

Agenda Including Addeds

Planning and Environment Committee

6th Meeting of the Planning and Environment Committee

March 27, 2023

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 S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier, Mayor J. Morgan

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.

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| | <p>A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to appeals arising out of the Victoria Park Secondary Plan ("VPSP") at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.</p> | |
| 7. | Adjournment | |

Ecological Community Advisory Committee

Report

4th Meeting of the Ecological Community Advisory Committee
March 16, 2023

Attendance PRESENT: S. Levin (Chair), P. Baker, S. Evans, S. Hall, R. McGarry, K. Moser, G. Sankar, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)

ABSENT: E. Dusenge, T. Hain, B. Krichker, K. Lee, M. Lima and S. Miklosi

ALSO PRESENT: A. Curtis, S. Butnari, M. Shepley, B. Page, B. Westlake-Power and E. Williamson

The meeting was called to order at 4:33 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 3rd Report of the Ecological Community Advisory Committee

That it BE NOTED that the 3rd Report of the Ecological Community Advisory Committee, from its meeting held on February 16, 2023, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Environmental Impact Study - 735 Southdale Road West

That a Working Group BE ESTABLISHED consisting of S. Levin (lead), S. Evans, S. Hall and G. Sankar, to review the Environmental Impact Study and the Hydrogeological Study for the property located at 735 Southdale Road West.

5.2 Activities Members would like to Undertake while on the Ecological Community Advisory Committee

That it BE NOTED that the Ecological Community Advisory Committee held a general discussion with respect to the activities the members would like to undertake.

5.3 (ADDED) 38 Exeter Road

That it BE NOTED that the Scoped Environmental Impact Study for the property located at 38 Exeter Road was received.

6. Adjournment

The meeting adjourned at 5:01 PM.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Application by City of London
6019 Hamlyn Street
City File: Z-9565 Ward: 9
Public Participation Meeting

Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Corporation of the City of London, relating to lands located at 6019 Hamlyn Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on April 04, 2023 to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to change the zoning of the subject lands **FROM** a holding Residential R1 Special Provision (h*h-100*R1-3(24)) Zone **TO** an Open Space (OS1) Zone.

Executive Summary

Summary of Request

To amend Zoning By-law No. Z.-1 to change the zoning on a block of land within a draft plan of subdivision from residential to an open space zone which will provide additional park space.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommend action is to rezone Block 105 within draft plan of subdivision 39T-18504 from a holding Residential R1 Special Provision (h*h-100*R1-3(24)) to an Open Space (OS1) zone. The proposed amendment will recognize the recent redline revision to the draft plan of subdivision.

Rationale of Recommended Action

- a) The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
- b) The recommended zone conforms to The London Plan, including but not limited to the Neighbourhoods Place Type, Environmental Review Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
- c) The recommended zone conforms to the policies of the Southwest Area Secondary Plan.
- d) The recommended zone is appropriate and will permit open space/park uses consistency with the planned vision of the Neighbourhood Place Type and built form that contributes to a sense of place, character and connectivity.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

March 01, 2021 – Report to Planning and Environment Committee – Public Participation Meeting - 6019 Hamlyn Street - Liberty Crossing Subdivision – Application for approval of Draft Plan of Subdivision and Zoning By-law Amendment (39T-18504)

December 16, 2022 – Report to Approval Authority of City of London – 6019 Hamlyn Street – Liberty Crossing Subdivision – Application for approval of Redline revision of Draft subdivision (39T-18504)

2.0 Discussion and Considerations

2.1 Property Description

The subject site is located at the southwest corner of Wonderland Road South and Hamlyn Street. It is currently used as an active agricultural field.

The site is generally flat with a gently sloped terrain across the central and east portion of the site. The westerly and southerly portions of the site form part of a natural heritage feature comprised of a significant woodland and wetland areas. A hydro transmission corridor is located on the western edge of the site adjacent to the significant woodland.

One single family residence is located at the northeast corner of the site along with a relatively large accessory structure (barn and equipment shed).

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

- The London Plan Place Type – “Neighbourhoods” and “Environmental Review”
- Southwest Area Secondary Plan – Lands are within Wonderland Boulevard Neighbourhood and zoned Low Density Residential, Medium Density Residential, Open Space and Environmental Review
- Zoning – holding Residential R1 Special Provision (h*h-100*R1-3(24))

2.3 Site Characteristics

- Current Land Use – agriculture
- Frontage – 404.6 m (1327.4 ft) - Wonderland Road South
- Depth – 364.6 m (1196.2 ft) - Hamlyn Road
- Area – 16.6 ha (41.1 ac)
- Shape – irregular

2.4 Surrounding Land Uses

- North – single detached dwelling; vacant/ agriculture
- East – vacant/farm
- South – single detached dwelling; vacant/ agriculture
- West – hydro corridor; open space

2.5 Planning History

The subject lands previously formed part of the Town of Westminster. In 1993, the subject lands, and the larger area south to Lambeth, were annexed into the City of London. The subject site is located within the Southwest Area Secondary Plan (SWAP).

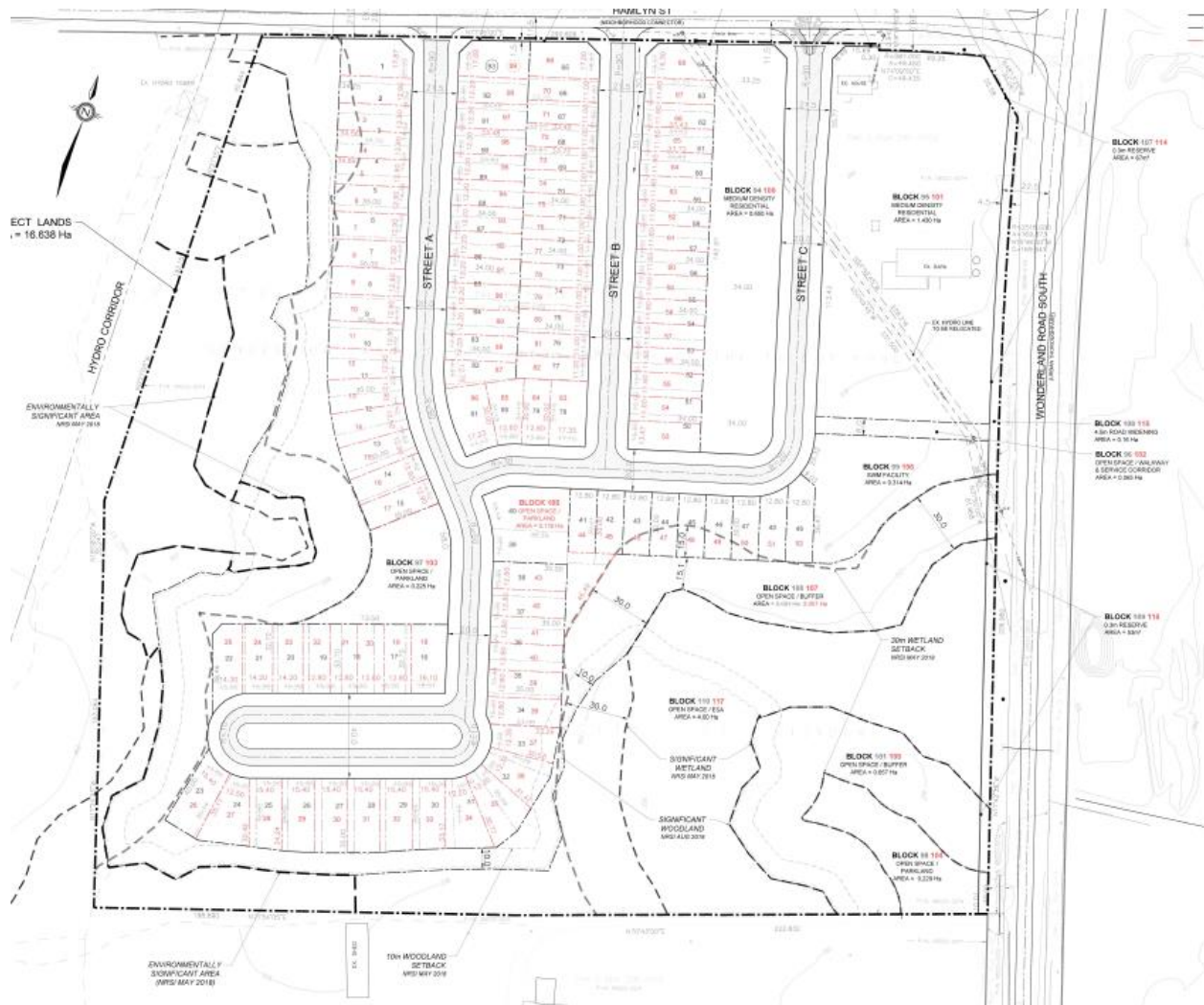
The original application for a residential plan of subdivision and associated Zoning By-law Amendment was accepted by the City on September 24, 2018 and circulated to the appropriate commenting agencies and departments. Through the circulation process, issues were raised by Staff and the UTRCA regarding the impacts of the proposed development on the natural heritage system and hazard lands. Over the past several years, the applicant has worked to resolve issues and concerns from the City and the UTRCA. As part of this approach, a revised plan of subdivision application was submitted to the City.

On March 1, 2021 a public meeting was held to discuss the revised plan of subdivision and associated amendments. Council endorsed the plan of subdivision and approved the associated amendments.

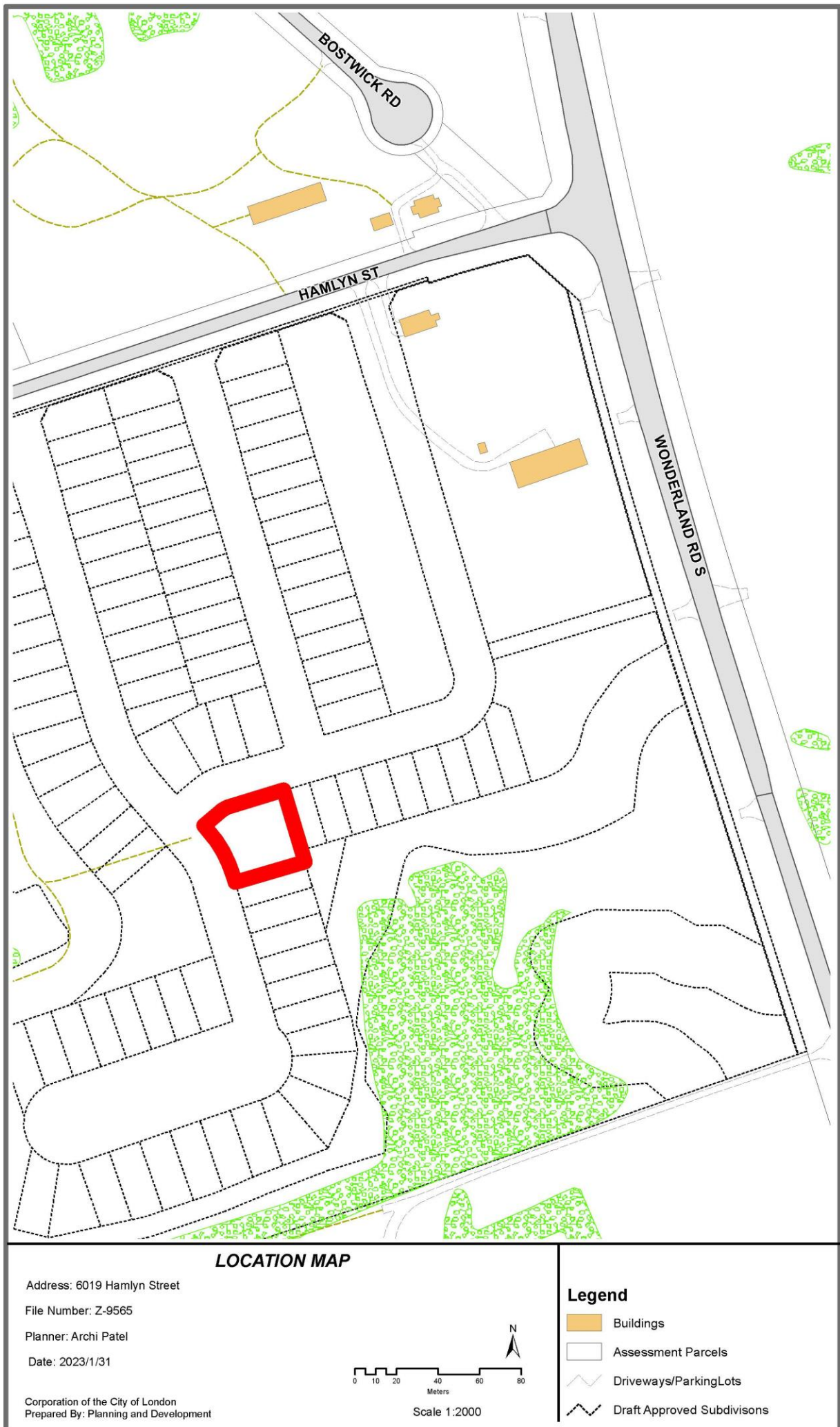
On April 23, 2021 the approval authority granted draft approval to the plan of subdivision which permitted – single family dwelling units - medium density blocks – open space & park blocks.

Since draft approval the applicant and their consultants have been working with the City and UTRCA to develop an engineering plan for the plan of subdivision addressing servicing, water balance, cut and fill, natural heritage, and park design issues. As part of engineering review, the applicant applied for a redline revision to the plan to create an additional park block and more single-family dwelling units. The redline revision request was granted by the Approval Authority on December 19, 2022, and a copy of the redlined draft subdivision plan can be seen below.

Redlined Draft Subdivision Plan



2.6 Location Map (Block 105 highlighted in red)



2.7 Requested Amendment

The purpose and effect of this application is to consider a proposed Zoning By-law amendment to provide additional parkland within a draft approved plan of subdivision (Block 105). The possible amendment to Zoning By-law Z.-1 would change zone from a holding Residential R1 Special Provision (h*h-100*R1-3(24)) Zone to an Open Space (OS1) Zone. The Requested amendment would permit an additional public park in the neighbourhood.

2.8 Community Engagement (see more detail in Appendix B)

There were no responses from the public received to the Notice of Application.

2.9 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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

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

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns. Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1.(a)).

The London Plan

With respect to The London Plan the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as residential uses and small-scale community facilities as the main uses. In addition to that community centres; public parks; public recreation facilities; and similar community-oriented facilities permitted within the “Neighbourhoods” Place Type. The remainder of the site is within the Environmental Review Place Type. The place type is used on lands that may contain natural heritage features and areas that have not been adequately assessed to determine whether they are significant and worthy of protection as part of the city’s Natural Heritage System. The Environmental Review Place Type will ensure that development which may negatively impact the value of these features does not occur until such time as the required environmental studies are completed (779_). Until the appropriate environmental studies are completed only existing uses, agriculture, woodlot management, horticulture, conservation, and recreational uses are permitted (784_).

Southwest Area Secondary Plan

The land is subject to the Low Density/Medium Density Residential policies of the Wonderland Boulevard Neighbourhood and the Open Space and Environmental Review policies to the SWAP. The Low-Density Residential designation is intended to provide for a higher intensity of low-density residential development than typically occurs in suburban low density areas. It permits a range of residential uses from single detached up to stacked townhouse dwellings and requires development to occur at a minimum density of 15 units per hectare to a maximum of 30 units per hectare. Heights are permitted up to a maximum of four storeys but shall be sensitive to the scale of development in the surrounding neighbourhood.

The Medium Density Residential designation is intended to provide for a higher intensity of medium density residential development than typically occurs in medium density

areas. It permits a range of residential uses from triplex's up to low-rise apartment buildings and requires development to occur at a minimum density of 35 units per hectare to a maximum of 75 units per hectare. Building heights shall generally not be permitted to exceed six storeys.

The Open Space designation will apply to lands within the Southwest Planning Area that are intended for active and passive recreation, and that are components of the city's natural heritage system. Visible connections and linkages to the Open Space designation will serve as prominent features and amenities to residential neighbourhoods. Open space lands will also serve as a buffer for the residential neighbourhoods adjacent to the high intensity land uses of the Wonderland Boulevard Neighbourhood. Enhanced, visible connections to the open space areas will be incorporated into all Neighbourhood Areas and will promote appropriate linkages within and between neighbourhoods.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These lands are currently zoned holding Residential R1 Special Provision (h*h-100*R1-3(24)). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found in Appendix D.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Use Form and Intensity

The draft plan of subdivision consists of both residential zones and open space zones. The open space zones within the plan of subdivision are comprised of parkland, pathways, and natural heritage lands. Block 105 is comprised of natural heritage feature and buffer lands. This block is intended to provide additional buffer to the wetland features and introduce pathway connecting the park entrance on the west side of the street. The intend use of the block is consistent with the policies of The London Plan and Southwest Area Secondary Plan.

Conclusion

The recommended Zoning By-law amendment is consistent with the Provincial Policy Statement and conforms to both The London Plan and Southwest Area Secondary Plan policies. The subject lands are a suitable site and location for the proposed Open Space (OS1) Zone as it will provide park and open space for the neighbourhood, enhance planned park and open space that are in close proximity, and is adjacent to lands zoned Open Space (OS5). Additionally, it enhances the protection of the existing natural heritage features while creating an attractive and connected neighbourhood. The recommended zoning amendment represents good planning.

Prepared by: **Archi Patel**
Planner I, Subdivisions and Condominiums

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

Recommended by: **Heather McNeely, MCIP, RPP**
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 Planning and Development.

CC: Peter Kavcic, Manager, Subdivisions and Development Inspections
Matt Davenport, Manager, Subdivision Engineering

March 20, 2023
AP/BP/ap

Appendix A

Appendix “A”

Bill No. (number to be inserted by
Clerk's Office)
(2023)

By-law No. Z.-1-23 _____

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 6019 Hamlyn
Street.

WHEREAS Corporation of the City of London has applied to rezone lands located at 6019 Hamlyn 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 6019 Hamlyn Street as shown on the attached map, comprising part of Key Map No. 105 FROM a holding Residential R1 Special Provision (h*h-100*R1-3(24)) Zone, TO an Open Space (OS1) Zone.

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

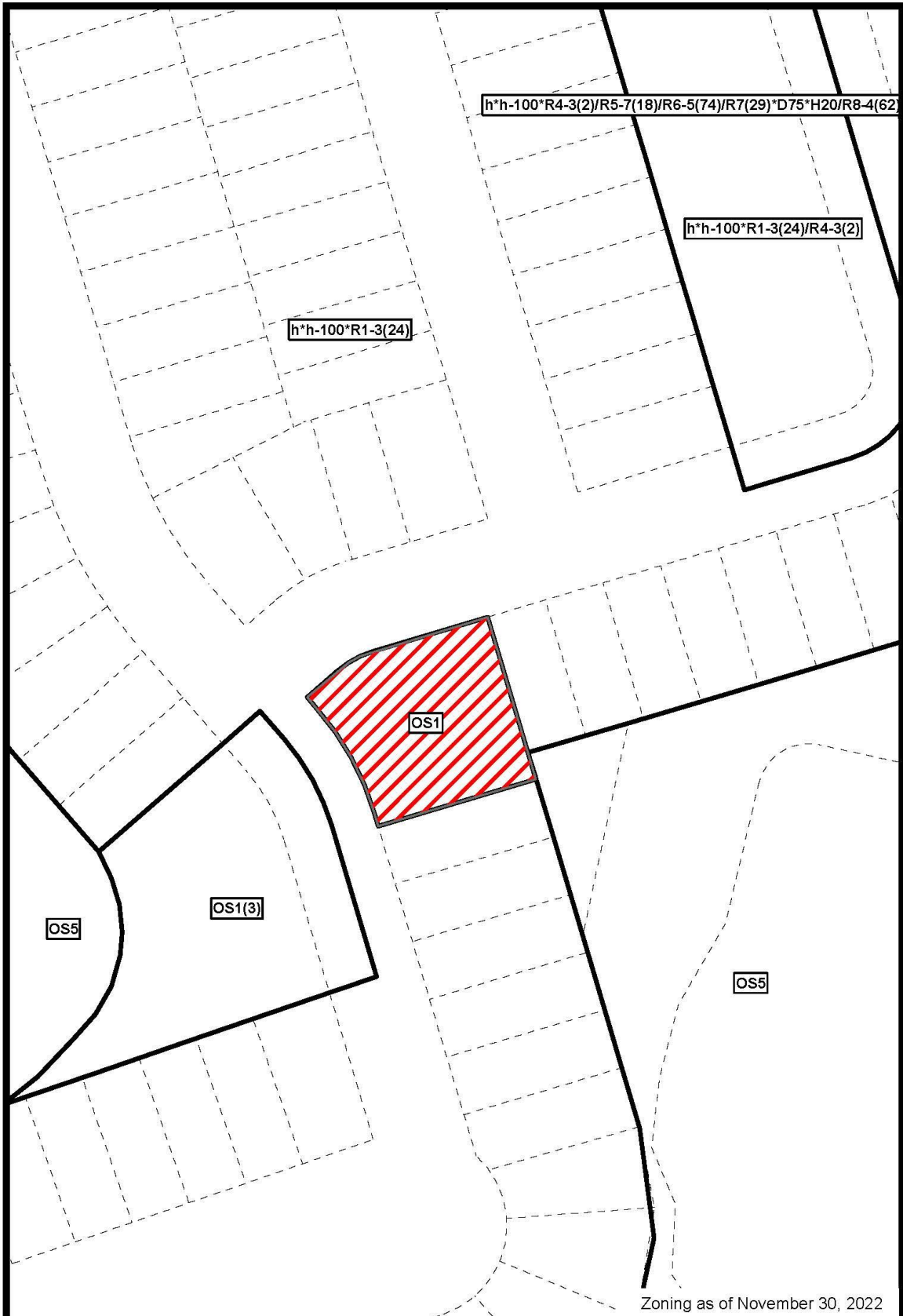
PASSED in Open Council on April 4, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 4, 2023
Second Reading – April 4, 2023
Third Reading – April 4, 2023

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



Zoning as of November 30, 2022

File Number: Z-9565

Planner: AP

Date Prepared: 2023/1/31

Technician: JI

By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters



Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On November 17, 2022, Notice of Application was sent to 13 property owners in the surrounding area. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 17, 2022. A Notice of Public Meeting was published in *The Londoner* on March 9, 2023.

