., with respect to the McCormick’s Biscuit Company located at 1156 Dundas Street; it being noted that the proponent is encouraged to attend a meeting of the LACH early in the site design process to ensure meaningful consultation on the adaptive reuse of the former McCormick Biscuit Factory structure; it being further noted that the Notice of Planning Application, dated December 17, 2021, from M. Johnson, Senior Planner, with respect to a Notice of Planning Application related to a Draft Plan of Subdivision for the property located at 1156 Dundas Street, and the above-noted HIS, were received;

Summary of Department Comments Draft Plan of Subdivision and Zoning By-law Amendment 1156 Dundas Street 39T-21508

The following is a summary of the comments received by the respective service areas/agencies in response to the above noted application. It is noted that these comments do not necessarily reflect the final planning recommendation on the proposal.

PLANNING AND DEVELOPMENT - URBAN DESIGN (July 2022):

- Urban design staff are not in support of the proposed ZBA for 1156 Dundas St as the zoning boundary change is not conducive to a site plan that is consistent with

the McCormick Area Secondary Plan [MASP] and more broadly The London Plan [TLP].

Below are outstanding urban design comments that have yet to be demonstrated in the concept plan to support any zoning by-law amendment to 1156 Dundas St that is consistent with MASP.

- This site is located within the Council approved McCormick Area Secondary Plan [MASP], and Rapid Transit Place Type in The London Plan [TLP]. In accordance with the policies in MASP and TLP, the following built form and site layout policies apply.
- The [MASP 20.8.4.4(v)(i)], encourages parking areas to incorporate mid-block connections that facilitate public access. Mid-block connections are not demonstrated between Blocks 1, 2 and 3. Pedestrian/vehicular linkages should be established throughout the site. Other than the extension of Gleeson St, the site should provide pedestrian and/or vehicle permeability with the use of delineated/shared walkways and laneways.
- An appropriate block structure to make efficient use of land should be proposed of varying typologies that would allow for a much denser and street-oriented development.
- Provide an east/west linkage from Sparton St and/or Osborne Street as per [MASP Schedule 1] to continue the established community street layout and provide opportunities for new accessible pedestrian built frontages.
- Provide a public right of way or private laneway that is publicly accessible and functions like a public street with pedestrian sidewalks.
- Additionally, mid-block connections are encouraged through parking facilities that may be private but provide public access [MASP (20.8.4.4 (v)(i))].
- The proposed parking shown in the provided concept plan is immense with surface parking with long portions abutting public roads (Ashland Ave, Gleeson St and McCormick Blvd) and should be minimized [TLP 272].
- Reduce the visual impact of parking, make efficient use of land, to provide for outdoor amenity space, and promote active uses on street-facing facades, parking for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings should be located underground or integrated within the building design [TLP 275].
- The proposed buildings should respond to the established pattern of streetscape entrances and frontages [TLP 252, 253], [MASP 20.8.4.6 (v)(d)].
- Ensure the proposed buildings are sympathetic to the established setbacks and rhythm of entrances within the existing context of the area. Further seek to establish a continuous streetwall along Ashland Ave, Gleeson St and McCormick Blvd to create a sense of enclosure and comfortable pedestrian environment [TLP 841_2].
- Break up the building massing on Block 3 to establish a laneway connection from McCormick Blvd and locate additional massing to frame the Park Block and Gleeson Street to establish a streetwall and screen surface parking.
- The site area within the Transit-Oriented designation should implement a built form that supports the pedestrian streetscape throughout [MASP 20.8.4.4(v)(b)].
- Provide built frontages along Ashland Ave and Gleeson St to extend the pedestrian streetscape from Dundas St while minimizing surface parking.
- Ensure safe pedestrian circulation and connections throughout the surface parking to the proposed buildings.
- Design any large surface parking lots with areas dedicated for pedestrian priority to ensure safe pedestrian connectivity throughout the site [TLP 281]. The proposal should demonstrate pedestrian, bicycle linkages from the residential areas within the site to the public streets.

PLANNING AND DEVELOPMENT - HERITAGE PLANNING (July 2022):

1. Overview

The property at 1156 Dundas Street is located on the north side of Dundas Street between McCormick Boulevard and Ashland Avenue. The property is designated pursuant to Part IV of the Ontario Heritage Act per designating by-law L.S.P.-3441-366, which came into force and effect on November 11, 2014. The building on the property includes the former McCormick's Factory.

2. Heritage Impact Statement (HIS)

A Heritage Impact Statement (Zelinka Priamo Ltd., *Heritage Impact Statement, McCormick's Biscuit Company – 1156 Dundas Street, September 27, 2021*) was submitted as a part of the complete application requirements for this Draft Plan of Subdivision. The HIS was prepared by Zelinka Priamo Ltd. on behalf of the property owners to support the application. The primary purpose of an HIS (or Heritage Impact Assessment) is to assess the potential impacts of a proposed development on to designated and/or listed heritage properties, and if needed, recommend appropriate mitigation measures.

The proposed Plan of Subdivision, as described in the HIA, includes the subdivision of the existing property into a proposed four blocks, including a with residential and commercial uses. At this stage, no physical changes are proposed to the subject property, which includes the existing McCormick's Factory.

3. Assessment of Impact – Comments and Summary

The following includes the key points identified within the HIS:

- No physical changes are proposed to the subject lands or the existing McCormick's Factory at this stage;
- Any future development that result in physical changes to the lands, including the McCormick's Factory will required additional heritage studies;
- The heritage designating by-law for the property may require technical amendment following the approval of a Draft Plan of Subdivision for the property;
- The subject lands are also adjacent to eight properties that are listed on the Register of Cultural Heritage Resources;
- The proposed Plan of Subdivision will conserve the property's cultural heritage value and interest;
- There are no exterior changes proposed to the exterior heritage attributes of the former McCormick's Factory at this time;
- At this time, the eight heritage listed properties will not be negatively impacted by the proposal;
- The McCormick's Factory will maintain its prominent location along Dundas Street and will continue to be a contributing property to the streetscape. The views to the existing building within the immediate area will remain unobstructed as the proposed development is at the rear of the property.

The HIS concludes: "It is our opinion the proposed Plan of Subdivision will not negatively impact the preservation of the property's cultural heritage value and attributes. At this stage, there are no physical changes proposed to the subject lands, which includes exterior changes to the existing McCormick's factory building. Any concept plans are preliminary and are subject to further heritage studies through the Site Plan Approval process."