Responses: No replies received

Nature of Liaison: The purpose and effect of this application to consider a proposed Zoning By-law amendment to provide additional park space within a draft approved plan of subdivision. Possible change to Zoning By-law Z.-1 FROM a holding Residential R1 Special Provision (h*h-100*R1-3(24) Zone TO an Open Space (OS1) Zone which permits public parks, Conservation lands, Conservation works, Cultivation of land for agricultural/horticultural purposes, courses, Private Parks, Recreational golf courses, Recreational buildings associated with conservation lands and public parks, Campground, Managed Forest on lots.

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

| Telephone | Written |
|-----------|---------|
| None | None |

Agency/Departmental Comments:

No comments received.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

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

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

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns. Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (Section 1.5.1.(a)).

The proposed zoning amendment achieves objectives for efficient and resilient development and land use patterns. It represents development of open space/parkland within the subdivision and provides a high degree of community connectivity, promote active and passive recreational activities and opportunity to develop public facilities.

Any concerns from the perspective of natural heritage resources, natural or human-made hazards, and archaeological or cultural heritage resources have been considered previously through the subdivision draft-plan approval process. Based on our review, the proposed Zoning By-law amendments are found to be consistent with the Provincial Policy Statement.

The London Plan

With respect to The London Plan as a whole, the Our Strategy, City Building and Design, Neighborhoods Place Type, Environment Review Place Type and Our Tools policies have been reviewed and consideration given to how the proposed zoning amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #4 – Become one of the greenest cities in Canada

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

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

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

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

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

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

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

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

4. Create social gathering places where neighbours can come together, such as urban parks and public spaces, community centres, family centres, community gardens, cafés, restaurants, and other small commercial services integrated within neighbourhoods.

8. Distribute educational, health, social, cultural, and recreational facilities and services throughout the city so that all neighbourhoods are well-served.

9. Integrate well-designed public spaces and recreational facilities into all of our neighbourhoods.

City Building and Design Policies

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

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

259_ Buildings should be sited with minimal setbacks from public streets and public spaces to create an inviting, active and comfortable pedestrian environment.

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

243_ 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.

244_ Public spaces will be located and designed to help establish the character and sense of place of the surrounding area and, where applicable, the positive image of our city.

245_ Public art, seating areas, enhanced landscaped areas, ceremonial tree planting, and monuments should be incorporated into the design of neighbourhoods and positioned in prominent locations to enhance views or vistas.

246_ Public spaces should be designed and located as part of, and to support, the active mobility network.

247_ Public spaces should be located and designed within neighbourhoods to ensure access, visibility, safety, and connectivity to the adjacent street network. To accomplish these objectives, public spaces within neighbourhoods should have wide exposure to public streets.

248_ Public spaces should be designed to accommodate tree growth to assist in achieving the goals of the Forest City chapter of this Plan. MAY 25, 2022 CITY BUILDING POLICIES 66

249_ Neighbourhoods will be designed with a high-quality public realm, composed of public facilities and public spaces such as parks, squares, sitting areas and streets.

250_ Neighbourhood parks may be designed to provide space to support food systems, including food growing, composting, neighbourhood markets and other neighbourhood-based activities.

251_ The public realm and public buildings will be designed to meet federal, provincial and municipal accessibility requirements. Municipal properties will meet the City of London Facility Accessibility Design Standards

Neighbourhoods Place Type

The subject lands are within the “Neighbourhoods” Place Type permitting a range of residential uses, small-scale community facilities and open space/public parks. Key elements of the Neighbourhood Place Type applicable here are as follows:

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

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

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

930_ Community facilities that are normally associated with, and integral to, a residential environment, may be permitted at appropriate locations. Where they are determined to be appropriate subject to the Planning and Development Applications section in the Our Tools part of this Plan, the following community facilities may be permitted: places of worship; day care centres; branch libraries; schools; community centres; public parks; and public recreation facilities; and similar community-oriented facilities. Zoning on individual sites may not allow for the full range of permitted uses. Community facilities will be directed to locations that are easily accessible and where they can help establish and enhance the character of a neighbourhood.

Environmental Review Place Type

The remaining lands are within the Environmental Review Place Type.

784_ Existing uses are permitted. Pending the evaluation of an Environmental Review Place Type through the appropriate environmental studies, permitted uses in the Environmental Review Place Type will include agriculture, woodlot management, horticulture, conservation, and recreational uses.

Our Tools

Evaluation Criteria for Planning and Development Applications

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

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

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

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*
- c. Neighbourhood character.*
- d. Streetscape character.*

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

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

Southwest Area Secondary Plan

This site forms part of the *Southwest Area Secondary Plan* and is subject to the development vision and detailed policies of the Secondary Plan. The lands are within the Wonderland Boulevard Residential, and are designated as Low Density Residential (LDR), Medium Density Residential (MDR), and Open Space and Environmental Review. A range of low and medium density residential uses are permitted, as well as a limited range of secondary permitted uses and open space uses, including active recreational parks, smaller and more passive neighbourhood parks, natural heritage and environmental features, and stormwater management facilities.

Section 20.5.4.3 Open Space

i) Function and Purpose the Open Space designation will apply to lands within the Southwest Planning Area that are intended for active and passive recreation, and that are components of the city's natural heritage system. Visible connections and linkages to the Open Space designation will serve as prominent features and amenities to residential neighbourhoods. Open space lands will also serve as a buffer for the residential neighbourhoods adjacent to the high intensity land uses of the Wonderland Boulevard Neighbourhood. Enhanced, visible connections to the open space areas will be incorporated into all Neighbourhood Areas and will promote appropriate linkages within and between neighbourhoods.

Therefore, based on this policy direction staff do support the requested amendments to the zoning.

Zoning By-law

The following provides a synopsis of the recommended zoning and permitted uses to be applied to the subject lands. Reference should be made to the Zoning Amendment Map found in Appendix A of this report.

These lands are currently zoned holding Residential R1 Special Provision (h*h-100*R1-3(24) zones permit a single detached dwelling.

Special Provision(s):

Garage Front Yard Depth 5.5 m (18 ft.) (minimum), Lot Coverage 45% (maximum), 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 Special Provisions.

The Holding Provisions that currently form part of the zone are to ensure the following:

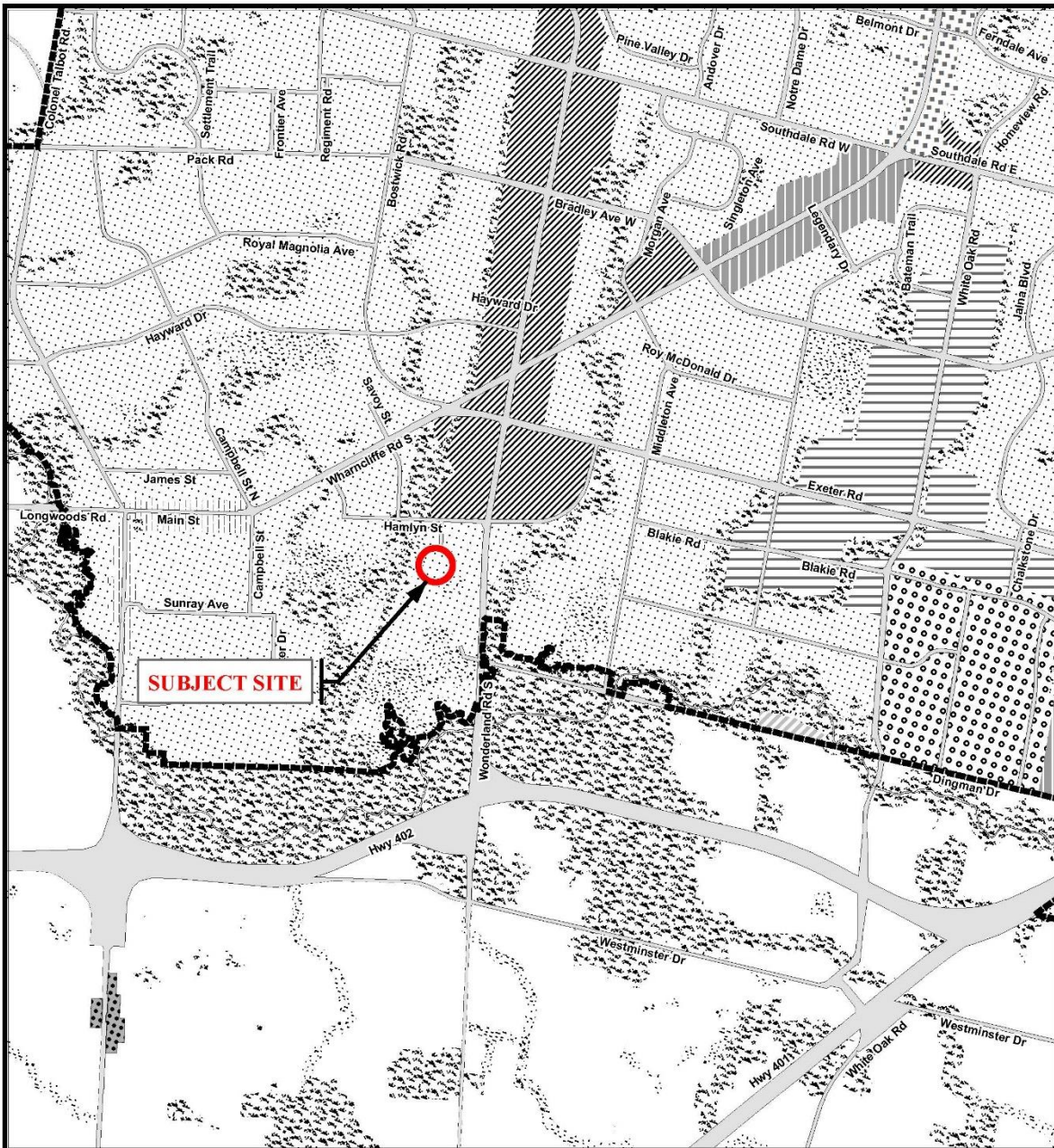
- orderly development and adequate provision of municipal services through approved Development Agreement (h);

- there is adequate water services and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer (h-100);

The amendment to include the Open Space (OS1) Zone has been requested to facilitate the development of an Open Space/Public Park within the future neighbourhood.

Appendix D – Relevant Background

The London Plan Map Excerpt



Legend

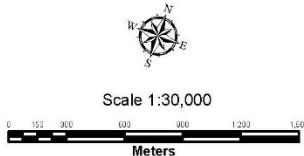
- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management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

This is an excerpt from 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-9565

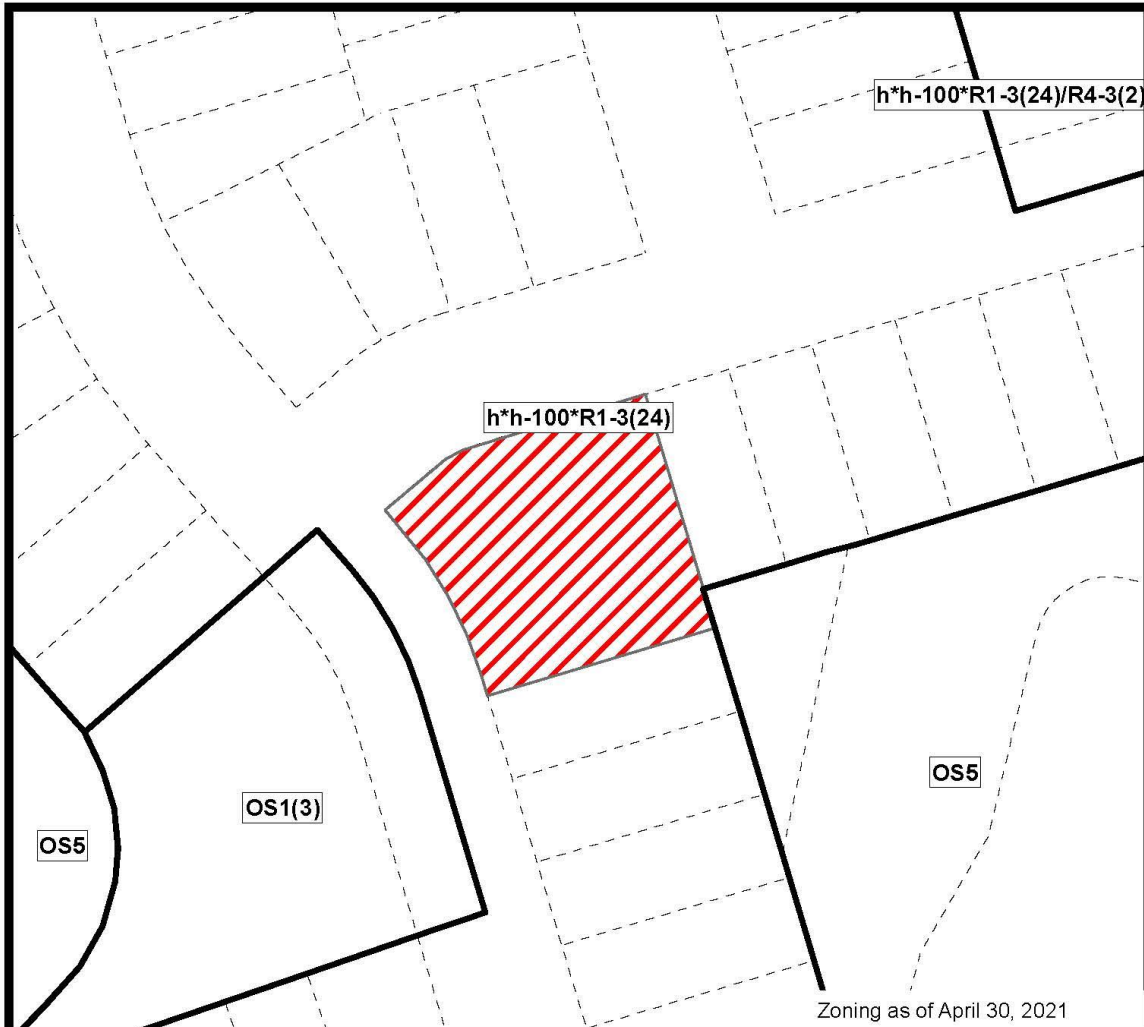
Planner: AP

Technician: JI

Date: 2023/1/31

Project Location: \\cfile1\giswork\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9565_Map1_PlaceTypes.mxd

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-100*R1-3(24)

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-9565

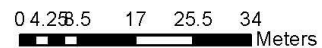
AP

MAP PREPARED:

2023/1/31

Jl

1:882



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: 1154 Hamilton Road
City File: Z-9569 Ward 1
Public Participation Meeting
Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Lynphyl Homes Limited (c/o Monteith Brown Planning Consultants) relating to the property located at 1154 Hamilton Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 4, 2023, to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area Special Provision (NSA4(4)) Zone **TO** a Residential Special Provision (R5-7(_)) Zone.
- (b) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Provide pedestrian connections throughout the site and wrought-iron fencing (or similar fencing type) and a gate along the area nearest the Hamilton Road and Gore Road intersection to access the sidewalk connections at the intersection.
 - ii) Provide a minimum driveway length of 6.0 metres where a driveway abuts a sidewalk, and a minimum of 2.1 metres where a barrier-free parking stall abuts a sidewalk.
 - iii) Consider alterations to current parking space configurations to provide a more substantial and usable amenity space and better screen any parking exposed to the public street.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site from a Neighbourhood Shopping Area Special Provision (NSA4(4)) Zone to a Residential Special Provision (R5-7(_)) Zone to permit a stacked townhouse development consisting of 3, 3-storey stacked townhouses with a total of 34 dwelling units. Special Provisions are required to permit reduced front, rear, and interior side yard setbacks as well as to reduce the maximum encroachments for balconies and non-structural architectural features.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to rezone the lands to a Residential Special Provision (R5-7(_)) Zone to permit a 3-storey stacked townhouse development consisting of 34 dwelling units. Changes to the current permitted land uses and development regulations are summarized below.

Rationale of Recommended Action

1. The recommended amendment is consistent with the *Provincial Policy Statement, 2020*, which encourages the regeneration of settlement areas and

land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;

2. The recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies;
3. The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood;
4. The recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary.

Analysis

1.0 Background Information

1.1 Property Description

The subject lands are located on the north side of Hamilton Road, slightly east of the Hamilton Road and Gore Road y-intersection within the Hamilton Road Planning District. The site is approximately 0.605 hectares in size with a frontage of approximately 128 metres along Hamilton Road. The surrounding area primarily consists of a mix of residential uses and open spaces, including Kiwanis Park South and Pottersburg Park. The subject site is also adjacent to a London Hydro, hydro corridor.

Currently, the subject site contains a vacant single storey building previously used for a variety of commercial purposes, with the remainder of the site covered in surface level pavement. At present, there are two points of vehicular access to the site from Hamilton Road as well as access to public transit services. Public sidewalks are currently not available along this section of Hamilton Road. An Environmental Assessment is underway for the redevelopment of the Hamilton Road and Gore Road y-intersection, which anticipates installation of sidewalks into this area.

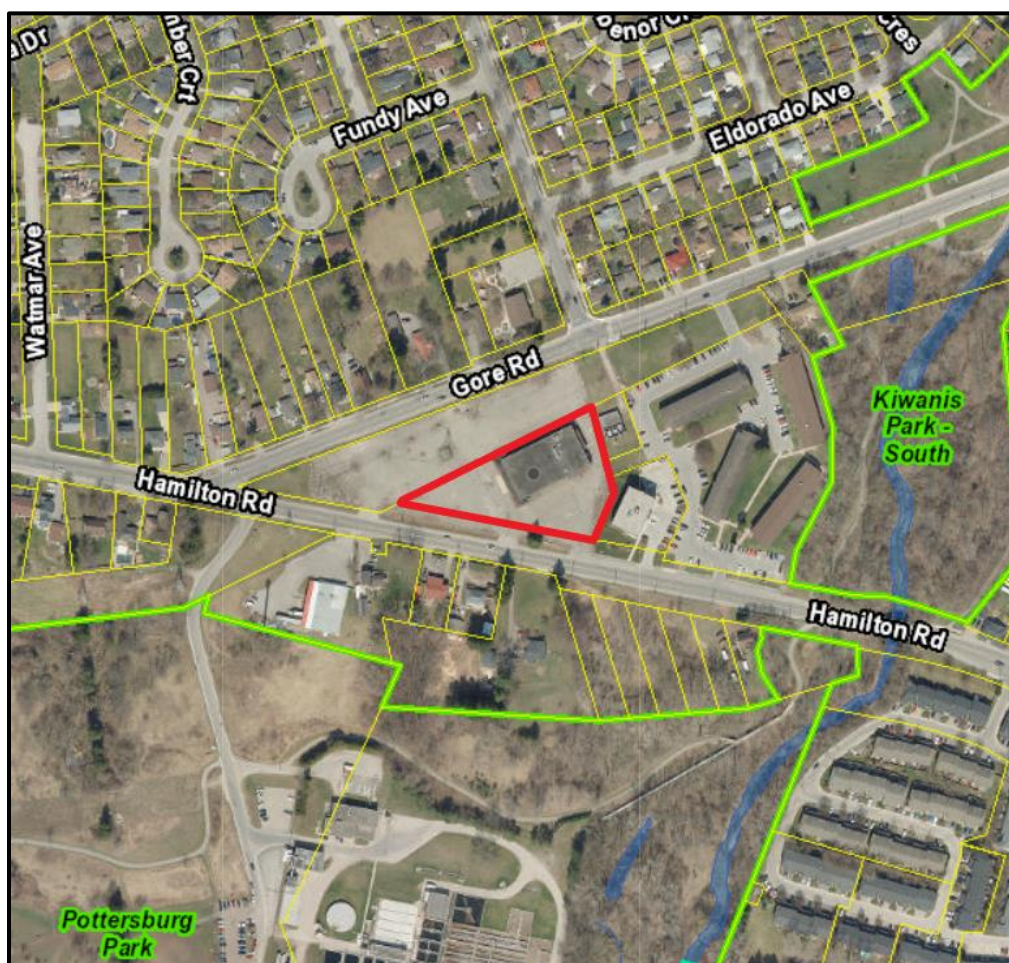


Figure 1. Aerial Photo of 1154 Hamilton Road and surrounding lands



Figure 2. Streetview of 1154 Hamilton Road (view of the subject lands, facing southeast from Gore Road)



Figure 3. Streetview of 1154 Hamilton Road (view of the subject lands, facing northeast from Hamilton Road)

1.2 Current Planning Information

- The London Plan Place Type – Neighbourhoods fronting a Civic Boulevard
- Existing Zoning – Neighbourhood Shopping Area (NSA4(4)) Special Provision Zone
- 0.605 hectares in size with a frontage of approximately 128 metres

1.3 Site Characteristics

- Current Land Use – Vacant Commercial Building
- Frontage – 128 metres
- Area – 6,050 metres square (0.605 hectares)
- Lot Coverage – 29 percent
- Shape – Irregular

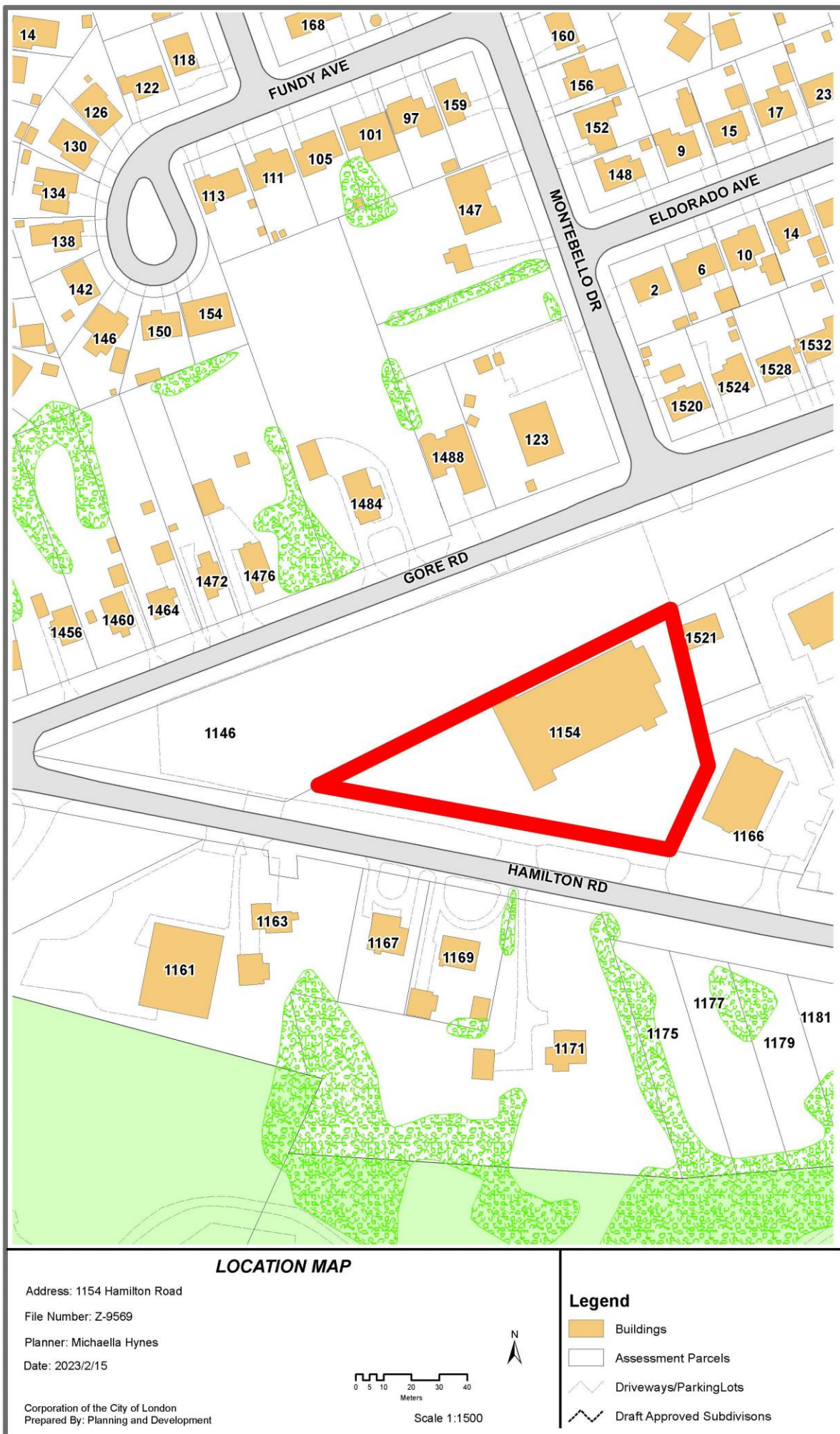
1.4 Surrounding Land Uses

- North – Residential and Neighbourhood Facility
- East – Residential and Open Space
- South – Residential and Open Space
- West – Residential and Open Space

1.5 Intensification

- The proposed development represents residential intensification within the Built-Area Boundary through the addition of 34 new dwelling units.
- The proposed development will not represent residential intensification within the Primary Transit Area.

1.6 Location Map



Description of Proposal

2.1 Development Proposal

The proposed stacked townhouse development consists of three, 3-storey stacked townhouses containing 34 residential units at a density of up to 57 units per hectare (UPH) and a height of 12.0 metres. Buildings 'A' and 'B' (fronting Hamilton Road) will contain 10 dwelling units each while Building 'C' will contain 14 dwelling units. Each unit is anticipated to have a patio/balcony to accommodate private outdoor amenity space in addition to a shared amenity space.

Vehicular access is provided via Hamilton Road leading to 68 vehicular parking spaces that can be accessed by way of integrated/attached garages and individual driveways. An additional 5 visitor parking stalls are included within the site design. Pedestrian access onto Hamilton Road is proposed to be provided via an interior sidewalk network which will extend to Hamilton Road on the west side of the development.

The site design has taken into consideration the Environmental Assessment with respect to the Hamilton Road and Gore Road intersection, whereby the southwestern corner of the property is proposed for amenity space. The proposed site layout provides sufficient space for future City acquisition of lands to accommodate the proposed roundabout option.

A site plan, floor plans, elevations and renderings of the proposed development are shown in Figures 5-10 below.

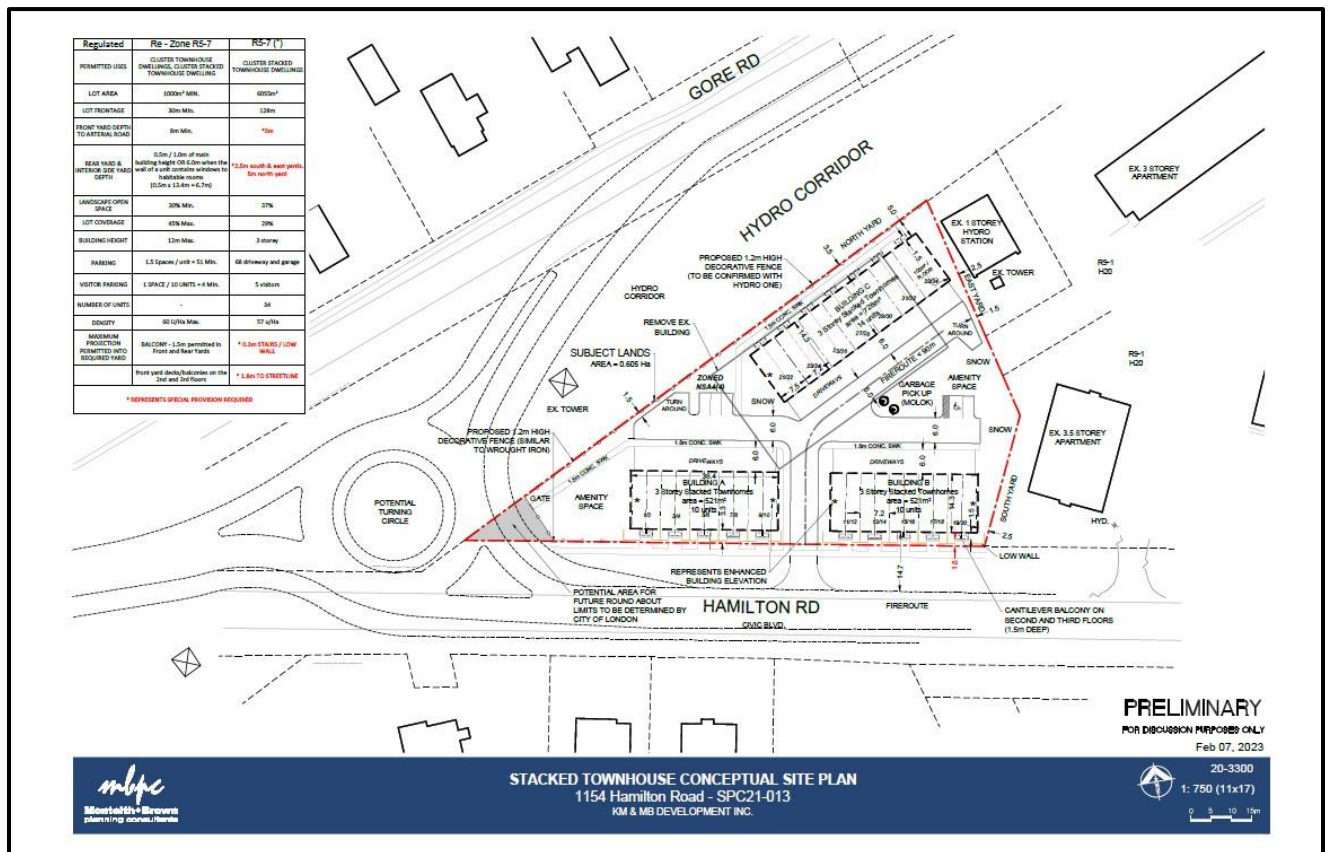


Figure 5. Conceptual Site Plan



Figure 6. Conceptual Rendering A1 (front of building facing Hamilton Road)



Figure 7. Conceptual Rendering A2 (rear of building facing Gore Road)

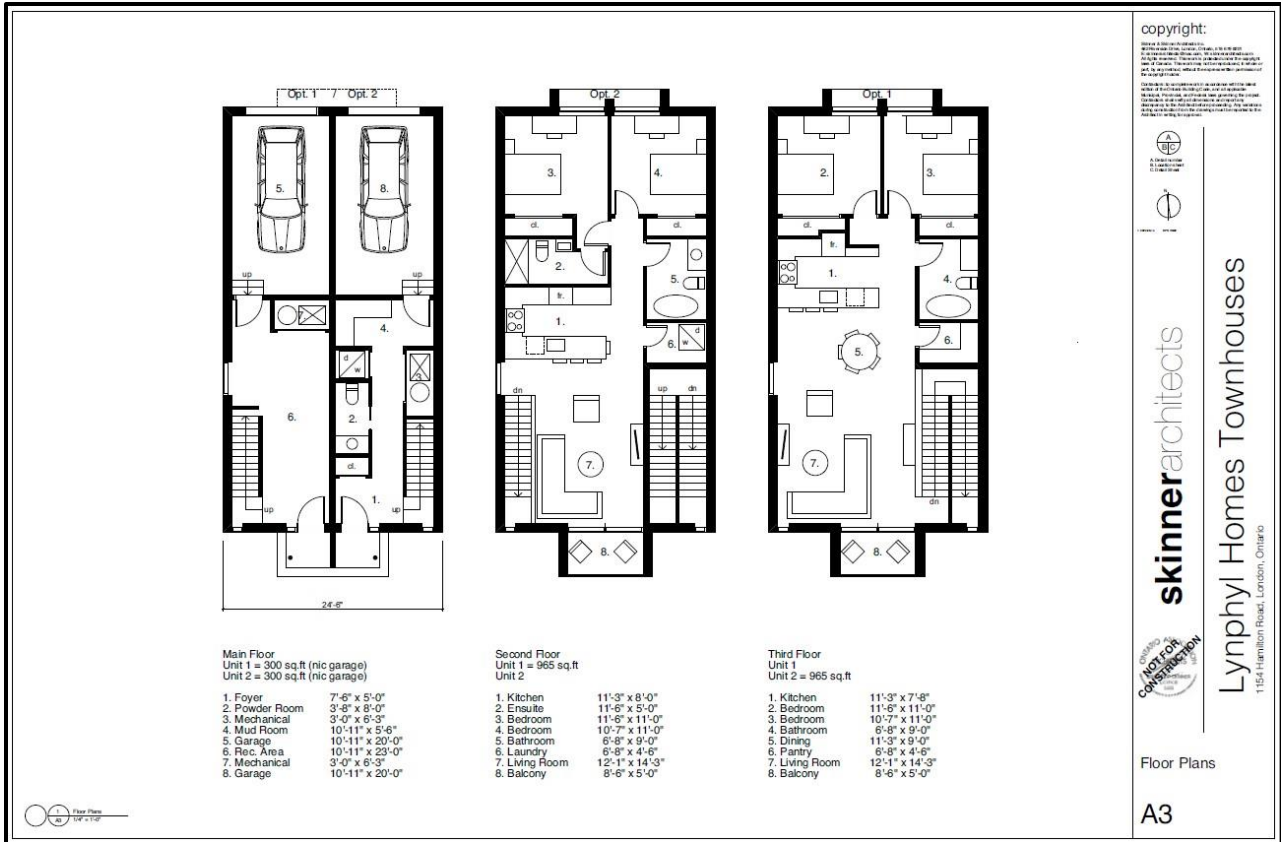


Figure 8: Floor Plan A3



Figure 9: Elevations A4 (North and South elevations)

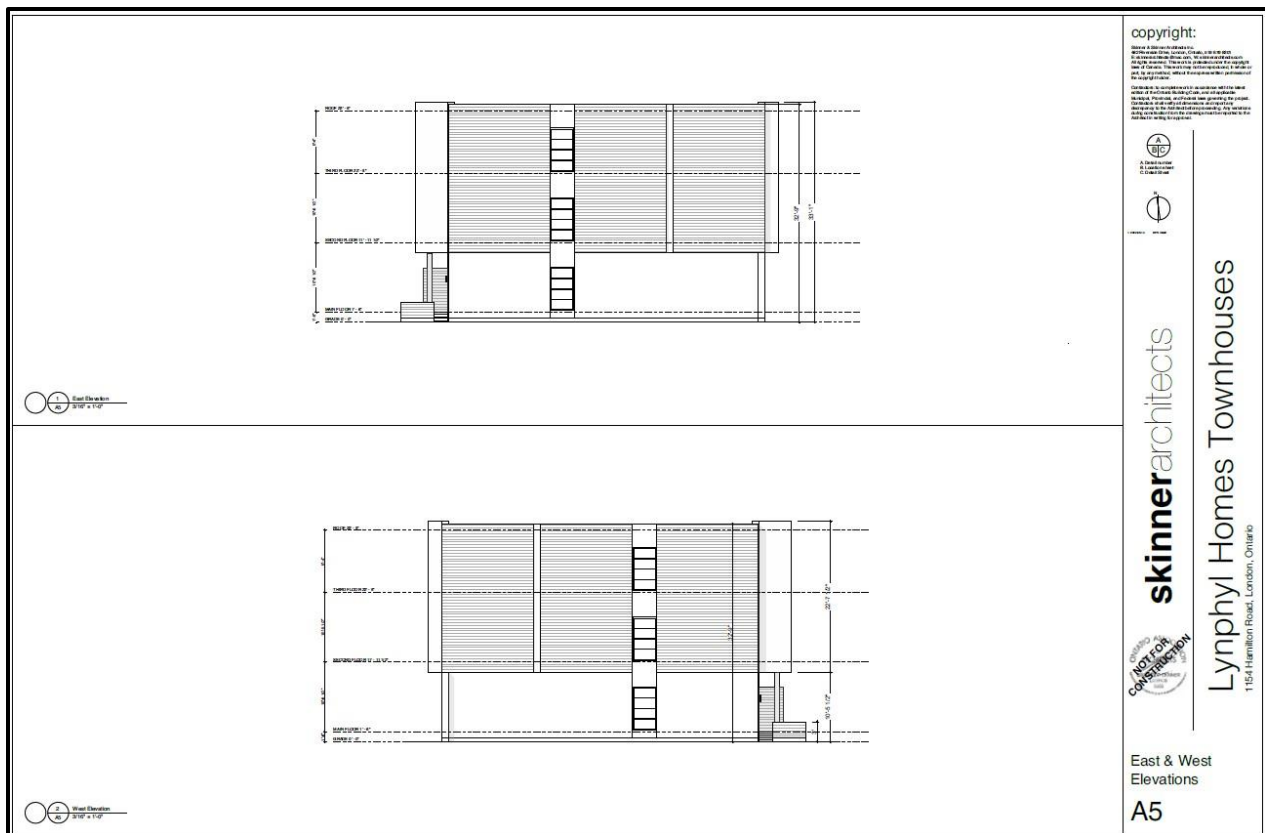


Figure 10: Elevations A4 (East and West elevations)

2.2 Requested Amendment

The applicant has requested to rezone of the subject site from a Neighbourhood Shopping Area Special Provision (NSA4(4)) Zone to a Residential Special Provision (R5-7(_)) Zone to permit a stacked townhouse development consisting of three, 3-storey stacked townhouses with a total of 34 dwelling units.

Special Provisions are also requested to permit:

- A minimum front yard depth of 3.0 metres;
- A minimum rear yard depth of 5.0 metres;
- A minimum southerly interior side yard depth of 2.5 metres;
- A minimum easterly interior side yard depth of 2.5 metres;
- A maximum encroachment for non-structural architectural features of 0.3 metres;
- A maximum balcony encroachment in the front yard provided the projection is not closer than 1.8 metres to the lot line.

2.3 Community Engagement (see more detail in Appendix B)

The public was provided with opportunities to provide comments and input on the application. There was 1 public response received during the community consultation period. No concerns with the proposed development were expressed by the public.

2.4 Internal and Agency Comments (see more detail in Appendix B)

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

3.0 Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Refer to Appendix C for further details on the characteristics of the proposed application related to the City's climate action objectives.

4.0 Financial Impacts

There are no direct municipal financial expenditures with this application.

5.0 Key Issues and Considerations

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

The PPS 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 (1.1.1 a). 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 policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development to accommodating a significant supply and range of housing options through intensification and redevelopment where it can be accommodated. The PPS also considers 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) and is supportive of development standards which facilitate intensification, redevelopment, and compact form (1.1.3.4).

Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure, 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)). 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)).