4. Recommendations and Conclusions

Heritage staff strongly encourage the continued retention of the existing McCormick's Factory on the property at 1156 Dundas Street as a part of any planning application for the property. The applicant is also encouraged to consider the following recommendations to assist in the sensitive and compatible development of the subject property:

- The conceptual designs shown in the proposed application includes a vast amount of surface parking located immediately within the vicinity of the existing McCormick’s factory building which is the subject of the heritage designation for the property at 1156 Dundas Street. Reducing surface parking to allow for outdoor amenity space may ease the transition from the existing heritage building to any new development on the property.
- As a new development on a heritage-designated property, new buildings or construction on the property should be designed to be sympathetic and compatible with the existing heritage resource on the property. The applicant is encouraged to consider design strategies that sensitively integrate the new development with the existing heritage resource on the property. Attention to details such as height, scale, massing, material finishes, and architectural detailing could be utilized to conceptually integrate the new development with the existing McCormick’s Factory.
- Any development on the property should continue to highlight the McCormick’s Factory’s prominence on the existing property and its streetscape context, as well as seek opportunities to preserve and enhance its cultural heritage value.
- As noted within the HIS, additional planning applications and proposed physical changes to the subject property will require additional heritage studies, including, but not limited to an updated Heritage Impact Assessment, a Heritage Alteration Permit, and/or a Conservation Plan to ensure that the proposed development is compatible with the cultural heritage value of the property as well as to facilitate the appropriate conservation and adaptive re-use of the McCormick’s Factory. The LACH should continue to be consulted on planning applications related to the subject property.

PLANNING AND DEVELOPMENT - NATURAL HERITAGE (July 2022):

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.

PARKS PLANNING AND DESIGN (July 2022):

- Parks Planning and Design has reviewed the submission for the above noted plan of subdivision and offers the following comments:
- Parkland dedication for this development is required. PP&D does not require the dedication of land for park purposes in this plan of subdivision and the required parkland dedication will be satisfied through the payment of cash-in-lieu of parkland.
- The 0.06 park block as shown on the submitted concept plan is undersized and does not meet the City of London Design Specifications and Requirements Manual and the Contract Documents Manuals requirements. This Park block will not be accepted as parkland dedication and would be required to be developed privately in conjunction with an abutting development through the site plan approval process.
- As per the McCormick Area Plan a “Green Link” corridor is require along the south side of proposed Gleeson Street extension. The “Green Link” prioritize active transportation modes, including cyclists and pedestrians, and are ideal locations for multi-use trails. The “Green Link” corridor should be fully accommodated in the Gleeson Street road allowance. If there is insufficient space to incorporate the multi-use pathway in the road allowance, park land dedication could be considered to achieve this.

SUBDIVISION ENGINEERING (August 2022):

Please find attached the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions

represent the consolidated comments of Planning and Development, the Transportation Planning and Design Division, the Sewer Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

Zoning By-law Amendment

Planning and Development and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed 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. A holding provision until such time as the Owner can demonstrate whether the existing municipal water system is adequate to support the proposed development and if fire flows required are larger than what is identified in Dillon's revised report, it would be a responsibility of the developer to upsize any municipal watermain(s) necessary to meet the fire flow demands required for that development, all to the specifications and satisfaction of the City.
4. A holding provision is implemented on Block 1 until Ashland Avenue has been realigned and constructed

Required Revisions to the Draft Plan

Note: Revisions are required to the draft plan as follows:

- i) Red-line the plan to identify the realignment of Ashland Avenue intersection with Dundas Street as identified by the City project
- ii) Relocate 0.3 metre reserve to be on the north side of the road widening Block, Block 5
- iii) Add 0.3 metre reserve on McCormick Avenue from the centreline of Dundas Street to 75 metres north
- iv) Add 0.3 metre reserve on the west side Ashland Avenue to Osborne Street
- v) Dedicate 6.0 m x 6.0 m "daylighting triangles" at the major intersections of Dundas Street and McCormick Boulevard and Dundas Street and Ashland Avenue as per Zoning-By-law Z1 Section 4.21.1, to the satisfaction of the City.
- vi) Dedicate 3.0 m x 3.0 m "daylighting triangles" at Gleeson Street and McCormick Boulevard and at Gleeson Street and Ashland Avenue, to the satisfaction of the City.
- vii) Identify all road widenings as per the Conditions, to the satisfaction of the City.
- viii) 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.
- ix) 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.

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: promoting efficient development and land use patterns; accommodating an appropriate range and mix of residential, employment, institutional, recreation and park and open space uses to meet long-term needs; avoiding development or land use patterns which may cause environmental or public health and safety concerns; integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning is promoted to optimize investments in transit and achieve cost effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; and, improving accessibility for those who are differently abled and older persons (Section 1.1.1) This proposed Draft Plan of Subdivision achieves this objectives as it provides for range of housing types and densities, including townhouses, apartments, housing for seniors and a long-term care home, to meet long-term housing needs for current and future residents, and integrates land use planning and infrastructure planning to optimize investments in the planned rapid transit corridor.

The PPS encourages settlement areas to be the focus of growth and development (1.1.3.1), and directs that land use patterns within this area provide for densities and a mix of land uses which: are appropriate and efficiently use land, resources, infrastructure, and public service facilities; support active transportation; and, are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Planning authorities are also directed 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 proposed development is located within the built-up area of the City, will redevelop an existing brownfield site, utilize available or planned infrastructure and public service facilities, and will support the future rapid transit corridor that is planned Dundas Street.

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, and managing cultural heritage resources (Section 1.2.1). The proposal is located within the McCormick Area Secondary Plan, and as such, as part of secondary planning process a comprehensive study was completed to identify the appropriateness of development on lands within the study area and to coordinate future development with the provision of

infrastructure and municipal services. In addition, the proposal incorporates the adaptive reuse of the heritage designated McCormick building.

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents (Section 1.4.3). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (1.4.3 b) and c)). It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (1.4.3 d)). As previously noted, the proposal will provide a range of housing types and densities, including townhouses, apartments, housing for seniors and a long-term care home, to meet long-term housing needs for current and future residents. Further, the proposal will be located within the built-up area where existing infrastructure and public service facilities are available to support the needs of future residents within the development.

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 a)). 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 pathway running east/west between Ashland and McCormick and Ashland and north/south to the future extension of Gleeson to enhance the interior connectivity of the site and also a Park 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, water, agricultural, cultural heritage resources. The policies outlined in this section serve to protect and conserve these sensitive resources. The PPS states that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” (Section 2.6.1). As noted, the McCormick building is a designated building and is listed on the City’s Heritage Registry. The Draft Plan of Subdivision incorporates the adaptive reuse of the building as part of the development proposal.

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 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 mixed-use development within the Built-Area Boundary.

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 #5 is to *Build a mixed-use compact city* (59). The proposed subdivision is within the Built-Area Boundary, along a rapid transit corridor and will take advantage of existing services and facilities and to reduce the need to grow outward.