The recommended amendment is in keeping with the PPS 2020 as it will permit a compatible use within the surrounding context and will contribute to providing an appropriate range and mix of housing options and densities essential to meeting the projected requirements for current and future residential. The recommended amendment contributes to a land use pattern that makes efficient use of an underutilized parcel within an established settlement area and represents an appropriate form of residential intensification.

The proposed redevelopment is considered a more efficient use of the subject site as the proposal will accommodate a medium-density residential development where a remnant commercial use currently exists. Further, the subject site is of a size and configuration capable of accommodating the proposed intensity of development while making use of existing active and public transportation, and nearby recreational, institutional, and commercial services. The proposal will also facilitate a development that will contribute to a greater range of housing options that meets a diversity of social, health, economic and well-being requirements of current and future residents. Lastly, the proposed development has the potential to encourage an increase in long-term social, economic, and environmental prosperity within the neighbourhood.

4.2 Issue and Consideration #2 – Key Directions, Use, Intensity and Form

The London Plan

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 for building a mixed-use compact city for London's future by:

- 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 (Direction 4)
- Ensuring a mix of housing types within our neighbourhoods so that they are complete and support aging in place (Direction 5)

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

- Thinking “big picture” and long-term when making planning decisions – considering the implications of a short-term and/or site-specific planning decision within the context of this broader view. (Key Direction #8, Direction 3)
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).
- Ensuring new development is a good fit within the context of an existing neighbourhood. (Key Direction #8, Direction 9)

The area surrounding the subject lands primarily consists of a mix of residential uses and open spaces with some commercial uses that cater to the surrounding community. The proposed amendment supports these Key Directions by permitting the redevelopment of an underutilized parcel to allow a form of residential intensification that would contribute to the mix of housing options in the neighbourhood. The proposed development would maximize the use of the land by accommodating an appropriate residential density within the neighbourhood thereby allowing existing residents to age in place whilst taking advantage of existing municipal services and facilities.

The site is located within the Neighbourhoods Place Type of The London Plan with frontage onto a Civic Boulevard (Hamilton Road) as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within Neighbourhoods Place Type at this location include a broad range of residential uses that include stacked townhouses at a standard maximum height of 4-storeys (The London Plan, Table 10 and 11).

When proposing residential intensification projects within the Neighbourhoods Place Type, the City will consider a variety of design policies including the intensity of the proposed development and the compatibility and fit of the proposal within the surrounding context (The London Plan, Policy 953_ 2 and 3). In order to determine whether a proposed residential intensification project is appropriate for the surrounding neighbourhood; the following design criteria are considered:

- Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking.
- Building and main entrance orientation.
- Building line and setback from the street.
- Character and features of the neighbourhood.
- Height transitions with adjacent development.
- Massing appropriate to the scale of the surrounding neighbourhood.

The proposed stacked townhouse development represents a permitted land use at an appropriate scale and intensity which is considered compatible with the surrounding properties. The development also represents an appropriate redevelopment of an underutilized parcel in favour of a residential use and intensity that maximizes the use of the land and existing municipal servicing and facilities while accommodating necessary site functions and features. Special provisions will be implemented to establish a building form that is pedestrian orientated in nature while complementing the surrounding neighbourhood.

Parking areas will be located internally and away from the street frontage to maintain the visual aesthetic and further encourage a pedestrian orientated streetscape. Additionally, the proposal includes internal pedestrian walkways, which through Site Plan Approval will establish a strong pedestrian circulation through the site and access to Hamilton Road. The southwestern corner of the site is also proposed as a large on-site landscaped open space to accommodate an appropriate amount of space for the shared amenity of all units, while also contributing to a significant increase in the overall landscaped open space on the site. This also provide opportunity for the City to possibly acquire additional lands for the proposed roundabout with respect to the Hamilton Road and Gore Road intersection.

As such, the proposed development is considered to implement the planned vision of the Neighbourhoods Place Type that intends to help establish an appropriate form and scale of residential intensification while complementing the character of the surrounding area. The proposed stacked townhouse development will also contribute to a mix of housing types, and provide choice and diversity in housing options for both current and future residents.

4.3 Issue and Consideration #3: Transportation and Parking

The applicant is proposing to incorporate 68 vehicular parking spaces and 5 visitor parking stalls (2 parking spaces per unit within driveways and private garages) on site for a total of 73 off-street parking spaces. Given that the City's Parking Standards requires that only 1 space be provided for each townhouse unit (Zoning By-Law, Section 4.19) the inclusion of 2 spaces per unit plus 5 additional visitor spaces can be considered more than sufficient to successfully accommodate the increase in vehicles anticipated for the site and assists in mitigating the risk of parking spilling over onto nearby residential streets. Slight reconfigurations of parking are proposed to be considered during the Site Plan Approvals process in an effort to increase the site's amenity area and provide pedestrian connections throughout the site. Furthermore, a Transportation Impact Analysis (TIA) was not warranted as no significant transportation or parking concerns were raised, and any increased traffic resulting from the additional 34 residential units are not anticipated to negatively impact the surrounding area.

Lastly, City Staff noted that the Hamilton Road and Gore Road Environmental Assessment has not yet been finished, and therefore, the roundabout shown on the site concept drawing does not reflect the footprint of the proposed roundabout, should the roundabout become the preferred option. Notwithstanding that the roundabout was taken into consideration when designing the site concept, it is noted that changes to the site design and layout may be required during the review of the Site Plan application.

4.4 Issue and Consideration #4: Zoning

The applicant has requested to rezone the lands from the existing Neighbourhood Shopping Area Special Provision (NSA4(4) Zone to a Residential Special Provision (R5-7(_)) Zone. The intent is to permit three, 3-storey stacked townhouse development consisting of 34 dwelling units.

The proposed Residential (R5-7) Zone variation provides for, and regulates, medium density residential development in the form of cluster townhouses and cluster stacked townhouses and permits a maximum height of 12.0 metres and a maximum density of 60 units per hectare (uph). Special provisions are outlined below.

A maximum front yard depth of 3.0 metres.

The intent of a front yard depth is to ensure sufficient space between buildings and the road to accommodate an appropriate site line, landscaping and in the event of future road widening while facilitating a pedestrian oriented development. In this case, the reduced front yard depth will facilitate a pedestrian oriented development by orienting the two building blocks towards the street along Hamilton Road, establishing a strong street edge. Staff are also of the opinion that the setback provides sufficient space for proper functionality, maintenance, landscaping, and road widening.

A rear yard setback of 5.0 metres and a south and east interior side yard setback of 2.5 metres

The intent of interior yard and rear yard setbacks is to provide adequate separation and mitigate potential impacts between the proposed development and adjacent properties, while also providing access to the rear and interior yards. In this case, the south interior side yard abuts an existing apartment building, while the east interior side yard and rear yard abut a hydro station and hydro corridor. Staff are of the opinion that the orientation of the building block closest the south interior side yard is sympathetic to the abutting apartment building, and that all setbacks provide adequate separation between the future development and abutting lots. Balconies are proposed to be oriented either towards the hydro corridor or Hamilton Road. Therefore, privacy concerns are not anticipated for the abutting apartment building.

A maximum encroachment of 0.3 metres to the lot line for a non-structural architectural feature and a maximum encroachment for a balcony into the front yard of 1.8 metres to the lot line

The intent of encroachment regulations is to ensure that there are no structural encroachments or overhangs which would impact on adjacent properties, and that stormwater runoff does not adversely affect the abutting lands. In this case, the increased encroachment for a non-structural feature (circled in blue) is for the purpose of providing a low wall at the corner of the front yard and south interior side yard, while the increased encroachment for the balconies (circled in green) will facilitate the private amenity of units. Staff are of the opinion that the low wall and balconies are appropriately situated for the design of the site and for the benefit of residents and are not anticipated to adversely affect abutting lands.

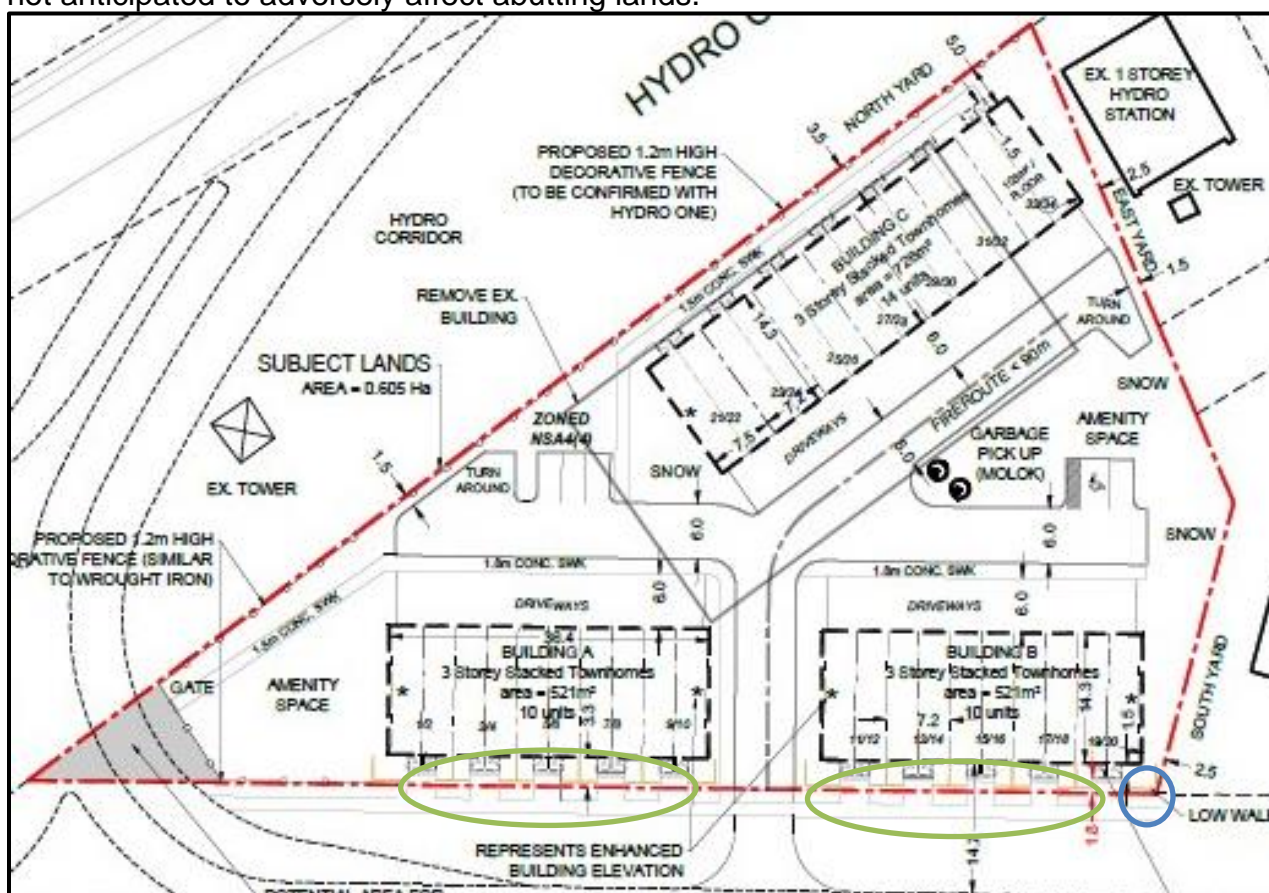


Figure 11: Site Plan denoting the two encroachment special provisions.

For these reasons, Planning and Development Staff are of the opinion that the proposed Residential Special Provision (R5-7(_)) Zone is appropriate for the site and would permit a specific development proposal at an appropriate scale and configuration that is compatible with the surrounding area.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan for the Neighbourhoods Place Type. The recommended amendment would facilitate the redevelopment of an underutilized parcel and would help broaden the range and mix of housing options within the area to support the needs of current and future residents. The land use, intensity, and form are considered appropriate for the site and compatible with the surrounding context. As such, the proposed amendment is being recommended for approval.

Prepared by: **Michaella Hynes**
Planner I

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

Recommended by: **Heather McNeely, MCIP, RPP**
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)
2023

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1154
Hamilton Road

WHEREAS Lynphyl Homes Limited has applied to rezone an area of land located at 1154 Hamilton Road, 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 1154 Hamilton Road, as shown on the attached map comprising part of Key Map No. A107, from a Neighbourhood Shopping Area Special Provision (NSA4(4)) Zone TO a Residential Special Provision (R5-7(_)) Zone.
- 2) Section Number 9.4 of the Residential (R5-7) Zone is amended by adding the following Special Provisions:

R5-7 () 1154 Hamilton Road

a) Regulations:

- | | |
|---|------------------------|
| i) Front Yard Depth (Minimum) | 3.0 metres (9.8 feet) |
| ii) Rear Yard Depth (Minimum) | 5.0 metres (16.4 feet) |
| iii) South Interior Side Yard Depth (Minimum) | 2.5 metres (8.2 feet) |
| iv) East Interior Side Yard Depth (Minimum) | 2.5 metres (8.2 feet) |
| v) Maximum Encroachment for a non-structural architectural feature no closer than 0.3 metres (0.98 feet) to the lot line. | |
| vi) Maximum Balcony Encroachment into the front yard provided the projection is no closer than 1.8 metres (5.9 feet) to the lot line. | |

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

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

of this by-law or as otherwise provided by the said section.

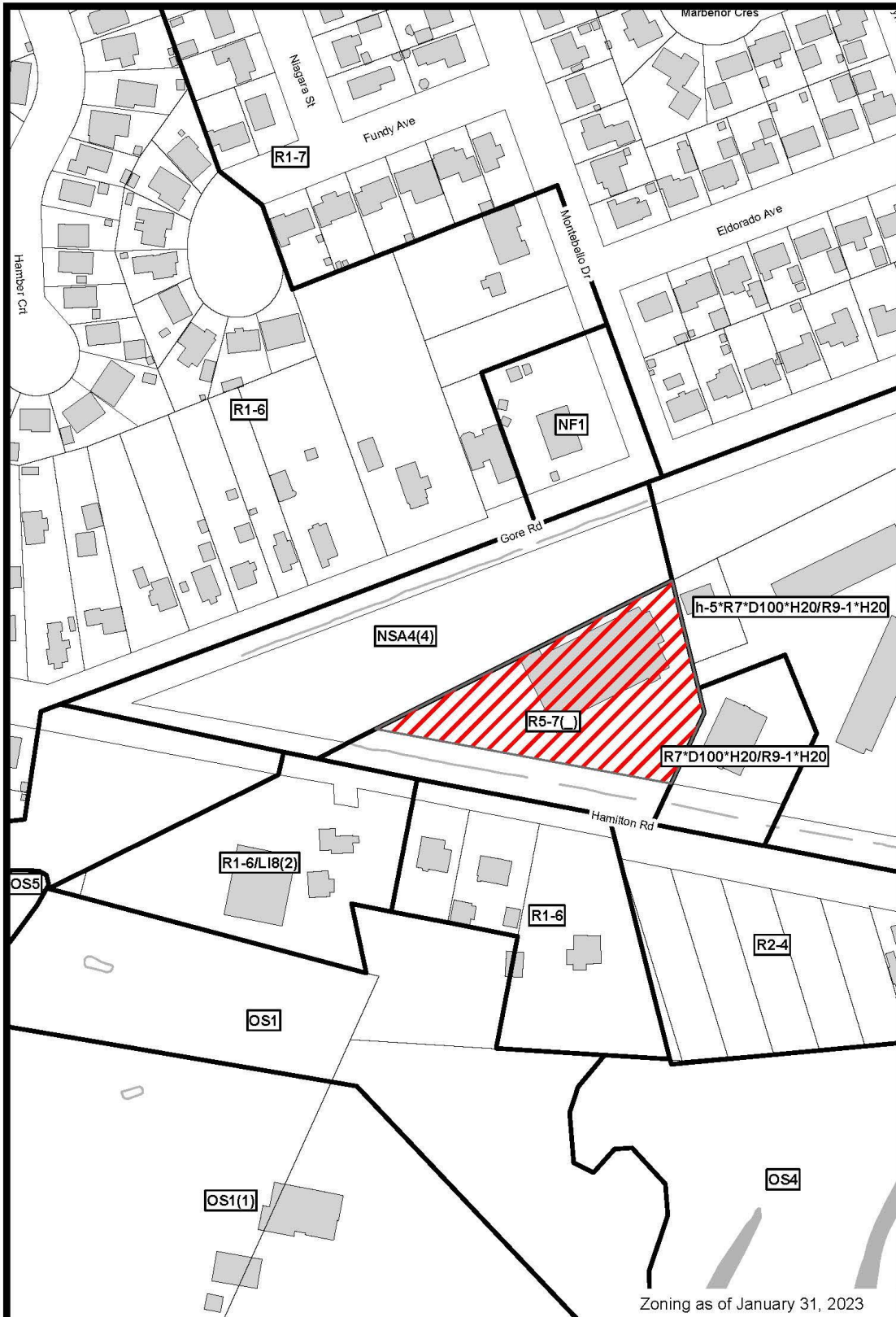
PASSED in Open Council on April 4, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 4, 2023
Second Reading – April 4, 2023
Third Reading – April 4, 2023

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



Zoning as of January 31, 2023

File Number: Z-9569
 Planner: MH
 Date Prepared: 2023/2/15
 Technician: JI
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On Wednesday, November 30, 2022, Notice of Application was sent to 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 Thursday, December 1, 2022. A “Planning Application” sign was also placed on the site.

Nature of Liaison: The purpose and effect of this zoning change is to permit three 3-storey stacked townhouse buildings with a total of 34 residential units and a density of 57 units per hectare. Special provisions are requested to permit a reduced front yard depth of 3.0 metres, whereas 8.0 metres is the minimum required; a reduced rear yard setback of 5.0 metres; whereas 6.0 is the minimum required; a reduced interior side yard setback of 2.5 metres, whereas 3.0 metres is the minimum required; and a reduced maximum projection of 0.3 metres into the front yard; whereas 1.5 metres is the maximum permitted. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Shopping Area NSA4 Special Provision (NSA4(4)) **To** Residential R5 Special Provision (R5-7(_)) Zone.

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

1. Paul Walmsley

It sure will be a benefit to the neighborhood to have the derelict vacant building on the site replaced by the 34-unit townhouse buildings. 100% support from me.

Agency/Departmental Comments

November 30, 2022: London Hydro

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearance from L.H. infrastructure is mandatory. A blanket easement will be required. **Note:** Transformation lead teams 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.

December 8, 2022: Urban Design

- Consider an alternative building form, such as a low-rise apartment, on the site to better respond to the angular shape of the property and site constraints.
- Include direct access from the unit entrances to the proposed public sidewalk on Hamilton Road.
 - Design any proposed amenity spaces flanking this façade as open courtyards. Avoid a ‘rear-yard’ condition along the street.
- For end units that are visible from the street, provide enhanced architectural details, such as wrap-around porches, entrances and a similar number of windows, materials, and articulation as is found on the front elevation.
- The proposed buildings are highly visible from Gore Road, across the Hydro corridor.
 - Screen any parking exposed to the public street with a combination of low masonry walls (max 0.75m in height) and/or enhanced landscaping.
- Remove 4 parking spaces between Building B and C and provide a more substantial and usable amenity space.
- The turning radius for the end-unit parking space in Building A might be impeded by the proposed fence. Consider reducing one unit to provide adequate space, while increasing the amenity area.
- **Note:** Please confirm the height of the proposed fence along the Hydro One corridor

December 8, 2022: Landscape Architecture

- No comments to provide on this application. There are some boulevard trees that could be impacted by development, this can be addressed at the Site Plan Application stage.

December 16, 2022: Parks Planning

- 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.

December 20, 2022: UTRCA

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

December 21, 2022: Ecology

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

January 5, 2022: Engineering

Comments for the rezoning application:

- The Gore and Hamilton EA hasn't been finalized yet. We are waiting for Hydro One comments in order to confirm the preferred solution. Please note that the roundabout shown on the site concept drawing does not reflect the actual footprint of the proposed roundabout. If the roundabout becomes preferred option, it might impact the Building A location/size.

The following items are to be considered during a future site plan application stage:
Wastewater:

- The municipal sanitary sewer available for the subject lands is a 200mm diameter sanitary sewer on Hamilton Road via an existing 200mm diameter sanitary lateral at a manhole PT1119 at the existing easterly driveway access on Hamilton Rd to MH PT937.