Direction #6 is to *Place a new emphasis on creating attractive mobility* (60). The proposed subdivision will create a mixed-use development that will support and be served by rapid transit and includes a pathway to facilitate active mobility choices such as walking and cycling 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 ages, incomes, and abilities, and allowing for ageing in place and access to amenities 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 (65).

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.

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 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; infrastructure and amenities to support transit and active mobility will be incorporated; street networks should be designed to support connections to transit and other neighbourhood amenities within a ten minute walk; and, neighbourhood streets and all infrastructure will

implement principles of Crime Prevention Through Environmental Design (212, 213, 217, 218 and 228). The proposed subdivision maintains the grid pattern of the existing neighbourhood with connections to the local streets, right-of-way within future extension of Gleeson Street will implement the “Green Corridor” as identified McCormick Area Secondary Plan, and an east/west pathway between Ashland and McCormick and north/south pathway to future extension of Gleeson will enhance interior connectivity of the site. 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). Active mobility features will be incorporated into the design of new neighbourhoods (348). To support walkability, sidewalks shall be located on both sides of all streets (349). The proposed Draft Plan incorporates an urban park with a minimum of fifty (50 per cent) of this space bounded by a public street, pathway running east/west from Ashland to McCormick and north/south to future extension of Gleeson Street, and there are sidewalks on both sides on Gleeson Street.

The policies relating to site layout encourage new development to respond to its context and character of the surrounding area, topography of a site, promote connectivity and safe movement of users within sites, and buildings should be setback with minimal setback from public streets and public spaces (252, 254, 255 and 259). 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, and residential and mixed-use buildings should outdoor amenity areas (291 295). The concept plan provided by the Applicant illustrates that the proposed building for south of the extension of Gleeson Street on the eastern side of the site will be setback from the corner, as the slope coming off Ashland Avenue is steep and is not conducive to siting it close to the public street. An outdoor amenity is proposed between the building and the extension of Gleeson Street, and also an interior courtyard is proposed to provide additional amenity space for the proposed long-term building. The other proposed residential buildings for the site are indicated to be sited with a minimal setback to the street, including the existing McCormick Factory building that fronts Dundas Street. Draft plan conditions and holding provisions are proposed for the medium density blocks to ensure building orientation towards the public streets, parks and pathways is undertaken to the satisfaction of the City (draft plan condition *).

The policies relating to cultural heritage ensure that new development, redevelopment and public works within the city will enhance and be sensitive to cultural heritage resources, and encourage the conservation of whole buildings identified on the City’s Register (554, 565, 568). The proposed redevelopment of the McCormick Factory building will consist of the adaptive reuse of it as a mixed-use building, including retail, office and residential apartments. The proposed draft plan conditions an updated Heritage Impact Assessment will be required to be undertaken as part of the Focused Design Studies submission (draft plan condition *). Future approvals will also be required including: amendment of the heritage designating by-law for the subject property to accurately reflect the legal description of the property that is of cultural heritage value or interest, and approval of a Heritage Alteration Permit for the adaptive re-use and conservation of the existing factory.

Rapid Transit Place Type

The front portion of the subject site is located in a Rapid Transit Corridor Place Type, and adjacent to future Rapid Transit Station and is within Protected Major Station Areas as identified on Map 10. The Rapid Transit Corridor Place Type permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use

buildings are encouraged while large floor plate, single use buildings will be discouraged. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade (837). Rapid Transit Corridors require a minimum height of 2-storeys or 8 metres, and permit a standard maximum height of 10 storeys and an upper maximum height of 12-storeys. When a property is located on a Rapid Transit Corridor and is within 100 metres of a rapid transit station 16-storeys can be achieved. Development within these Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. Lot assembly is encouraged to help create comprehensive developments and reduce vehicular accesses to the street and to allow for coordinated parking facilities. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses. Individual buildings will not contain more than 2,000 m² of office space, except within 100 metres of rapid transit stations where buildings may contain up to 5,000 m² of office space. An aggregate total of no more than 5,000 m² will be allowed within 100 metres of a rapid transit station. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites (840). The proposal is generally in keeping with the vision for the Rapid Transit Place Type, noting that there are limitations to what can be achieved with respect to form given the existing nature of the heritage designated McCormick building. The apartment, retail and office uses that are proposed as part of the renovations to the heritage building are in keeping with the permitted uses of The London Plan. However, the proposed office space of 8,400 m² results in an aggregate GFA over the 5000 m² maximum that is permitted within 100 m of a rapid transit station is not in keeping with the policies of *The London Plan*.

Neighbourhoods Place Type

The balance of the subject lands are currently designated with the Neighbourhoods Place Type. The Neighbourhoods Place Type at this location permits a range of residential uses, including: single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, and group homes (Table 10). A minimum height of one (1) storey and maximum of three (3) storeys is permitted at the intersection of Neighbourhood Streets (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 a park and pathways provide for recreational opportunities and attractive alternatives for mobility within the neighbourhood.

For the lands located at 1156 Dundas Street the Neighbourhoods Place Type has provided specific policy direction for the site (1058 and 1059). For the western half of the subject lands fronting McCormick Boulevard, whereby a height of 5 storeys may be permitted. Additionally, for eastern half of the subject lands fronting Ashland Avenue a minimum height of 3 storeys may be permitted to provide a transition between the existing residential neighbourhood on the east side of Ashland Avenue. Further, the policy directs that Gleeson Street will be extended to the west to provide access to the subject site and allow for the development of single detached dwellings to the north. The policy also requires that parkland be dedicated with a minimum frontage and depth of 25 metres at the southeast corner of McCormick Boulevard and the future extension of Gleeson Street. The lands within western and eastern areas of the site are also within the McCormick Area Secondary Plan, and are identified as Mid-Rise Residential designation, permitting a maximum height of 4 storeys. The lands to the north of the future extension of Gleeson Street are identified as Low-Rise Residential in the Secondary Plan and permit single-detached and semi-detached, duplex dwellings,

including the provision of row houses or cluster houses. It is recommended that policy 1059 be amended to better align it with the direction of the Secondary Plan.

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 London Plan*. An amendment to policy 1059 is recommended to better align it with the direction of the McCormick Area Secondary Plan to ensure clearer interpretation of the Official Plan and to assist in implementing future development proposals.