Stormwater:

Specific comment for this site

- As per attached drawing No (1954), the site (at C=0.90) is tributary to the existing 600mm storm sewer on Hamilton Road.
- In order to service the proposed site the applicant will be required to extend the sewers on Hamilton Road to the East limit of their site; these works shall be in accordance with City Standards.
- The consulting engineer is to provide a hydraulic calculation for the 600mm storm sewer (e.g. storm sewer capacity analysis based on upstream/downstream tributary areas and run-off coefficients). to demonstrate the expected surplus capacity.
- The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100-year return period storms.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, it's 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. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual. As per City of London standard, the proposed land use as a light industrial area is conducive for filtration.

- The number of proposed/existing parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devices.
- The proposed land use of a medium density residential will trigger(s) the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100-year event and safely convey the 250-year storm event.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Pottersburg Creek and Crumlin Drain Subwatershed

- The subject lands are located in the Pottersburg Creek and Crumlin Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Pottersburg Creek and Crumlin Drain Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100-year event and safely conveys up to the 250-year storm event, all to be designed by a Professional Engineer for review.
- 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 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.

Water:

- Water is currently available to the subject site via the municipal 300 mm watermain on Hamilton Road
- Due to existing structure being demolished, all existing water services (150mm CI water service to Gore Road) shall be abandoned as per City of London standards (cut and capped at the main)
- The servicing strategy for the site shall not create a regulated drinking water system.
- A water servicing report will be required addressing domestic demands, fire flows, water quality and future ownership of the development.

Transportation:

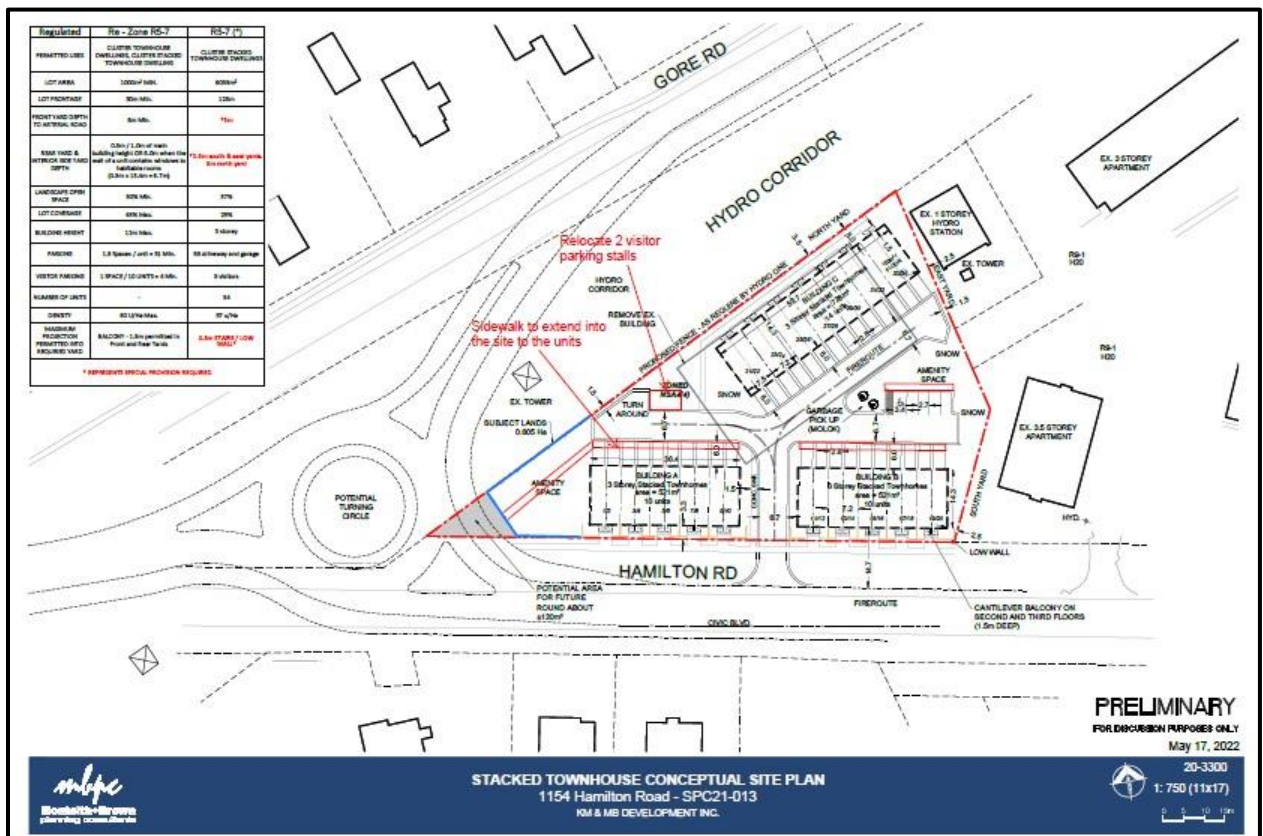
- Detailed comments regarding access design and location will be made through the site plan process.

January 5, 2022: Site Plan

- Pedestrian connections are required throughout the site. The sidewalk coming in off of Hamilton Road ends requiring pedestrians to walk along the road to meet the next sidewalk for Building C units. See attached red line drawing for pedestrian connection requirements.
- Where a driveway abuts a sidewalk, a minimum driveway length of 6.0m is to be maintained to accommodate any vehicle overhang.
- Sidewalks abutting the barrier-free parking stalls are to be a minimum of 2.1 metres to accommodate any vehicle overhang.
- The applicant is encouraged to relocate 2 of the visitor parking stalls to the north portion of the site to split up some of the visitor parking stalls and provide a larger amenity space.
- As indicated on the red-line drawing, the area in blue is to have wrought-iron fencing (or similar fencing type) with pedestrian connections and a gate to access the sidewalk connections at Hamilton and Gore Road.
 - Along the Hydro One Corridor and around the rest of the site, a board-on-board fence is preferred.
- Remove the spacing in between the driveways and provide one continuous driveway space. Typically, the small spaces are used for parking and no landscaping would survive.

For zoning/special provisions:

- A special provision is required for the proposed front yard decks/balconies on the 2nd and 3rd floors. The applicant is to provide a setback to the balconies to confirm the required special provision.



January 10, 2022: Heritage

- This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions, and recommendations) to be sufficient to fulfill the archaeological assessment requirements for (Z-9569):

- Detritus Consulting Ltd. Stage 1 Archaeological Assessment, 1154 Hamilton [Road], London (PIF P389-0513-2020), February 3, 2021.
- Please be advised that heritage planning staff recognizes the conclusion of the report that states that: “[b]ased on the results of the Stage 1 assessment, it was determined that the entire Study Area has been subject to extensive and deep land alteration that has severely damaged the integrity of any archaeological sources [...]. Therefore, the Study Area retains no potential for the identification and recovery of archaeological resources. As such, a Stage 2 archaeological assessment is not recommended for the Study Area.” (p ii)
- An Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received (without technical review), dated Aug 18, 2021 (MHSTCI Project Information Form Number P389-0513-2020, MHSTCI File Number 0013486).
- Archaeological conditions can be considered satisfied for this application.

Appendix C – Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

Infill and Intensification

Located within the Built Area Boundary: **Yes**
Located within the Primary Transit Area: **No**
Net density change: **57 units per hectare (34 units)**
Net change in affordable housing units: **N/A**

Complete Communities

New use added to the local community: **Residential**
Proximity to the nearest public open space: **approximately 46 metres**
Proximity to the nearest commercial area/use: **approximately 700 metres**
Proximity to the nearest food store: **approximately 1,100 metres**
Proximity to nearest primary school: **approximately 680 metres**
Proximity to nearest community/recreation amenity: **approximately 512 metres**
Net change in functional on-site outdoor amenity areas: **landscaped open space of 37 percent from zero.**

Reduce Auto-dependence

Proximity to the nearest London Transit stop: **On site**
Completes gaps in the public sidewalk network: **Yes**
Connection from the site to a public sidewalk: **Yes**
Connection from the site to a multi-use pathway: **Yes**
Site layout contributes to a walkable environment: **Yes**
Proximity to nearest dedicated cycling infrastructure: **approximately 147 metres**
Secured bike parking spaces: **N/A**
Secured bike parking ratio: **N/A**
New electric vehicles charging stations: **Unknown**
Vehicle parking ratio: **68 spaces, plus visitor parking is proposed**

Environmental Impacts

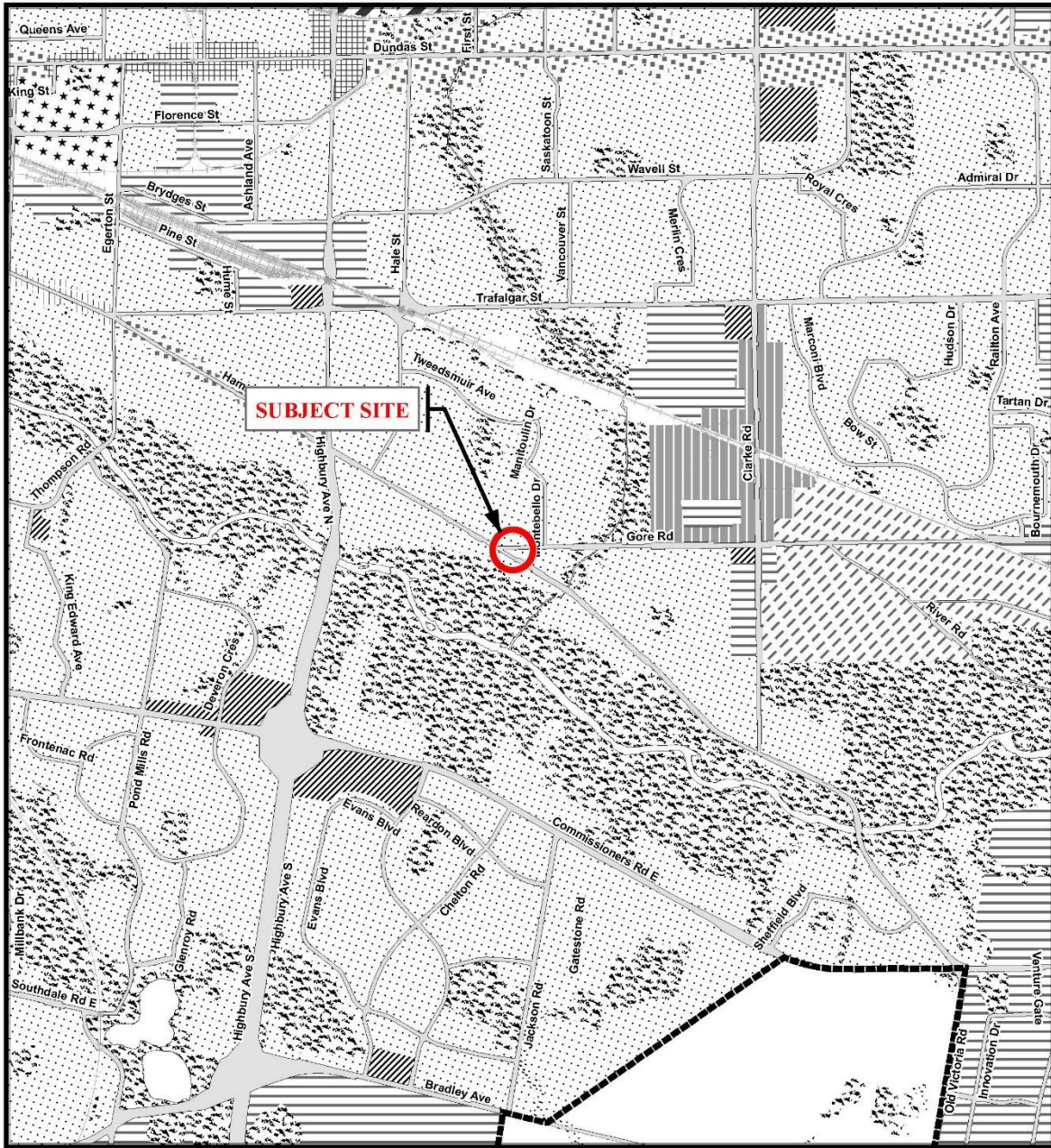
Net change in permeable surfaces: **Increased through application**
Net change in the number of trees: **Increased through application**
Tree Protection Area: **No**
Landscape Plan considers and includes native and pollinator species: **N/A**
Loss of natural heritage features: **No**
Species at Risk Habitat loss: **No**
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): **N/A**

Construction

Existing structures on site: **Yes**
Existing structures repurposed/adaptively reused: **No**
Green building features: **Unknown**
District energy system connection: **Yes**

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
 Meters

File Number: Z-9569
Planner: MH
Technician: JI
Date: 2023/2/15

Project Location: \\file1\giswork\Planning\Projects\p_officialplan\workconso\00\excerpts_LondonPlan\mxd\Z-9569_Map1_PlaceTypes.mxd

Zoning By-law Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: NSA4(4)

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9569

MH

MAP PREPARED:

2023/2/15

Jl

1:2,200

0 10 20 40 60 80
Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, Deputy City Manager, Planning and Economic Development
Subject: 2833257 Ontario Inc. (c/o Siv-ik Planning and Design Inc.)
955 Commissioners Road East
City File No. Z-9572 Ward: 14
Date: Public Participation Meeting
April 4, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2833257 Ontario Inc. (c/o Siv-ik Planning and Design Inc.) relating to the property located at 955 Commissioners Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 4, 2023, to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to change the zoning of the subject lands **FROM** a Residential R9 (R9-7*H43) Zone **TO** a Residential R9 Special Provision (R9-7()*H46) Zone and an Open Space (OS5) Zone;
- (b) the Site Plan Approval Authority **BE REQUESTED** to consider the following design matters for 955 Commissioners Road East through the site plan review process:
 - i) A variety of amenities in the outdoor open space to serve various populations;
 - ii) Additional tree plantings on site;
 - iii) Incorporate low walls, railings and/or landscaping to delineate private amenity areas from common outdoor spaces;
 - iv) Consideration of no fencing between the building and public pathways to maintain sightlines;
 - v) Consider including green infrastructure such as electric vehicle charging stations, green or cool roofs and/or solar panels;
 - vi) Consultation with the Ministry of Environment Conservation and Parks regarding development on lands previously used for waste disposal, and
 - vii) Incorporate mitigative measures for methane gas venting & control mechanisms.

Executive Summary

Summary of Request

The applicant has requested a Zoning By-law amendment to facilitate the development of a high-rise apartment building up to 14 storeys in height with a total of 188 units. The requested Residential R9 Special Provision (R9-7()*H46) Zone would increase the permitted height by 2-storeys as the current zoning regulations could accommodate heights of up to 12 storeys.

The requested zoning special provisions would permit a reduced lot frontage of 0.0 metres whereas 30.0 metres is required, a north interior side yard setback for the parking garage of 0.0 metres whereas 4.5 metres is required, a minimum south interior side yard setback for the parking garage of 0.0 metres whereas 4.5 metres is required, a west interior side yard setback for the main building of 3.0 metres whereas 18.4 metres is required, a minimum south interior side yard setback of 0.0 metres whereas 18.4 metres is required, a maximum lot coverage of 47% whereas a maximum of 30% coverage is required, a maximum lot coverage for a parking garage of 28%, whereas a

maximum lot coverage for accessory structures is 10%, a density of 270 units per hectare whereas 150 units per hectare is the maximum, and a height of 48 metres (14 storeys) whereas 41 metres (12 storeys) is permitted.

An Open Space Zone (OS5) is also being recommended to a small portion of the site, to include a 10-metre buffer to the Environmentally Significant Area (ESA).

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of one 14-storey apartment building with a total of 188 units, with 20 surface parking spaces and 168 parking spaces within a two-storey parking garage. The special provisions will ensure the site is developed generally in accordance with the site concept plan contemplated through the Zoning By-law Amendment process.

Rationale of Recommended Action

1. The recommended amendment is consistent with the *PPS 2020*;
2. The recommended amendment conforms to the in-force policies of *The London Plan*, including, but not limited to the Neighbourhoods Place Type, the High-Density Residential Overlay (HDR) policies, City Building and Design, Our Tools, and all other applicable policies in *The London Plan*; and
3. The recommended amendment facilitates the development of an underutilized lot within the Built-Area Boundary with an appropriate form of infill development.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Refer to Appendix C for further details on the characteristics of the proposed application related to the City's climate action objectives. Further analysis can be found under Appendix C of this report.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

The project site forms part of a comprehensively planned high-density apartment development block. The northern portion of the property (Phase 1) was developed with a 14-storey apartment building in 1973. At the time, the southern portion of the lands were envisioned to be developed with a twin 14-storey apartment buildings, with the placement and orientation of the second phase essentially mirroring the form of development in Phase 1. The southern portion of the site was separated via a past (1973) planning application. Access to the subject site is enabled by a right-of-way/easement which extends along the west boundary of the site. The location of the right-of-way is shown as "Part 2" in the historic site plan drawing below. There is an existing asphalt driveway developed along the length of Part 2 as part of the Phase 1 development in 1973.

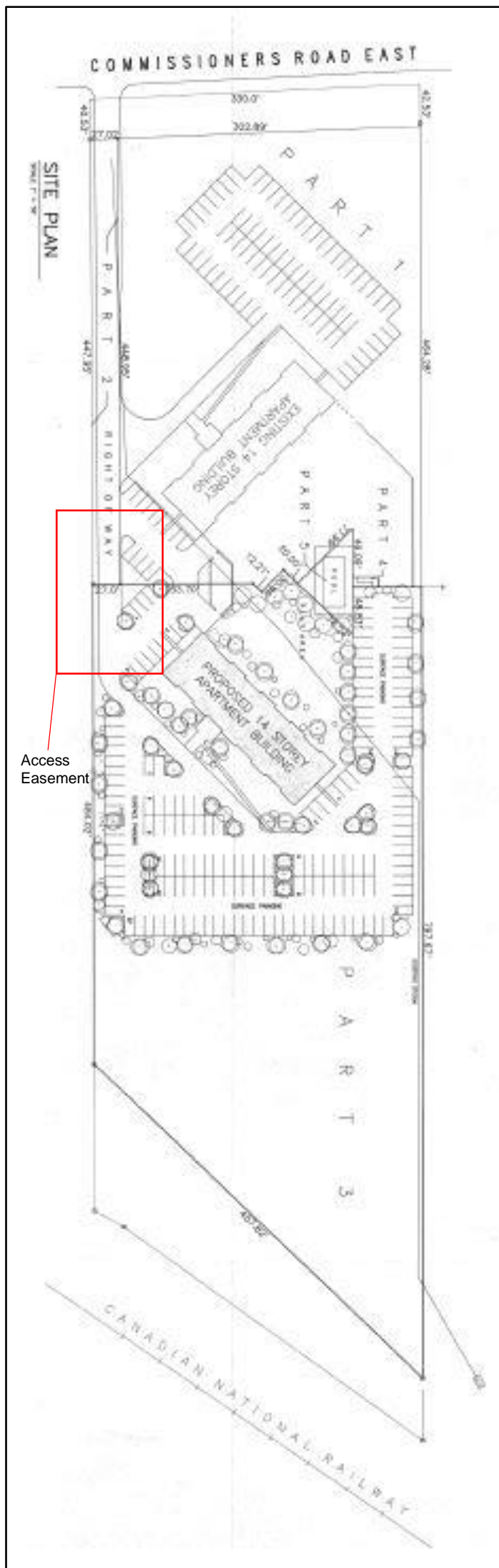


Figure 1. Original Site Plan from 1973.

1.3 Property Description

The subject lands are located on the south side of Commissioners Road East, across from Eagle Crescent, located behind an existing 14 storey apartment at 951 Commissioners Road East. The subject site is currently vacant, with zoning which provides up to 42 metres in height or approximately a 12-storey apartment building based on today's design standards. The immediate surrounding neighbourhood consists primarily of low, medium, and high-density residential, commercial, and open spaces, as well as being within 1km of the London Health Sciences Centre.

At present, there is access to the subject lands via an access easement from 951 Commissioners Road East. Commissioners Road East is a four-lane Civic Boulevard, that sees significant daily traffic volumes as it is a major arterial road within the City of London. Public sidewalks and dedicated bicycle lanes are currently available along the north and south sides of Commissioners Road East. Access to the subject site for vehicles and pedestrians will continue to be from Commissioners Road East.

The subject site is also adjacent to an Environmentally Significant Area (Westminster Ponds ESA), as identified on Map 5.



Figure 2. Aerial Photo of 955 Commissioners Road East and surrounding lands



Figure 3. Streetview of 955 Commissioners Road East (view from 951 Commissioners Road East)



Figure 4. View of the proposed entrance to 955 Commissioners Road East (Via Access Easement from 951 Commissioners Road East)

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

- The London Plan Place Type – Neighbourhoods Place Type fronting a Civic Boulevard; Green Space
- Special Planning Areas – Primary Transit Area
- Special Planning Areas – High Density Residential Overlay – From 1989 Official Plan
- Existing Zoning – Residential R9 (R9-7*H42)) Zone and Open Space (OS5)

1.5 Site Characteristics

- Current Land Use: Vacant (former Methane Site)
- Frontage – 0 meters
- Depth – 60 meters (196.9 ft)
- Area – 1.95 hectares (19,586 m² or 4.84 acres)
- Shape – irregular

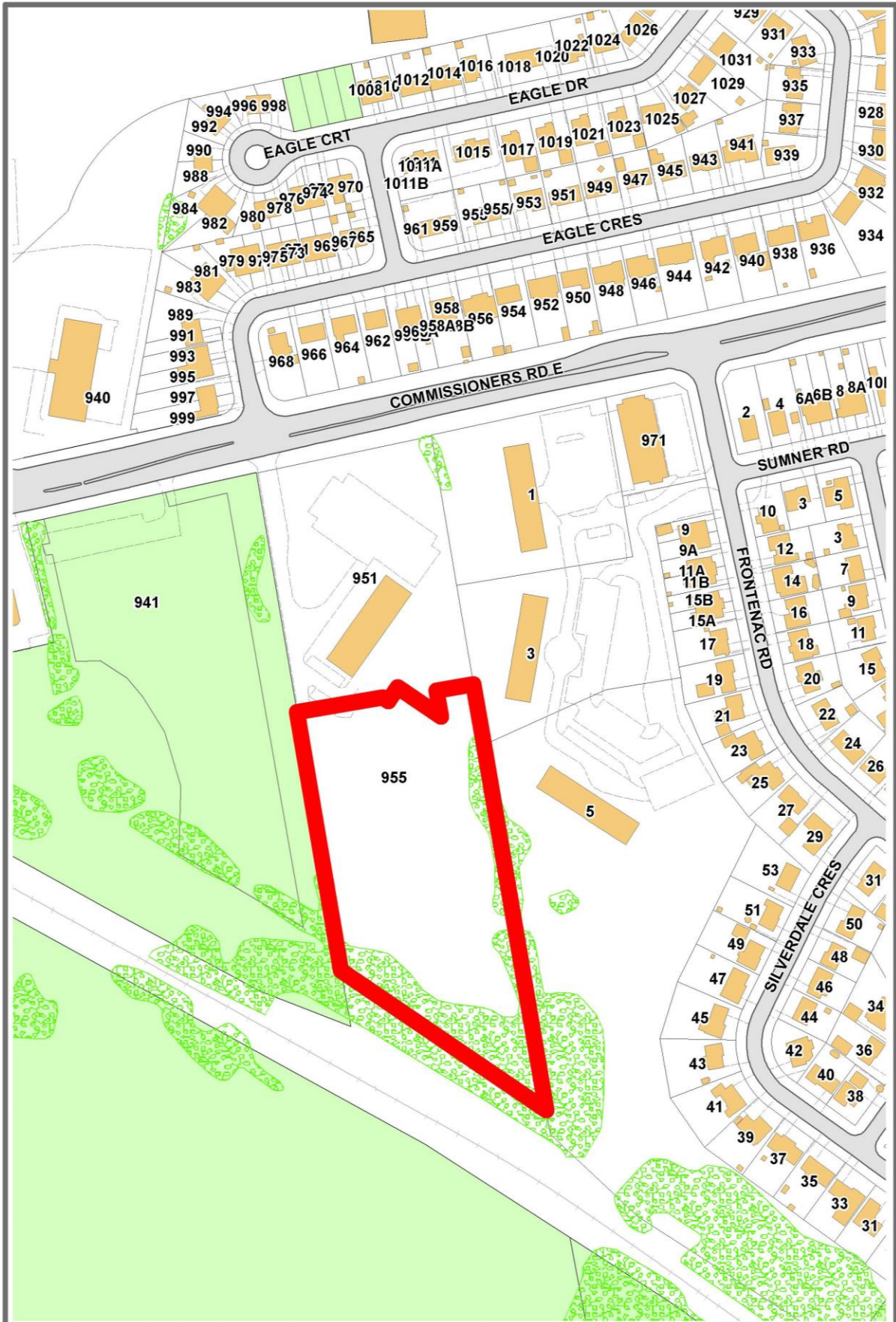
1.6 Surrounding Land Uses

- North – 12-Storey Apartment Building
- East – Three 6-Storey Residential Apartments
- South – Open Space; CN Rail Line
- West – Open Space; Off-Leash Dog Park (Caesar's Park)

1.7 Intensification

- The proposed development will represent intensification within the Built-Area Boundary.
- The proposed development will represent intensification within the Primary Transit Area.

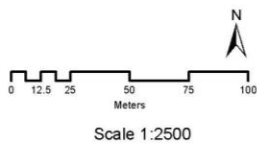
1.8 Location Map



LOCATION MAP

Address: 955 Commissioners Road East
 File Number: Z-9572
 Planner: Brent House
 Date: 2023/2/21

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



Legend

- Buildings
- Assessment Parcels
- Driveways/Parking Lots
- Draft Approved Subdivisions

Description of Proposal

2.1 Development Proposal

In October 2022, the applicant submitted a zoning by-law amendment application for one (1) fourteen (14) storey apartment building with 188 residential units and a total of 270 units per hectare. As part of a complete application the applicant provided a conceptual site plan, shown below as Figure 5, and building renderings and elevations which are shown in Figures 6, 7, 8 and 9.

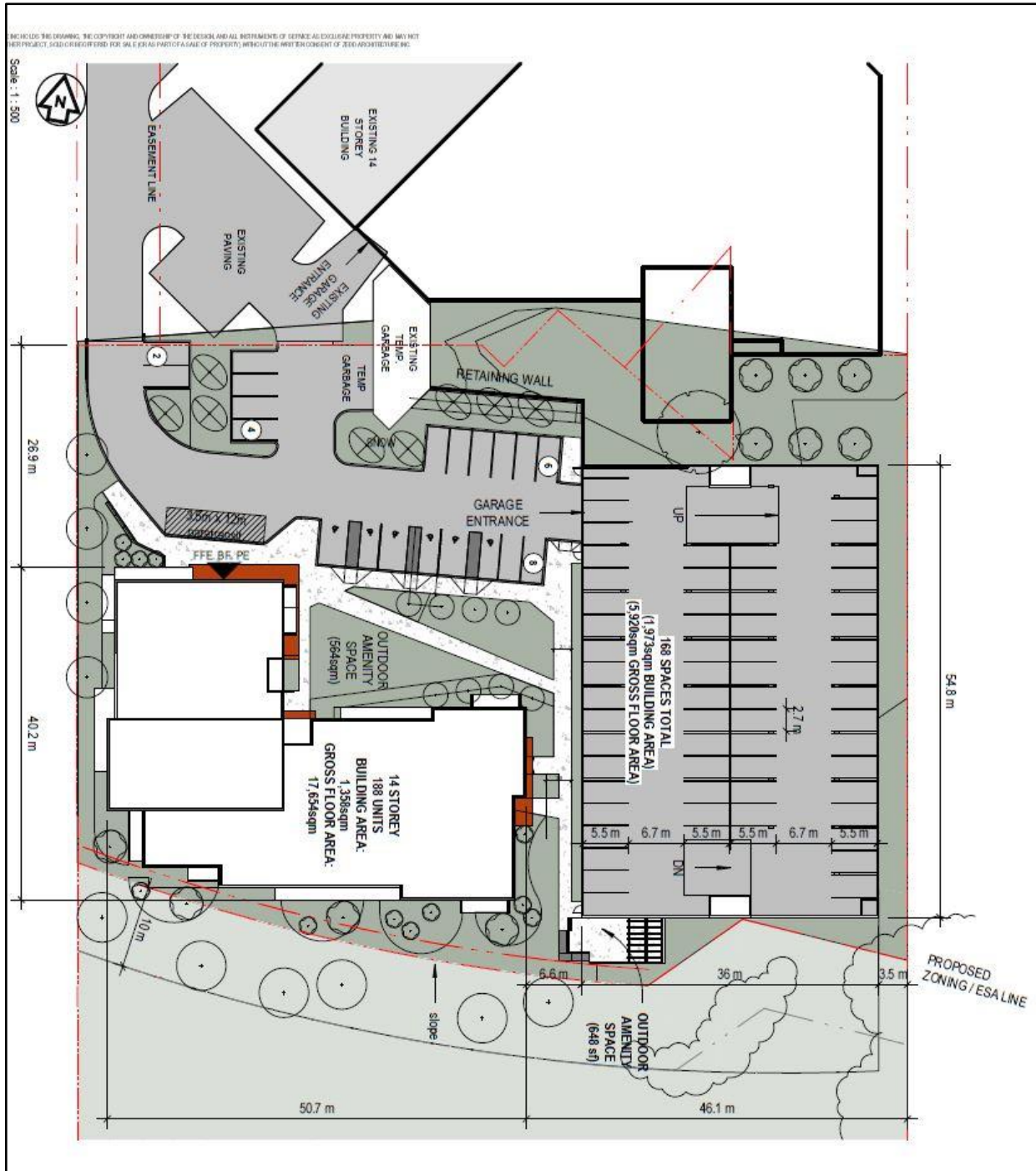


Figure 5. Conceptual Site Plan (February 2023)



Figure 6. Building Rendering (Northwest View)



Figure 7. Building Rendering (North View)



Figure 8. Building Rendering (Northeastern View)



Figure 9. Building Rendering (View Along Commissioners Road East)

2.2 Requested Amendments

The applicant has requested a Residential R9 Special Provision (R9-7(_)*H46) Zone, with special provisions as follows:

- a reduced lot frontage of 0.0 metres whereas 30.0 metres is required;
- a north interior side yard setback for the parking garage of 0.0 metres whereas 4.5 metres is required;
- a south interior side yard setback for the parking garage of 0.0 metres whereas 4.5 metres is required;
- a west interior side yard setback for the main building of 3.0 metres whereas 18.4 metres is required;
- a minimum south interior side yard setback of 0.0 metres for the main building whereas 18.4 metres is required;
- a maximum lot coverage of 47%, whereas a maximum lot coverage of 30% is required;
- a maximum lot coverage for the parking garage of 28%, whereas 10% is the maximum permitted;
- a maximum density of 270 units per hectares, whereas 150 units per hectare is the maximum permitted; and
- a height of 48 metres (or 14 storeys), whereas 41 metres (12 storeys) is permitted.

2.3 Community Engagement

On December 14, 2022, Notice of Application was sent to 27 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday December 15, 2022. A “Planning Application” sign was also placed on the site.

There was 1 public response received during the community consultation period, and these comments have been included in Appendix B.

Concerns expressed by the public relate to:

- Density
- Consistency of neighbourhood character
- Privacy
- Functionality of site.

2.4 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application. Detailed comments are included in Appendix B of this report.

2.5 Key Directions (The London Plan)

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 for building a mixed-use compact city for London’s future by:

- 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 (Direction 4)

- Ensuring a mix of housing types within our neighbourhoods so that they are complete and support aging in place (Direction 5)

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

- Thinking “big picture” and long-term when making planning decisions – considering the implications of a short-term and/or site-specific planning decision within the context of this broader view. (Key Direction #8, Direction 3)
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).
- Ensuring new development is a good fit within the context of an existing neighbourhood. (Key Direction #8, Direction 9)

3.0 Financial Impacts

There are no direct municipal financial expenditures with this application.

4.0 Key Issues and Considerations

4.1. Issue and Consideration #1 – Provincial Policy Statement, 2020

The PPS encourages an appropriate, affordable and market-based range and mix of residential types, including single-detached 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 PPS protects natural features and areas for the long term (2.1.1). Development and site alteration shall not be permitted in significant wetlands or significant woodlands (2.1.4 & 2.1.5). Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with Provincial or Federal requirements (2.1.7). Development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas 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).

Consistent with the PPS, the recommended amendment will facilitate the development of an underutilized site within an established residential neighbourhood and represents a form of intensification through infill development. This development will contribute to the mix of housing types in the area by providing choice and density in housing options for both current and future residents. Further, the proposed development will be located within an established area of the city, and intensification of the site would optimize the use of land and existing infrastructure, while contributing to achieving more compact forms of growth within the City. The proposed development will be located outside of a significant environmental feature and will include additional buffer within the open space zone to further protect the ESA.

4.2. Issue and Consideration #2 – Use

The London Plan

The site is within the Neighbourhoods Place Type of The London Plan fronting a Civic Boulevard. At this location, permitted uses include a range of stacked townhouses, fourplexes, low-rise apartments, emergency care establishments, rooming houses, and supervised correctional residences (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

The subject site is also located within the High-Density Residential Overlay of the London Plan (Map 2). High-rise apartment buildings play a significant role in supporting the fundamental goal of linking our land use plans to our mobility plans. This type of development generates significant densities which can create a high demand for transit services. While recognizing this strategy moving forward, The London Plan also recognizes High Density Residential (HDR) areas that were designated in the previous Official Plan. Map 2 identifies these lands as High-Density Residential Overlay (from 1989 Official Plan). Map 2 is an overlay that permits high-rise apartment buildings, in addition to the policies of the underlying place type (955_).

The proposed residential apartment building use is in conformity with The London Plan. The proposed development type is already located in the immediate area and will not impact adjacent uses. The site also has appropriate access to public transit, community facilities and retail uses, to support the proposed residential use and intensity. The apartment is not out of character for the neighbourhood and impacts will be minimal.

4.3. Issue and Consideration #3 – Intensity

The London Plan

The London Plan contemplates residential intensification in appropriate locations and in a way that is sensitive to and a good fit with existing neighbourhoods (83_). 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 (937_).

The London Plan uses height as a measure of intensity. The subject site is located within the High-Density Residential Overlay of the London Plan (Map 2). A site-specific policy within the HDR overlay is also applicable to the lands located at 955 Commissioners Road East. The policy permits a maximum height of 14 storeys and a maximum density of 150 units per hectare (1077C_3).

The subject property is of a size and configuration capable of accommodating a more intensive development than the 12-storeys that is currently permitted on the vacant lands. At 1.95 ha (19,586 m²), the property is large by comparison; however, a portion of the lands are identified as an Environmentally Significant Area (ESA) known as the Westminster Ponds - Pond Mills Environmentally Significant Area. The total developable lot area consists of 0.71 hectares, and 1.26 hectares is utilized for the ESA. The developable portion of the site (0.71 ha) is still large by comparison, and the proposed increase in density (from 150 upha to 270 upha) can be accommodated. The subject site is well suited for the development of a 14-storey apartment building, as the site is surrounded by other high and medium rise development, the subject lands have access to surrounding transit and is within walking distance to commercial and institutional uses. The subject lands are connected to Commissioners Road East via an access easement to 951 Commissioners Road East, which is considered a Civic Boulevard within The London Plan. This street classification permits higher intensity uses and can provide additional, more intensive housing options on the subject lands. As this site is currently vacant, the proposed development represents an appropriate form of intensification through infill development. The current vacant lands represent 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 The London Plan directs and supports residential intensification and redevelopment within the High-Density Residential Overlay, which

permits up to 14 storeys in height. The proposal is considered to be in keeping with the intensity policies set out by The London Plan.

4.4. Issue and Consideration #3 – 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_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_ 8).

The London Plan also provides guidance on compatibility and fit with regards to form (Policy 953_). The applicant has provided a development concept (Figure 4) as part of a complete application to support and justify the form of development and its relationship to the neighbourhood.

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood, considering such things as 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 appropriate to the scale of the surrounding neighbourhood (953_ 2.a. to f.). Specific City Design policies indicate that principal building entrances and transparent windows should be located to face the public right-of-way, to reinforce the public realm, establish an active frontage and provide convenient pedestrian access (291_). They also indicate that residential buildings should include outdoor amenity spaces (295_) and support reduced parking rates in place types and parts of the city that have high accessibility to transit (271_).

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses, and that the location and massing of the proposed building is consistent with urban design goals of The London Plan. The proposed development takes advantage of the topography of the site by positioning the parking structure against the east property line, thereby concealing the structure and minimizing visual impact for adjacent properties. The vehicular and pedestrian circulation network has been designed to functionally integrate with the existing phase of development to the north. The mass and volume of the proposed apartment building has been focused on the southeast corner of the site in order to provide the greatest degree of spatial separation from existing buildings and amenity spaces. The site design is sympathetic to the adjacent environmental feature as parking has been focused on a parking garage and is not large scale surface parking, and an enhanced 10 metre buffer has been provided from the existing open space and environmental feature. The building placement has been informed by a desire to create an interesting landmark/view/reveal for the limited portion of the site where the development will be visible from Commissioners Road E. The site design preserves a significant proportion of the development site as greenspace. Overall, the proposed development is in keeping with the adjacent area and will provide for a more intensive form of housing that will not detract from adjacent development.

The Our Tools section of *The London Plan* contains various form and design considerations for the evaluation of all planning and development applications (Policy 1578). Appendix D of this report includes a complete Planning Impact Analysis addressing matters of both intensity and form.

Zoning By-Law

The ‘R9’ Zone is intended to permit and regulate medium to high-density development in various forms of apartment buildings. The ‘R9-7’ Zone permits apartment buildings and special population’s accommodations, in the form of lodging house class 2, senior

citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities. The subject lands currently permit 150 units per hectare, to accommodate for the HDR Overlay designated to this site in The London Plan (Policy 1077C_3). The proposed maximum density of 270 uph will allow for the implementation of the proposed 14-storey apartment building and will align with the High-Density Residential Overlay policies that have no outright restrictions on density for sites within the Primary Transit Area.

The proposed R9-7 Zone requires a minimum lot area of 1,000m² and a minimum lot frontage of 30 metres. The application satisfies the lot area requirements, but the parcel itself has no legal frontage, as it will be accessed via an access easement provided by the neighbouring 951 Commissioners Road East. This project represents Phase 2 of a previously approved high-density development block. Due to a past severance (which legally divided the two phases into individual titled parcels), the site does not have legal frontage onto a municipal street. Notwithstanding, legal access is available via a registered easement/right-of-way over the existing driveway access to Commissioners Road East.

Additional special provisions are required as follows:

Front yard setback - The site does not have legal frontage onto a municipal street. The proposed 0.0 metre recognizes the irregular shape of the severance line that is the front yard (northern) lot line of the project site. The concept plan, however, generally achieves more than 8.0 metre of setback from the northern lot line. The proposed apartment building and parking structure are set as far back from the Phase 1 building as possible, to allow for vehicle circulation, without encroaching on the OS5 lands.

Side & rear yard setbacks - The R9-7 Zone regulations generally require significant setback requirements along all interior lot lines. The parking structure is proposed to be almost even with the elevation of the neighbouring site to the east. Further reductions are needed for the main building on the west and south lot line, and for the parking garage on the north and south lot line. The reductions will not cause negative impacts given the open space adjacent to the site and will assist in providing an interesting urban backdrop to the park. Because of the split zoning and the rezoning of the 10.0 metre buffer lands to Open Space (OS5) Zone, the rear yard "depth" is technically measured as 0.0 metres to the boundary of the proposed R9-7()*H46/OS5 Zones. The remaining lands to the south will be preserved as open space in perpetuity and dedicated to the City of London (i.e., they will not be developed). The 10.0 metre buffer rezoned to OS5 will maintain the ecological function of the open space once restoration has occurred and it is fully naturalized. Due to this buffer, no negative impacts will result from the reduced setback/yard depth in this context.

Lot coverage – Due to the technical measurement of coverage and given the fact that the project seeks to modify the existing OS5 zone line to add the 10.0m buffer, the development results in an increase over the allowable lot coverage. From an overall perspective, with the preservation and potential dedication of the ESA lands to the City, as well as the restoration and dedication of the 10.0 metre buffer lands, the effective lot coverage is much less than the proposed 50% and will provide for a better built form while still providing landscape open space and amenity areas as per the by-law.

Density - The proposed maximum density provision of 270uph will allow for the implementation of the 14-storey apartment building and will align with the High-Density Residential Overlay policies that have no outright restrictions on density for sites within the Primary Transit Area.