McCormick Area Secondary Plan

This site forms part of the McCormick Area Secondary Plan and is subject to the vision, principles and detailed policies of the Secondary Plan. The Secondary Plan was prior to the adoption of *The London Plan*, and before the front portion of the lands were envisioned to form one of the Rapid Transit Corridors in the City. The Secondary Plan establishes a more specific policy framework to guide the evolution of the former McCormick's Factory and adjacent lands, into a vibrant mixed-use neighbourhood which permits specified new uses within the industrial heritage area, creates open space linkages, integrates with the surrounding neighbourhood and supports emerging businesses. The Plan acknowledges that it is located between two established residential neighbourhoods, and they have a residential street pattern that are considerably finer than the existing street network in the Secondary Plan area. The Secondary Plan has identified "Potential Connections" to these neighbourhoods on Schedule 1 and also has identified a street network that contains a "Future Publicly Accessible Connection" on Schedule 3. The Secondary Plan designates the lands as Transit Oriented, Mid-Rise Residential, and Low-Rise Residential on Schedule 4.

The proposed Draft Plan of Subdivision and recommended zoning have been reviewed in the context of the Secondary Plan, and in conjunction with the other policies of the Official Plan, and are generally consistent with and conform to them. However, in some instances there are differences between the development proposal that was submitted by the Applicant and the Secondary Plan, noting that the intent of the policy framework has been maintained. A few amendments to the McCormick Area Secondary Plan are recommended to ensure clearer interpretation of the text and schedules with the Plan and to assist in implementing future development proposals.

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.

Block 1 – Holding Business District Commercial Special Provision (h•h-5•h-100•h-120•h-149•h-204•h-205•h-__•BDC2(11)•D150•H35) Zone. This zoning is intended to provide for a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented (and future-transit oriented) business districts in older parts of the City. The current range of permitted uses, zone regulations, and special provisions including density and height, will remain the same, except for a change to the minimum interior yard setback requirement. The current minimum interior yard setback is 0 metres, however, a special provision for minimum interior yard setback adjacent to a pathway corridor of 1.5 metres is recommended to provide a grassed strip to be used in conjunction with the landscaping (i.e. trees) that is to be planned within the pathway corridor to create the required landscape strip for each development. The requested change involves shifting the BDC2(11) zone boundary line further to the north to correspond with the proposed subdivision block lines. This is considered appropriate and consistent with *The London Plan* and McCormick Area Secondary Plan and will provide for greater rear yard depth north of the former McCormick's building for additional on-site parking, landscaping/screening, and a public access easement.

Block 2 – Holding Residential R6 (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h-__•h-__•R6-5(41)•H13.5) Zone. This zone permits cluster housing in the form of single detached, semi-detached, duplex, triplex, fourplex, townhouse, and stacked townhouse dwellings, and apartment buildings; together with a special provision to permit continuum-of-care facility, retirement homes, and senior citizen apartment buildings. Special zone regulations include parking standard for senior citizen apartment buildings minimum 0.25 spaces per unit, parking standard for cluster townhouses minimum 1 parking space per unit, parking standard for apartment buildings minimum 1 parking space per unit, and maximum density of 125 units per hectare.

The requested amendment involves shifting the zone boundary line to the west by approximately 25 metres to correspond with the proposed subdivision block line. In addition, an amendment is requested to change the maximum height regulation to 13.5 metres whereas a maximum height of 12 metres is currently permitted. Development concept plans for the block have been submitted for a proposed three to four-storey, long term care facility with 192 beds. The concept plan has undergone review in consultation with City staff guided by the policies in the McCormick Area Secondary Plan and Urban Design Guidelines. The requested zone line adjustment and increase in height are considered appropriate to deal with the grading challenges along the easterly portion of the site and provide additional area for access to rear yard parking and outdoor open space to meet the needs of the long-term care facility; but it also includes a publicly accessible open space area (or POPS) which will be oriented to the intersection of Gleeson Street and Ashland Avenue. The recommended zoning will be consistent with the City-initiated amendment to the specific policy in The London Plan (Policy 1059) for an increase in height of up to 4 storeys instead of 3 storeys on the eastern half of the subject site fronting Ashland Avenue, and the McCormick Area Secondary Plan. The current minimum interior yard setback is 3 metres, however, a special provision for minimum interior yard setback adjacent to a pathway corridor of 1.5 metres is recommended to provide a grassed strip to be used in conjunction with the landscaping (i.e. trees) that is to be planned within the pathway corridor to create the required landscape strip for each development.

Block 3 – Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h-__•h-__•R6-5(41)•H15) Zone which permits the same range of uses and zone regulations as the zone above, with a maximum building height of 15 metres. The request is to amend the zoning for this block to permit a maximum height of 21 metres and a maximum density of 150 units per hectare whereas a maximum height of 15 metres and a maximum density of 125 units per hectare are currently permitted. Staff recommend the current zone regulations for density and height are appropriate for the block and should be maintained in keeping with the City-initiated amendment to The London Plan policy which is to allow a height of up to 4 storeys instead of 5 storeys on the western half of the subject site fronting McCormick Boulevard, consistent with the McCormick Area Secondary Plan, and therefore are not supportive of the requested increases in height and density. The current minimum interior yard setback is 3 metres, however, a special provision for minimum interior yard setback adjacent to a pathway corridor of 1.5 metres is recommended to provide a grassed strip to be used in conjunction with the landscaping (i.e. trees) that is to be planned within the pathway corridor to create a landscape strip for each development.

Block 4 – Holding Residential R4 Special Provision (h•h-5•h-100•h-202•h-203•h-205•h-__•h-__•R4-3()) Zone. The requested amendment is to rezone Block 4 from an Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone which permits single detached dwellings on lots with a minimum lot frontage of 9.0 metres and minimum lot area of 300 square metres, to a Holding Residential R4 Special Provision (h•h-5•h-100•h-202•h-203•h-205•h-__•h-__•R4-3()) Zone to permit street townhouse dwellings. This dwelling type is defined as a townhouse with each unit on a separate lot and having legal frontage on a public street. In that regard the tenure is like owning a single detached home on its own lot, except that these dwelling units are attached rather than detached dwellings.

The block is appropriate for development of street-oriented townhouses fronting on the

north side of the future Gleeson Street extension. This form of housing is considered compatible with existing low density residential uses in the surrounding neighbourhood in terms of use, intensity, and form. The recommended zone will also be consistent with the City-initiated amendment to the specific policy in The London Plan (Policy 1059) to allow uses permitted under the Low-Rise Residential designation, consistent with the McCormick Area Secondary Plan. The minimum lot frontage requirement is 5.5 metres minimum per units. However, a special provision for a minimum lot frontage of 6.7 metres per unit is recommended to ensure adequate separation for underground services and utilities to individual street townhouse units. A special provision for garages to not project beyond the façade of the dwelling or façade (front face) of any porch, and to not occupy more than 50% of lot frontage is recommended to ensure the façade of the individual townhouse units are complementary and integrate with the surrounding established neighbourhood.

Block 7 (Park Block) – Open Space (OS1) Zone permits a range of uses such as conservation lands, golf courses, private parks, public parks, and recreational buildings associated with conservation lands and public parks. No changes are recommended to this zoning which is intended to be applied to the proposed neighbourhood park at the southeast corner of Gleeson Street and McCormick Boulevard.