Given the context, and the fact that this represents an existing situation, special provisions to allow for development of the lot is appropriate.

Overall, the proposed Zoning By-law amendment maintains the general intent and purpose of the City of London Zoning By-law Z.-1.

4.5. Issue and Consideration #4 – Environmentally Significant Area

Map 5 – *Natural Heritage of The London Plan* identifies the lands on the southern portion of the property as an Environmentally Significant Area (ESA), as well as a Provincially Significant Wetland. The applicant has provided a 10-metre buffer from the ESA, which Ecology Planner's from City Staff and the UTRCA have confirmed is sufficient to protect the feature. The buffer will result in the extension (rezoning) of the existing OS5 Zone north into the R9-7 zone.

A large portion of the subject lands is located within an area regulated by the Upper Thames River Conservation Authority (UTRCA) under Section 28 of the *Conservation Authorities Act*. Development and site alteration within regulated areas are subject to the approval of the UTRCA. The UTRCA has indicated general satisfaction with the proposal, as the proposed development is located outside of hazard lands and provides a sufficient setback from the PSW. The UTRCA is supportive of extending the Open Space OS5 Zone by re-zoning 10 metres of the existing R9-7 Zone to the Open Space OS5 Zone in order to establish the appropriate buffer. A permit will be required from the UTRCA at the time of site plan.

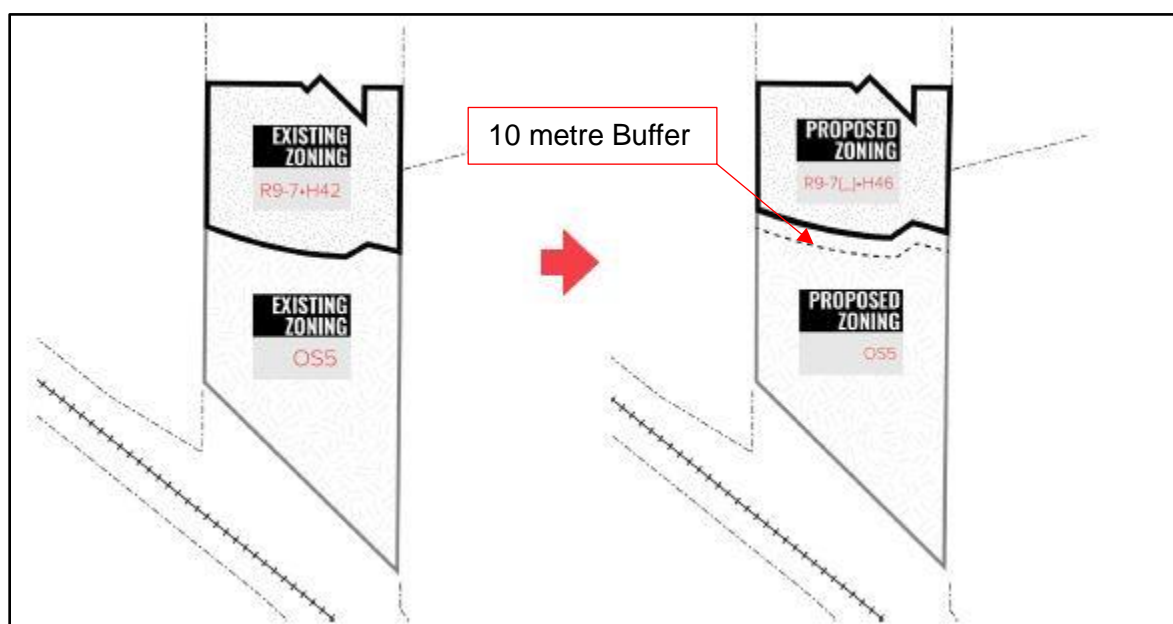


Figure 10. Image Depicting the 10-Metre Buffer From the ESA

4.6. Issue and Consideration #5 – Methane

The subject lands at 955 Commissioners Road East are located on a former landfill/methane site, known as the Glen Cairn Landfill. The applicant submitted a methane gas study, which found both methane gas and waste on the property. The applicant's consultant made recommendations that this proposed building be designed and developed without a basement to eliminate the risk of methane gas accumulation. At the site plan review stage, the City of London's Waste Management Division will require the following conditions to be included in the development agreement:

- Part V of the Environmental Protection Act deals with Waste Management. Section 46 of this part of the act deals with former waste disposal sites and does not allow for any use of land which has been used for the disposal of waste within a period of 25 years unless approval by the Ministry of the Environment, Conservation and Parks (MECP) has been obtained. In practice, the MECP has limited the use of lands where waste was disposed beyond the noted 25-year period. Clarification should be obtained from the MECP regarding whether they would allow the proposed development given the past use of the lands for waste disposal activities.
- The Owner shall remove and dispose of any surface garbage and/or contamination, and sub-surface contaminated soils as appropriate, within the context of the proposed development land use and the applicable MECP regulations governing such land use;
- Based on the known presence of a sanitary landfill on this parcel, the proposed site must be developed to include suitable methane gas venting & control

mechanisms to provide a gas migration barrier for the buildings, most importantly along the southern limits of the site;

- Internal to the buildings shall be a gas monitoring / alarm system that will provide confirmation that the ventilation system is functioning effectively.

Conclusion

The requested amendments and special provision are recommended to facilitate the rezoning of the subject lands to permit a fourteen (14) storey, 188-unit apartment building, with a maximum density of 270 units per hectare.

The recommended amendments are 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, the Neighbourhoods Place Type and the High-Density Residential Overlay. The recommended amendment will facilitate the development of new residential dwellings in an established neighbourhood, with a land use, intensity, and form that is appropriate for the site.

Prepared by: Brent House
Planner I, Planning Implementation

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

Recommended by: Heather McNeely, MCIP, RPP
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 Planning and Economic Development.

Cc: Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2023

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

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 955
Commissioners Road East

WHEREAS 2833257 Ontario Inc. (c/o Siv-ik Planning & Design Inc.) has applied to rezone an area of land located at 955 Commissioners Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 955 Commissioners Road East, as shown on the attached map comprising part of Key Map No. A103, from a Residential R9 (R9-7*H42) Zone to a Residential R9 Special Provision (R9-7()*H46) Zone and an Open Space (OS5) Zone.
- 2) Section Number 13.4 of the Residential R9-7 Zone is amended by adding the following Special Provision:

R9-7() 955 Commissioners Road East

a) Regulations

- | | | |
|-------|---|-----------------------|
| i) | Lot Frontage (Minimum) | 0 metres |
| ii) | West Interior Side Yard Depth Parking Garage/Accessory Structure (Minimum): | 0.0 metres |
| iii) | East Interior Side Yard Depth Parking Garage/Accessory Structure (Minimum): | 0.0 metres |
| iv) | South Interior Side Yard Depth Main Building (Minimum): | 0.0 metres |
| v) | West Interior Side Yard Depth Main Building (Minimum): | 3.0 metres |
| vi) | Lot Coverage (Maximum): | 50% |
| vii) | Lot Coverage Parking Garage/Accessory Structure (Maximum): | 28% |
| viii) | Density | 270 units per hectare |

| | | |
|-----|---------------------------------------|------------------------|
| | (Maximum) | |
| ix) | Height Main Building (Maximum): | 48 metres (14 Storeys) |

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

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

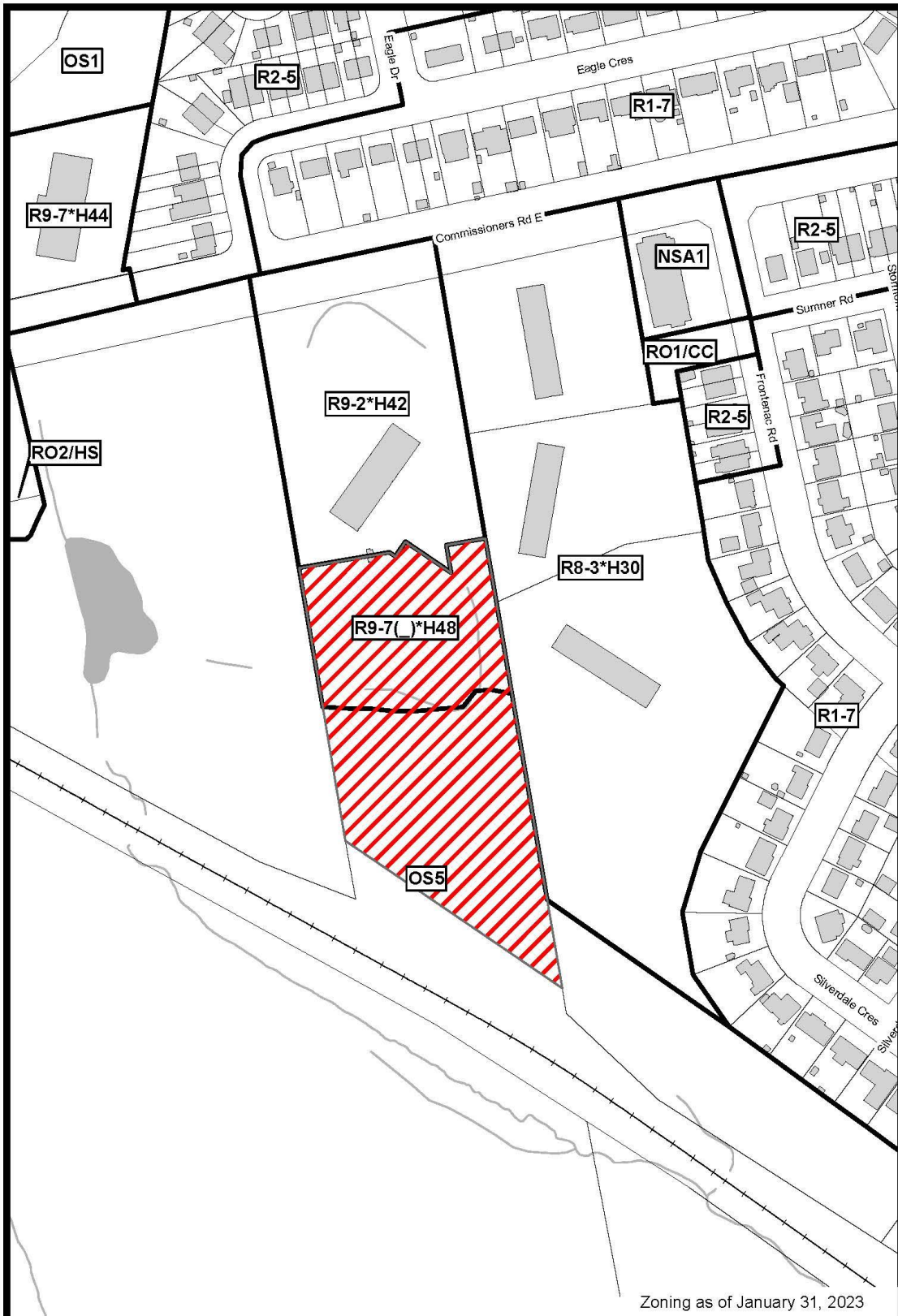
PASSED in Open Council on April 4, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 4, 2023
Second Reading – April 4, 2023
Third Reading – April 4, 2023

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



Zoning as of January 31, 2023

File Number: Z-9572
 Planner: BH
 Date Prepared: 2023/3/15
 Technician: JI
 By-Law No: Z-1-

SUBJECT SITE 

1:2,500

0 12.5 25 50 75 100 Meters



Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application:

On December 14, 2022, Notice of Application was sent to prescribed agencies and City departments.

Public liaison: On December 14, 2022, Notice of Application was sent to 27 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday December 15, 2022. A “Planning Application” sign was also posted on the site.

Replies were received from 1 household.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of a high-rise apartment building (up to 14 storeys). The requested Residential R9 Special Provision (R9-7(_)*H46/OS5) Zone would permit the 14-storey apartment, as the current Zone permits up to 12 storeys in height. The requested zoning special provisions would permit a reduced lot frontage of 0.0 metres, whereas 30.0 metres is the minimum required, a front yard setback for the parking garage of 0.0 metres, whereas a minimum of 8.0 metres is the minimum required, a minimum east and west interior side yard setback of 3.0 metres, whereas 18.4 metres is the minimum required, a rear yard depth of 0.0 metres, whereas the minimum rear yard setback of 7.0 metres is required, and an increased maximum density of 270 units per hectare, whereas 150 units per hectare is the maximum permitted.

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

| | |
|-----------|------------------|
| Telephone | Written |
| | Dempsey O’Connor |

Dempsey O’Connor

Please do not build any more property around here. This is one of the only places in London that you see deer. The best part of my apartment building (951 commissioners) is the view on to the conservation area. Please just leave the natural beauty alone.

Agency/Departmental Comments

Site Plan (January 12, 2023)

I’ve reviewed this ZBA and while most of my general SPC comments still remain for the easements and other technical process matters that will be dealt with through the site plan process, I only have a couple site design comments (mark up drawing attached).

Zoning is a little complicated based on the nature of the property, but I’ve outlined the required special provisions below. Since it doesn’t have frontage on a public street, the property technically doesn’t have a front lot line (and therefore, no rear lot line either), so all setbacks are interior side yards. There are a couple items that still need to be confirmed and I’ve flagged them below.

Overall Site:

- Lot frontage – 0m
- Lot coverage – 47%
- Density – 265uph

Main Building:

- West interior side yard setback – 3.6m
- South interior side yard setback – 0m

- Building height – 46m* (to be confirmed to the top of parapet)

Parking Structure (accessory structure)

- Lot coverage – 28%
- Height – *To be confirmed (based on average grade)
- North interior side yard setback – 0m* (to be confirmed)
- South interior side yard setback – 0m* (to be confirmed)
- East interior side yard setback – 3.5m* (to be confirmed per building height)

London Hydro (December 16, 2022)

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment.
- 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.

Landscape Architect (December 20, 2022)

- The applicant forwarded a Tree Assessment prepared by RKLA. There are no concerns about the methods employed or the format of the report.
- The inventory captured 4 individual trees, 2 vegetation units, and 2 shrub colonies within the subject site and within 3 meters of the legal property boundary.
- No species classified as endangered or threatened under the Ontario Endangered Species Act, 2007, S.O. 2007, c. 6 were observed during the tree inventory.
- No trees within the City ROW are associated with this site.
- There are no boundary trees associated with this site.
- Based on these findings, I have no concerns with the reduced setbacks from the east and west property lines in regards to impacts to existing trees.

Parks Planning and Design (December 16, 2022)

- Parkland dedication will be required in the form of land or cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.
- The natural heritage lands (ESA) could potentially be accepted as parkland dedication subject to the agreement from the City's landfill department.

Ecology (January 5, 2023)

Zoning amendment to allow a high-rise apartment building up to a maximum of 14 storeys in height consisting of 188 units at 270 units per hectare

This e-mail is to confirm that there are currently ecological planning issues related to this property and/or associated study requirements.

Major issues identified

- 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, including, but not limited to, Environmentally Significant Area and Provincially Significant Wetland.

Ecology – complete application requirements

- None for the ZBA application. An Environmental Management Plan and Restoration Plan for the ecological buffer is required at the Site Plan application stage.

Notes

- At this time of the ZBA application, the only ecological requirement is that the buffer shall be zoned to OS5. This appears to be shown in the development proposal by the “Proposed Zoning/ESA Line”, however it is not currently clear in the concept plan or the requested zoning in the application that the buffer will be rezoned to OS5.
- Opportunities for the City to acquire the southern portion of the subject lands zoned OS5 and within the ESA should be explored. These lands would likely not be developable in the future and would strengthen linkages within the Natural Heritage System.

Engineering (January 5, 2023)

The City of London’s Environmental and Engineering Services Department offers the following comments with respect to the re-zoning application:

Comments to the Rezoning Application:

- **The subject site is landlocked from municipal servicing and requires a private servicing easement placed over 951 Commissioners Rd. We would suggest a holding provision be placed on the property until an easement is secured.**

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

Wastewater:

- The capacity analysis as previously requested by SED for the proposed 188-unit (14-storey) residential building has confirmed there is available surplus capacity for the proposed development based off the submitted brief. The site is tributary to the top end manhole on the 200mm diameter sanitary sewer on Commissioners Road East, city drawing no. 14530 shows related information to the municipal sewer.
- Shared servicing may require joint use and maintenance agreements and easements and need for private ECA’s for any shared private sanitary sewers and shared services.

Stormwater:

Specific comments for this site:

- Currently, there is no municipal storm sewer or storm outlet to service this site.
- The Developer shall be required to provide a Functional Storm/Drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2-year through 100-year return period storms.
- The proposed land use of high density residential will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per 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:
 - a. the flow from the site must be discharged at a rate equal to or less than the existing condition flow;

- b. the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
- c. the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
- d. “normal” level water quality is required as per the MOE guidelines and/or as per the EIS field information; and,
- e. shall comply with riparian right (common) law.

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

- Please ensure that a servicing easement in favour of 955 Commissioners Road E is provided over 951 Commissioners Road E. if the subject site is intended to be serviced by internal private storm sewers.
- The number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirm how the water quality may be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) as practical with a target of 70% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators.
- The subject site is located within the footprint of a former landfill, which may limit opportunities for infiltration. Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. Furthermore, given the history of the site, soil and groundwater quality data may also be required to support any LID solutions. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- The site is located within the UTRCA regulated area and therefore UTRCA approval/permits may be required, including confirmation as to required setbacks. The applicant is to engage as early as possible with UTRCA to confirm any requirements/approvals for this site.
- 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.
- Additional SWM related comments will be provided upon future review of this site.

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 and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- 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.

Water:

- Water is available to service the subject site via the municipal 300 mm diameter DI watermain on Commissioners Road East.
- Water servicing to the subject site will require a private easement.
- The 300 mm diameter watermain is part of the City's high-level system, which has a hydraulic grade line of 335.0 m.
- The active water service on the subject site will need to be decommissioned at the property line as per City Standards (cut and capped at the main).
- A water servicing report will be required addressing domestic water demands, fire flows and water quality.
- Water servicing to the subject site will be to City Standard 7.9.4.
- 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.
- Further comments to be provided during the Site Plan Application process.

Transportation:

- We completed the review of the TIA and it is accepted. Note the swept path analysis included in the TIA is a Site Plan requirement, thus comments will be provided at site plan.
- Ensure Access Agreement or Easement in place for access to Commissioners Road;
- A TMP will be required for any work in the City ROW, including servicing, restoration, external works, etc.

Heritage (January 19, 2023)

This memo is to confirm that I have reviewed the following and find the report's (analysis, conclusions, and recommendations) to be sufficient to fulfill the archaeological assessment requirements for (Z-9572):

- Lincoln Environmental Consulting Corp. *Stage 1-2 Archaeological Assessment of 955 Commissioners Road East [...]* Middlesex County, Ontario (PIF P1289-0159-2021), April 2022.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: "[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such **no further archaeological assessment of the property is recommended.**" (p 2)

An Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received (*without technical review*), dated May 9, 2022 (MHSTCI) Project Information Form Number P1289-0159-2021, MHSTCI File Number 0015425).

Archaeological conditions can be considered satisfied for this application.

Urban Design (January 5, 2023)

Please see below for the Urban Design comments related to **955 Commissioners Road**:

The proposed built form for the ZBA related to **955 Commissioners Road** must be revised to receive support from Urban Design. The following Urban Design comments must be addressed:

- 1) Parking for high-rise buildings should be provided underground or integrated into the building. Refer to the London Plan, Policy 273.
 - a. Reconfigure the site to be a more efficient use of the property and minimize the impact of the parking structure and provide more permeable green space. At a minimum partially integrate the structure into the building.
- 2) Provide an appropriate buffer between the parking garage structure and the southern border of the proposed built form.

Screen any surface parking and the parking garage structure exposed to the public street or residential units with enhanced landscaping, including low landscape walls, shrubs, and street trees. Refer to the London Plan, Policy 278.

- a. Include zoning provisions for large, enhanced setbacks to accommodate trees and buffer landscape between the parking structure and adjacent properties.
- 3) Provide direct pedestrian connections from the city sidewalk and Caesar Park to the proposed built form. Refer to the London Plan, Policy 255.
 - a. Work with the Parks Department to assess the feasibility of formalizing a pedestrian connection from the entrance of the proposed built form through Caesar Park to Commissioners Road.
- 4) As a high-rise development, reduce the impacts of the large floor plates by incorporating setbacks, step-backs, and a podium into the massing. Maximum floor plate sizes are typically 1000 square meters. Refer to the London Plan, Policy 292.
 - a. At a minimum reduce the height of one of the wings of the building to lessen the shadow impacts on any amenity areas, neighbouring properties and/or future development blocks.