Holding Provisions to be added to the above recommended zones are summarized as follows:

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-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-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-__) to ensure the Owner/Developer can demonstrate the existing municipal water system is adequate to support the proposed development and if fire flows required are larger than what is identified in Dillons revised report, it would be a responsibility of the developer to upsize any municipal watermain(s) necessary to meet the fire flow demands required for that development, all to the specifications and satisfaction of the City.

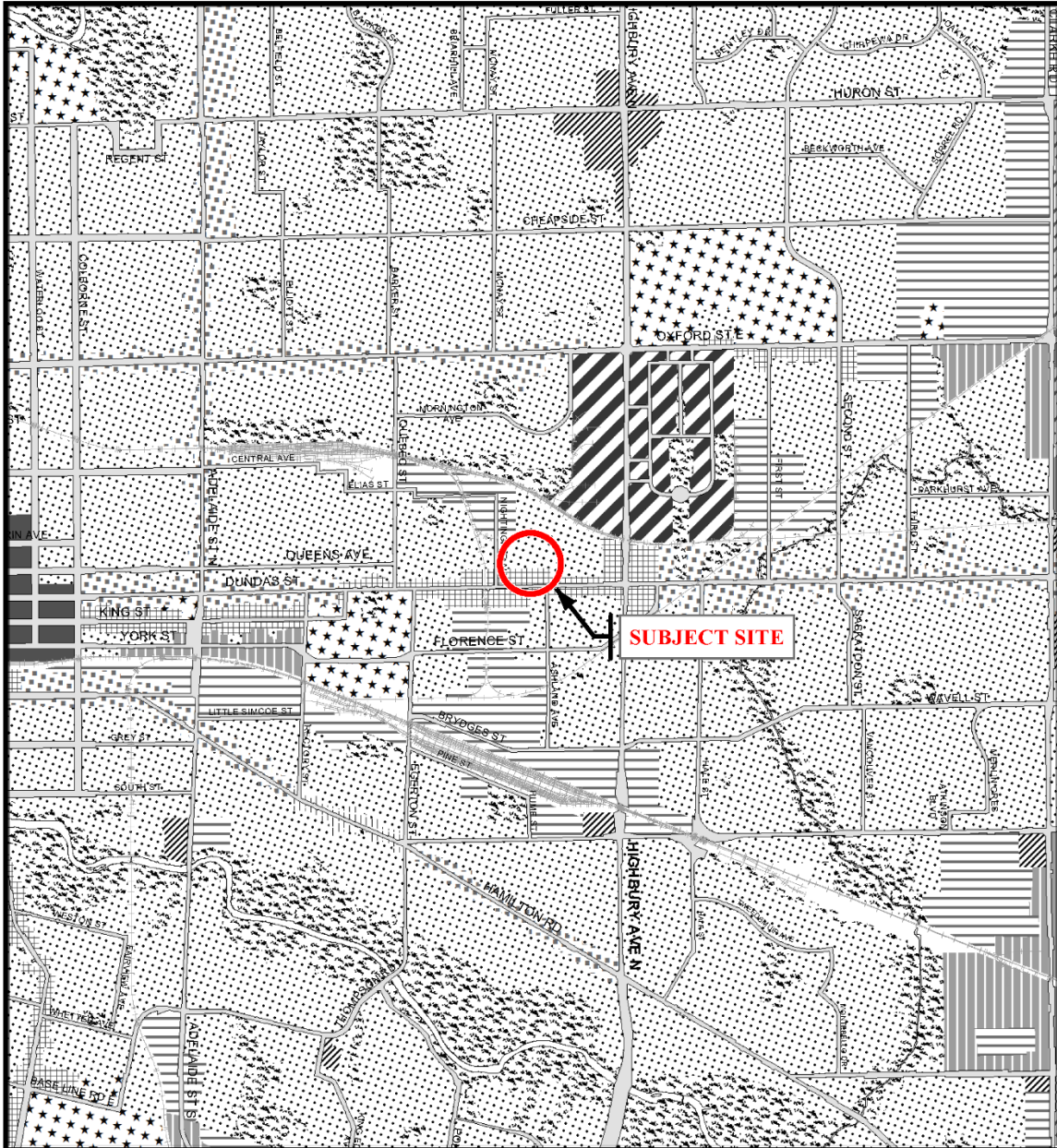
A holding provision (h-__) to encourage street orientated development for the two medium density blocks, the Owner shall prepare a concept plan to demonstrate how the front façade of the buildings can be oriented towards public streets, parks and open spaces, which will be executed by a future development agreement for Blocks 2 and 3 prior to the removal of the "h-__" symbol.

A holding provision (h-__) to ensure that access easements benefiting adjacent landowners be provided to protect the abutting landowners' access to the rear yards of the units, which will be executed by a future development agreement for Block 4 prior to the removal of the "h-__" symbol.

It should be noted that the Holding (h-67) Provision and condition requiring completion of Record of Site Condition with respect to possible site contamination has been satisfied by the applicant. The RSC was recently filed on the Ministry of Environment, Conservation and Parks (MOECP) Environmental Site Registry on March 4, 2022. Therefore, it is recommended that the h-67 symbol applying to the zoning of the subject lands can now be lifted from the zone maps.

Appendix G – 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning & Development



Scale 1:30,000



File Number: Z-9524

Planner: MJ

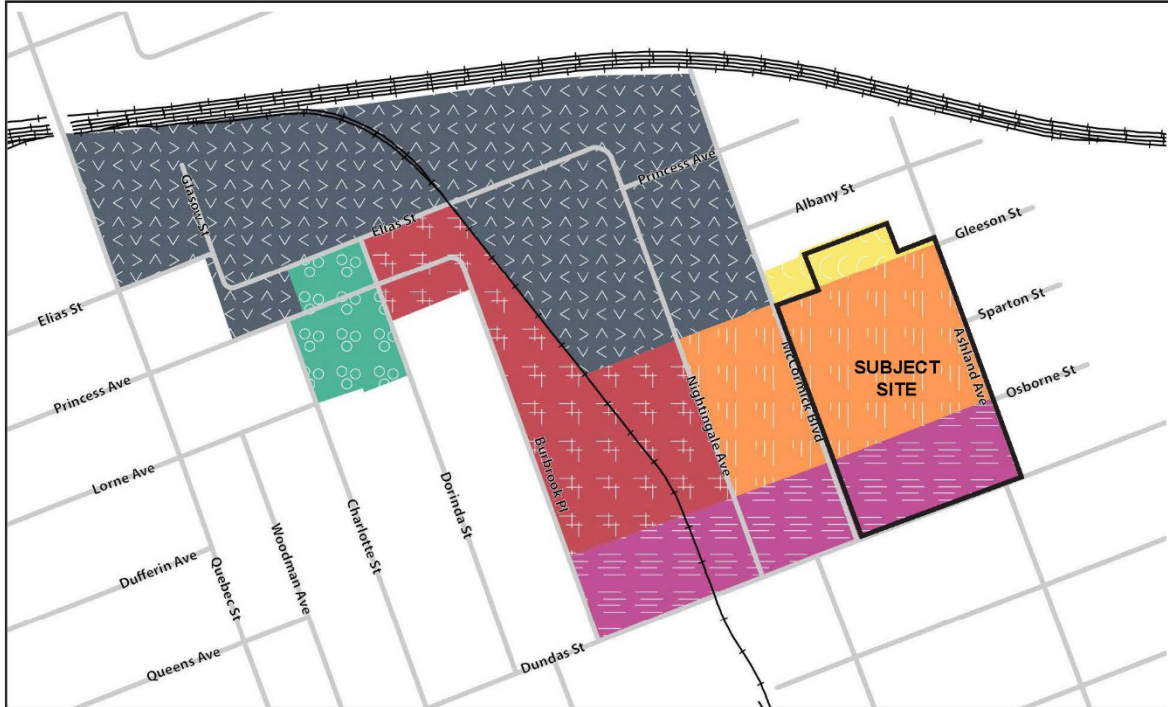
Technician RC

Date: 2022/09/01

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9524-EXCERPT_Map1_PlaceTypes.mxd

McCormick Area Secondary Plan Map Excerpt

McCormick Area Secondary Plan Schedule 4: Character Area Land Use Designations Excerpt



- | | | |
|-----------------------|----------------------|----------------------|
| Industrial-Commercial | Mixed-Use | Low-Rise Residential |
| Transit-Oriented | Mid-Rise Residential | Community Parkland |

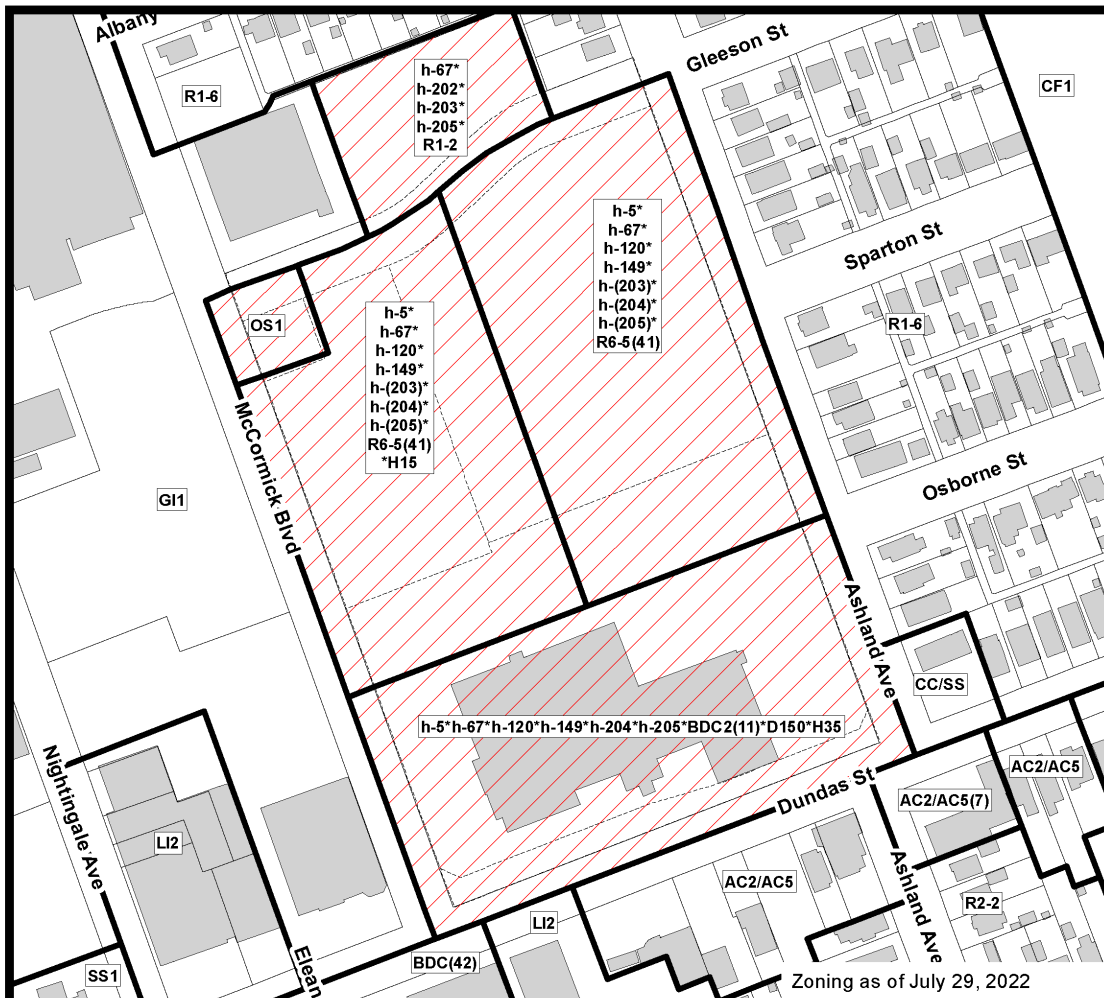


Schedule 4: Character Area Land Use Designations
(Schedule 4 amended by OPA 654 May 30/17)

<p>CITY OF LONDON McCormick Area Secondary Plan SCHEDULE 4 EXCERPT PREPARED BY: Planning & Development</p>		<p>File Number: Z-9524/39T-21508 Planner: MJ Technician: RC Date: 2022/9/14</p>
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Path: Y:\Shared\DEVELOPMENT SERVICES4 - Subdivisions\2021\39T-21508 - 1158 Dundas Street (MJ)\02-Working\01-Draft-Approval\Graphics

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-9524

MJ

MAP PREPARED:

2022/09/01

RC

1:2,250

0 10 20 40 60 80 Meters

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



London
CANADA

1156 Dundas Street

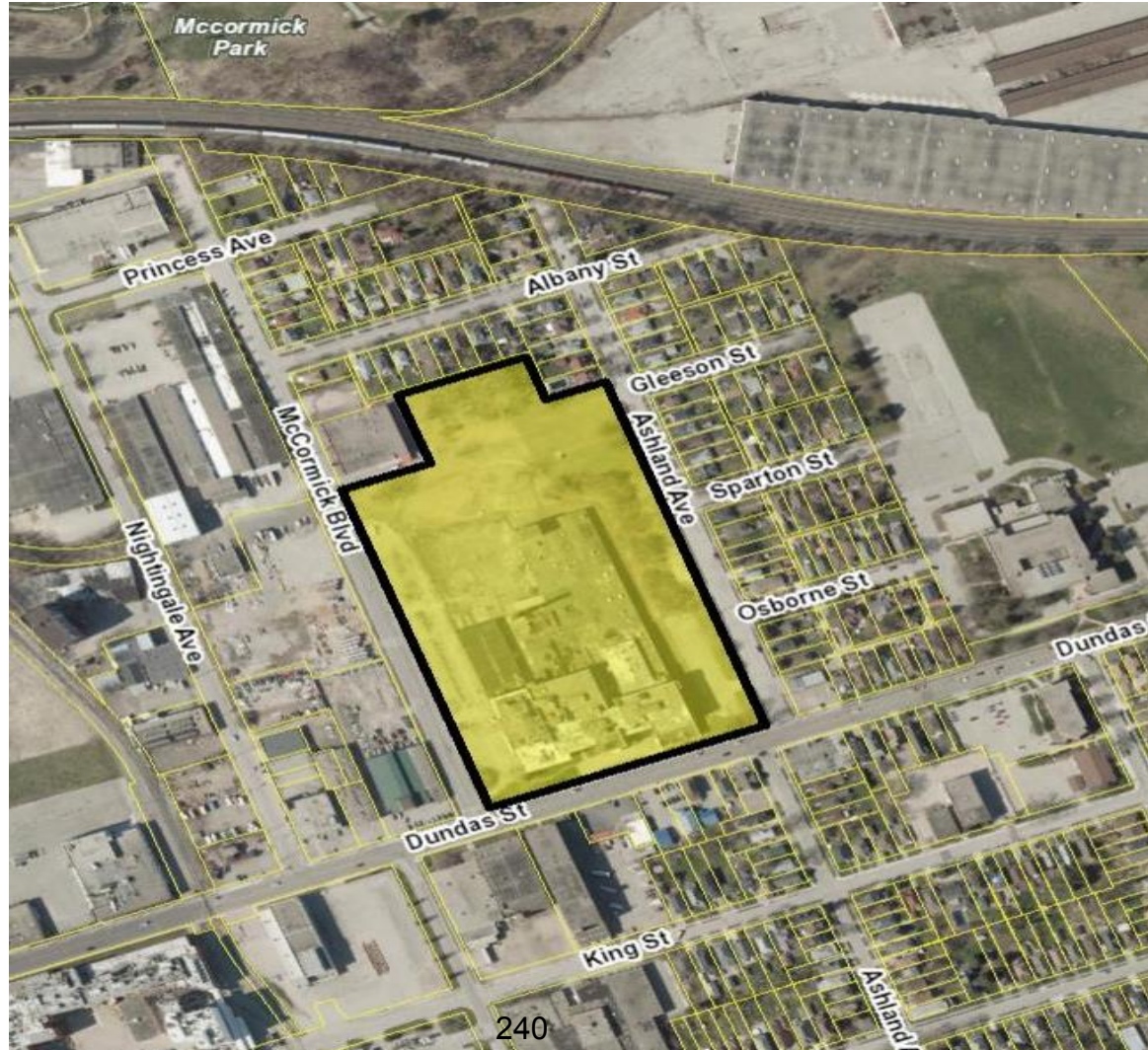


**Proposed Draft Plan of Subdivision, Zoning By-law Amendment and
Official Plan Amendment**

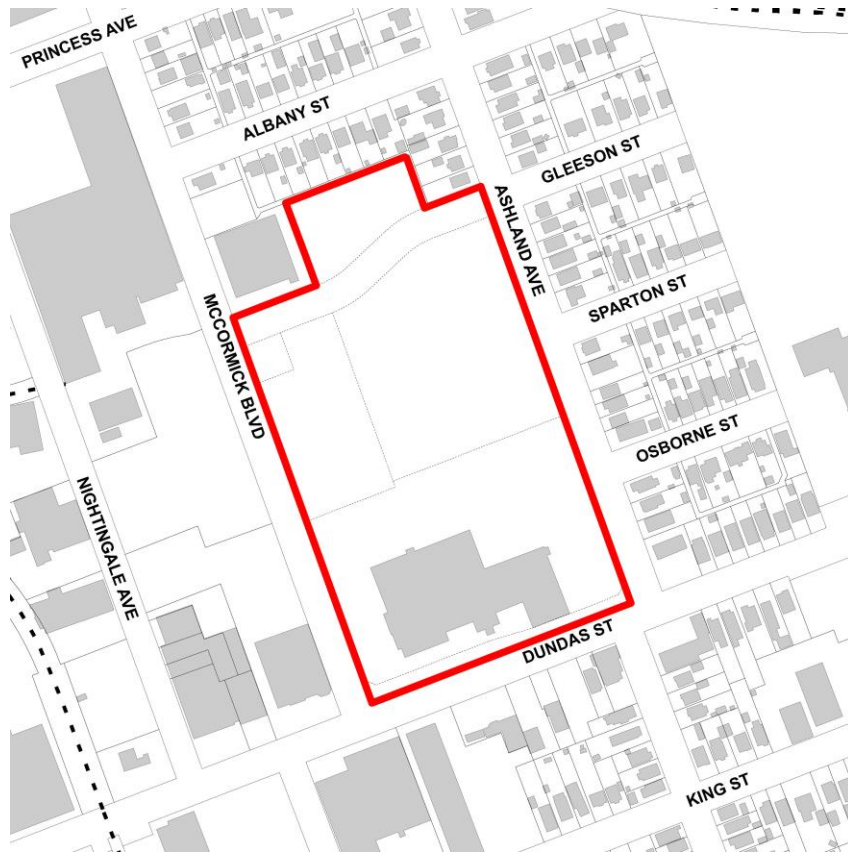
Applicant: McCormick Villages Inc.

File No: 39T-21508 / Z-9440 / O-9545

Property Description



Site Context



Surrounding Properties:

North: existing residential

East: existing residential

South: commercial

West: industrial/office

Current Planning Information

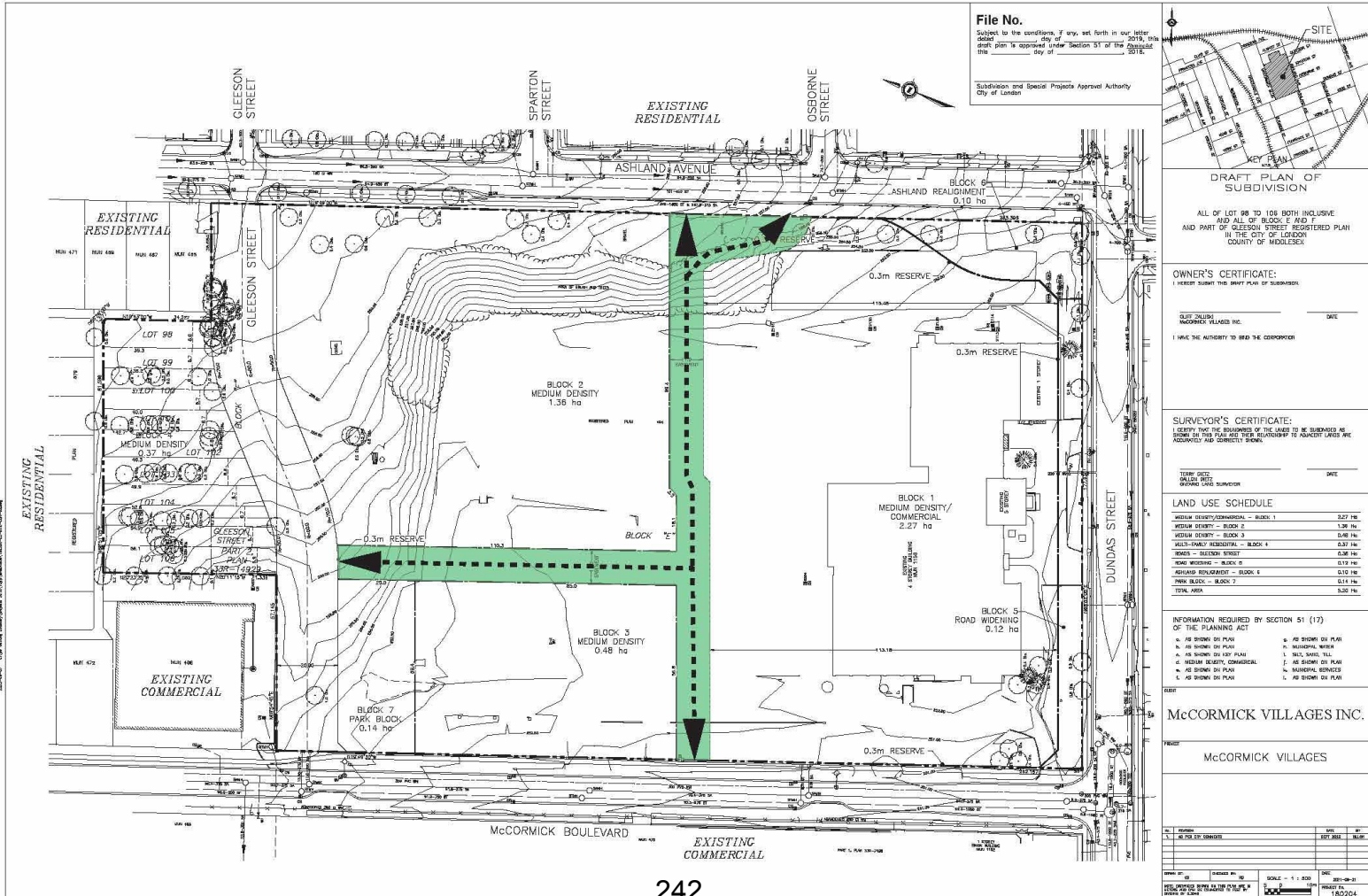
The London Plan: Rapid Transit Corridor and Neighbourhoods

McCormick Area Secondary Plan – Transit Oriented, Mid-Rise Residential and Low-Rise Residential

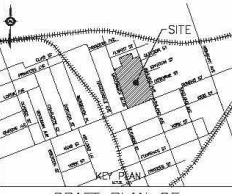
Z.-1 Zoning By-law - Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, Holding Residential R6 (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, Open Space (OS1) Zone



Development Proposal



File No.
 Subject to the conditions, if any, set forth in our letter of consent, the City of London, 2018, this draft plan is approved under Section 51 of the Act, this day of _____, 2018.
 Subdivision and Special Projects Approval Authority
 City of London



DRAFT PLAN OF SUBDIVISION
 ALL OF LOT 98 TO 106 BOTH INCLUSIVE AND ALL OF BLOCK 5 AND F AND PART OF GLEESON STREET REGISTERED PLAN IN THE CITY OF LONDON COUNTY OF MIDDLESEX

OWNER'S CERTIFICATE:
 I HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION.
 I HAVE THE AUTHORITY TO SIGN AS CO-OWNER.
 DATE _____

SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT THE BOUNDARIES OF THE LOTS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN ARE TRUE AND CORRECTLY SHOWN.
 DATE _____

LAND USE SCHEDULE

MEDIUM DENSITY/COMMERCIAL - BLOCK 1	2.27 ha
MEDIUM DENSITY - BLOCK 2	1.38 ha
MEDIUM DENSITY - BLOCK 3	0.48 ha
MULTI-FAMILY RESIDENTIAL - BLOCK 4	0.37 ha
PARK - GLEESON STREET	0.14 ha
ROAD WIDENING - BLOCK 5	0.12 ha
ASHLAND RECONSTRUCTION - BLOCK 6	0.12 ha
PARK BLOCK - BLOCK 7	0.14 ha
TOTAL AREA	5.22 ha

INFORMATION REQUIRED BY SECTION 51 (17) OF THE PLANNING ACT

a. AS SHOWN ON PLAN	g. AS SHOWN ON PLAN
b. AS SHOWN ON PLAN	h. AS SHOWN ON PLAN
c. AS SHOWN ON 100' PLAN	i. AS SHOWN ON PLAN
d. MEDIUM DENSITY COMMERCIAL	j. AS SHOWN ON PLAN
e. AS SHOWN ON PLAN	k. MANSION, BUNGALOW
f. AS SHOWN ON PLAN	l. AS SHOWN ON PLAN

MCCORMICK VILLAGES INC.
 PROJECT: **MCCORMICK VILLAGES**

DATE	SCALE	DATE
18/02/2018	1:500	2018-02-18
18/02/2018	1:500	2018-02-18

Recommended Zoning

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



Recommendation

It is on the recommendation of the Director of Planning and Development:

- That the recommended Official Plan Amendments and Zoning By-law Amendments be introduced at the Municipal Council meeting on October 17, 2022;
- That the Approval Authority be advised of any issues raised at the public meeting with respect to the application for Draft Plan of Subdivision;
- 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; and,
- That the requested Zoning By-law Amendment on Block 3 of the proposed Draft Plan to permit a maximum height of 21 metres and a maximum density of 150 units per hectare be refused, as it is not consistent with The London Plan and the McCormick Area Secondary Plan.