The following Urban Design comment should also be addressed:

- Provide a zoning provision for the minimum area of amenity space based on the number of residents anticipated (i.e., at grade and/or rooftop). Refer to the London Plan, Policy 295.
- To reduce the heat island effect on the subject site due to the increase in impermeable surfaces, provide enhanced landscaped areas for visual amenity and to assist with stormwater management and the long-term growth of mature trees. Refer to the London Plan, Policy 282 & 224.
- As indicated by the UDPRP, the applicant should use landscaping and low-rise and/or decorative fencing to differentiate public from private space for at grade terraces. No privacy fencing should be used between buildings and the public pathway to maintain views and sightlines for safety and passive surveillance.
- Ensure that the development is “future ready”. Refer to the London Plan, Policy 729.
 - Consider including charging station for ebikes and electric vehicles within the proposed parking facilities.
 - Consider making the roof strong enough to hold solar panels and/or green roof infrastructure.

Urban Design (February 16, 2023)

Based on the meeting with the applicant, the updates satisfy the Urban Design requirements.

Please, include the following direction to the Site Plan Authority in the report.

The following items should be considered during the Site Plan review:

- A variety of amenities in the outdoor open space to serve various populations.
- Additional tree planting on site
- Low walls, railings and/or landscaping to delineate private amenity areas from common outdoor spaces
- No fencing between the building and public pathways to maintain sightlines
- Consider including green infrastructure such as electric vehicle charging stations, green or cool roofs and/or solar panels.

Appendix C – Climate Emergency

Infill and Intensification

Located within the Built Area Boundary: Yes
Located within the Primary Transit Area: Yes
Net density change: 120 Units Per Hectare (150 Units Per Hectare Existing / 270 Units Per Hectare Proposed)
Net change in affordable housing units: 0

Complete Communities

New use added to the local community: No
Proximity to the nearest public open space: 16 metres (Caesar's Park)
Proximity to the nearest commercial area/use: ~250 metres
Proximity to the nearest food store: 1,859 metres
Proximity to nearest primary school: 477.8 metres
Proximity to nearest community/recreation amenity: Pond Mills Public Library
Net change in functional on-site outdoor amenity areas: 2,765 square metres

Reduce Auto-dependence

Proximity to the nearest London Transit stop: ~272 metres.
Completes gaps in the public sidewalk network: No
Connection from the site to a public sidewalk: No
Connection from the site to a multi-use pathway: No
Site layout contributes to a walkable environment: Yes (i.e. pedestrians do not have to walk through large expanses of surfaces parking to reach the building entrance, active ground floor uses)
Proximity to nearest dedicated cycling infrastructure: 194 metres
Secured bike parking spaces: 188 spaces.
Secured bike parking ratio: 1 per unit.
New electric vehicles charging stations: 0.
Vehicle parking ratio: 1 per unit

Environmental Impacts

Net change in permeable surfaces: +/- 0.33 hectares
Net change in the number of trees: +/- 30
Tree Protection Area: No
Landscape Plan considers and includes native and pollinator species: N/A
Loss of natural heritage features: No
Species at Risk Habitat loss: No
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): Yes

Construction

Existing structures on site: No
Existing structures repurposed/adaptively reused: N/A
Green building features: No
District energy system connection: Yes

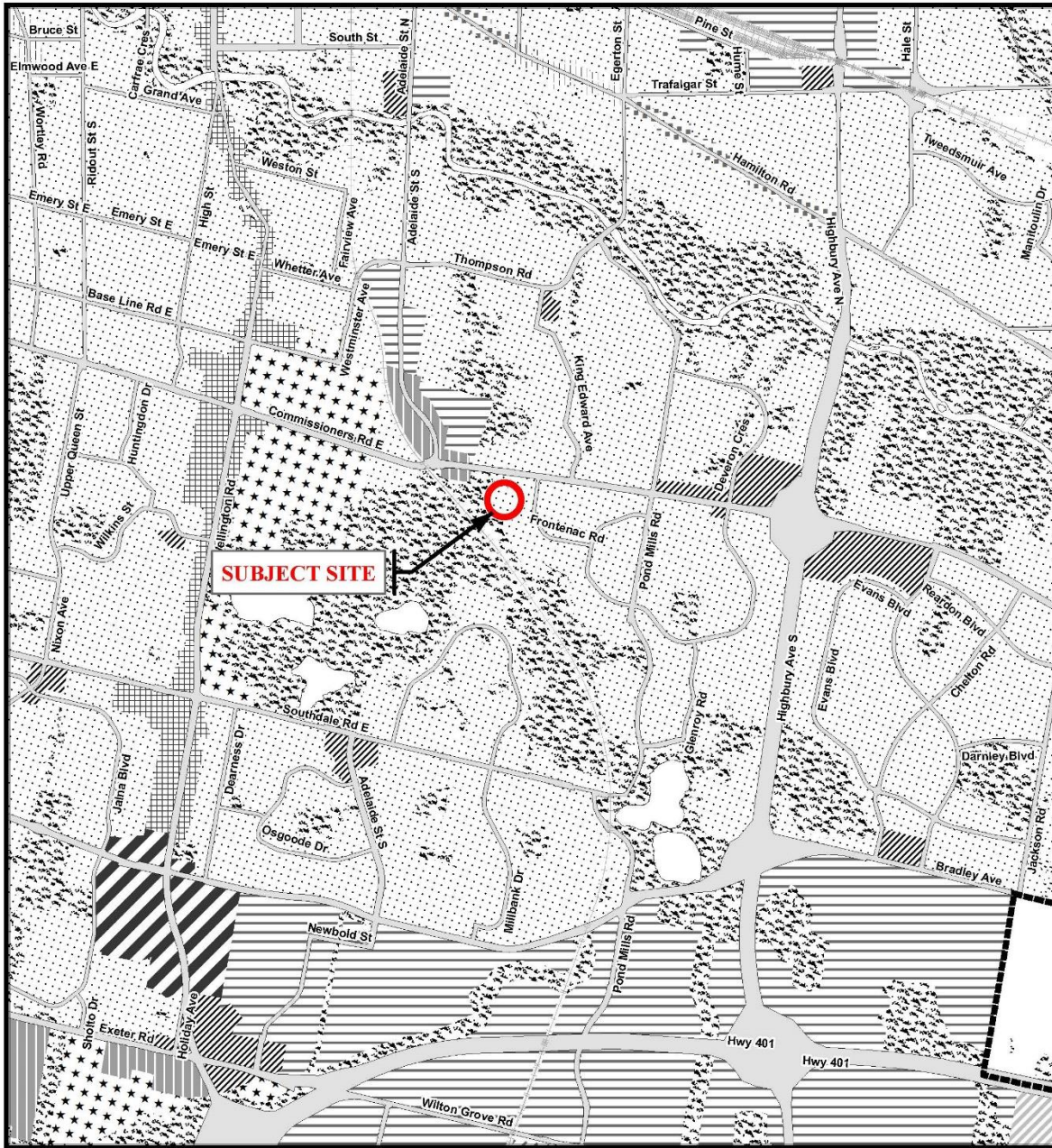
Appendix D – Evaluation Criteria for Planning and Development Applications: Policy 1577_

| 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 significant natural resources requiring protection. |
| 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 building strong, healthy and attractive neighbourhoods for everyone. The massing and scale of the buildings 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 14-storey apartment building for the use and intensity of development contemplated within the Neighbourhoods Place Type for sites fronting on both a Neighbourhood Connector and Civic Boulevard, that are within the High-Density Residential overlay. |
| 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, through a servicing easement. |
| Criteria – Impacts on Adjacent Lands | |
| Traffic and access management | Further consideration of traffic controls related to the proposed private driveway will occur at the Site Plan Approval Stage. |
| Noise | The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. |
| Parking on streets or adjacent properties | The proposal provides for 1 parking space for each unit, where the Zoning By-law permits 0.5 spaces/unit. 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 the site plan approval stage. It is a site plan |

| | |
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| | standard that any lighting fixture is to minimize light spill onto abutting properties. |
| Garbage generated by the use. | Unit to unit waste collection is recommended for this site, provided the turnaround is functional. |
| Privacy | The subject lands do not front onto any specific road and are located below the neighbouring properties to the east. The main building is setback accordingly to the Zoning By-law, and there is a parking garage located between the adjacent property to the east and the proposed building. |
| Shadowing | Shadow impacts will provide users with small amount of greenspace during the day. The applicant has since revised the plan to provide amenity space that will not be in the shaded areas, to give residents a place to enjoy the sunlight. |
| Visual Impact | Enhanced landscaping will have a positive visual impact on the area. Architectural design details and materials will be implemented through the Site Plan Control Process. |
| Loss of Views | There are no view corridors to significant features or landmarks to be affected by the proposed dwellings. |
| Trees and canopy cover. | The development will result in the loss of some trees and canopy cover in order to achieve a more compact form of development. |
| Cultural heritage resources. | Not applicable. |
| Natural heritage resources and features. | The subject lands are located within a Conservation Authority-regulated area. The applicant has provided a sufficient 10 metre buffer that will be added to the OS5 Zone at the northern portion of the property, to accommodate for protective measures of the Environmentally Significant Area located on the subject lands. |
| Natural resources. | Not applicable. |
| Other relevant matters related to use and built form | Not applicable. |

Appendix E – Map Excerpts

The London Plan



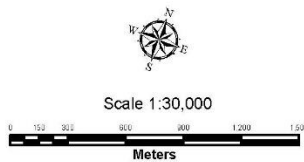
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 -

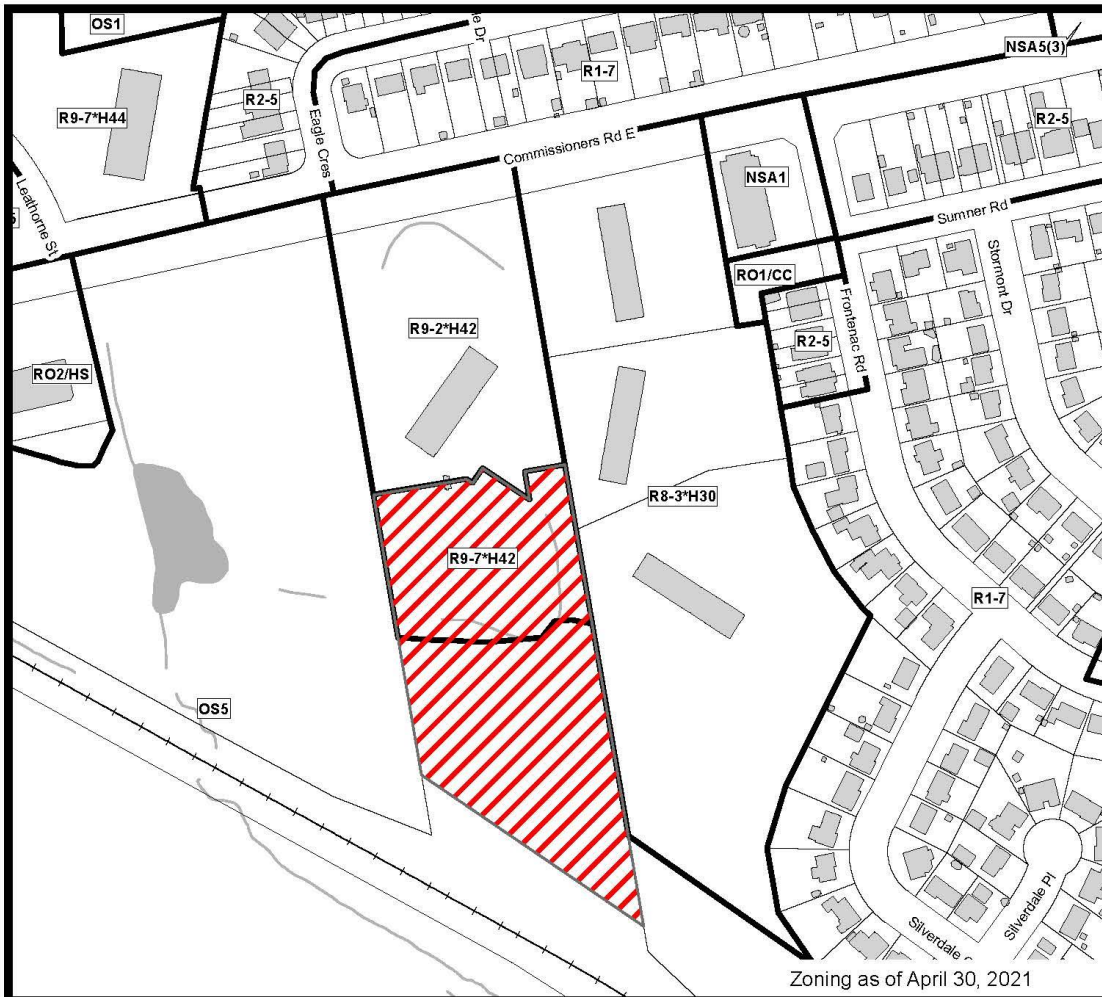
PREPARED BY: Planning & Development



File Number: Z-9572
Planner: BH
Technician: JI
Date: 2023/2/21

Project Location: \\cfile1\giswork\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9572_Map1_PlaceTypes.mxd

Zoning By-Law No. Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R9-7/H42, OS5

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

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

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

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

OB - OFFICE BUSINESS PARK
 LI - LIGHT INDUSTRIAL
 GI - GENERAL INDUSTRIAL
 HI - HEAVY INDUSTRIAL
 EX - RESOURCE EXTRACTIVE
 UR - URBAN RESERVE
 AG - AGRICULTURAL
 AGC - AGRICULTURAL COMMERCIAL
 RRC - RURAL SETTLEMENT COMMERCIAL
 TGS - TEMPORARY GARDEN SUITE
 RT - RAIL TRANSPORTATION

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:

Z-9572

BH

MAP PREPARED:

2023/2/21

JL

1:3,000

0 15 30 60 90 120

Meters

Appendix F – Applicant’s Reply to UDPRP Comments

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| Comment: |
| The panel commends the applicant for an appropriate solution to unusual site plan constraints and utilizing substantial elevation changes to situate the parking garage on the site. |
| Applicant Response: |
| Acknowledged, thank you. |

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| Comment: |
| The panel suggests that further analysis take place regarding the orientation of the tower. Consider orientating the tower East-West rather than North-South. This will create views for residents of the existing tower to the North and future residents of this development. It will also allow for potential future intensification on site at the location of the proposed parking garage. If the current tower configuration remains, consider offsetting the tower floorplate from the West above the 7th floor to differentiate the volumes and create a contiguous 7 storey expression. |
| Applicant Response: |
| The proposed building orientation and massing strategy has been significantly informed by the surrounding context and functional requirements of the site. The current placement and orientation of the building optimizes opportunities for integration with the existing circulation network, provides for significant tower separation from the existing phase of development, allows for strategic placement of the parking garage on the east edge of the site where it can leverage the natural topography and respects the 10m environmental setback/buffer. |

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| Comment: |
| The Panel notes that the North side of the site places undue priority on surface parking and vehicular circulation. Consider expanding the current parking deck to accommodate the surface parking stalls and giving this area to the outdoor amenity. |
| Applicant Response: |
| The project team supports reducing the amount of paved surface, where possible and has sought to minimize the at-grade space devoted to vehicle circulation while still maintain the required functional elements for the development. The current surface parking is preferred in this design, as it allows for barrier-free access to the accessible parking spaces. It also allows separates the visitor parking spaces from the resident spaces inside the parking structure. This separation provides the opportunity for the installation of security measures (gates or locked doors) on the parking structure if needed. We will examine alternatives for vehicular circulation however, we believe the current design will be the least impactful for garbage pick-up and it connects seamlessly with the existing driveways at 951 Commissioners Road East. |

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| Comment: |
| The panel notes that the Garbage Room and Bike Storage Room are currently located in prominent locations on the ground floor. Consider relocating these functions to the east end of the building and relocate the displaced two-bedroom units to the Bike Storage Room and services adjacent to the main lobby. This will provide the residents with a view to the open green space to the West. |
| Applicant Response: |
| Zedd Architecture has prepared an updated conceptual design package for the project dated October 25, 2022. A revised ground floor plan is included in the package. The garbage room |

has been relocated to the east side of the building as per the panel's recommendation. The Bike Room has also been relocated to provide easy access to the site's circulation network. The location of the previous bike storage room is now devoted to interior amenity space which will assist in activating the main building entrance.

Comment:

The panel notes a considerable distance exists between the primary residential entrance and the parking structure and recommends an additional entrance be provided along the east wing of the building to improve walkability. Consider shifting the exit stair at this location further east to provide an entrance from the North with adequate lobby space and glazing to the forecourt.

Applicant Response:

Zedd Architecture has prepared an updated conceptual design package for the project dated October 25, 2022. A revised ground floor plan is included in the package. The secondary entrance has been shifted to the east side of the building to provide a shorter route/more direct pedestrian access to the interior of the building from the parking garage.

Comment:

The panel notes that the landscape plan does not match the architectural site plan. The North-East corner of the building illustrates discrepancies in the layout of the pedestrian walkway. The panel notes that further programming and detailing of outdoor amenity spaces should be provided.

Applicant Response:

Acknowledged, thank you. We will work closely with the architect and landscape architect for this project to ensure that the plans match for the Site Plan Application submission. We will work with the landscape architect to come up with programming and detailing of the outdoor amenity space.

Comment:

The panel recommends incorporating enhanced landscaping and/or an architectural façade treatment along the East side of the parking structure to screen the views into the parking from the pedestrian realm at grade. The parking deck should incorporate planter boxes and/or landscaping features to improve the view from the residential towers.

Applicant Response:

We will be looking at further opportunities to enhance the façade treatment of the parking structure and add opportunities for landscape screening, as we refine the design through the Site Plan Application process.

Comment:

The panel recommends extending the outdoor amenity on the North side of the building to create a connection between the parking garage and the residential building, and outdoor amenity to the South of the site. Provide benches and landscaping along this connection. The panel suggests further analysis take place to determine if a direct access to the existing dog park to the west of the site can be achieved.

Applicant Response:

The updated (October 25, 2022) conceptual design package includes enhancements to the surface treatments and landscape design between the building, northern amenity area and the parking garage. These enhancements result in a more logical and cohesive structure to outdoor space/programming. Additional details regarding seating and surface treatments will be made available through the Site Plan Control process. The project team is open to discussing opportunities for connections to Caesar's Park with the City of London, noting that there are challenges with grading differentials and fencing requirements for City Parks.

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| Comment: |
| The panel notes that where there are private terraces at grade, provide an appropriate buffer where they border on outdoor amenity areas. In addition, the programming of the outdoor amenity along these areas should be sensitive to this private/public condition. |
| Applicant Response: |

We will work closely with the landscape architect for this project to ensure that appropriate buffers are included for private terraces that border outdoor amenity areas and that the programming of these areas is sensitive to the private/public condition. Such solutions would likely include a combination of masonry privacy walls and planters.

| |
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| Comment: |
| The panel notes that the 7th Storey roof will be highly visible to the residential units above. Consider programming this space as outdoor amenity and/or as green roof. |
| Applicant Response: |
| The 7-storey portion of the building is now 14-storeys in the updated building design for the Zoning By-law Amendment. Therefore, there is no longer an overlook from residential units above. The specific building/architectural design features will be determined in subsequent stages of the development process. |

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| Comment: |
| The panel notes a lack of material and colour logic as it applies to the podium and tower. Consider a simplification of colour and materiality to contrast or blend the two forms. If the intent is to create a contrast between elements, consider using contrasting colours and materials to ensure this reads adequately. |
| Applicant Response: |
| Noted. The project team will work with Urban Design Staff through the future site plan control application process on the exterior design detail of the building. |

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| Comment: |
| Consider extending the dark, vertical stripes on the North and South elevations to the parapet cap to break up the white mass of the tower. The panel notes that the white concrete reveal/indents are superfluous and offer no great architectural value. |
| Applicant Response: |
| Noted. The project team will work with Urban Design Staff through the future site plan control application process on the exterior design detail of the building. |

955 COMMISSIONERS ROAD E.

PROJECT SUMMARY

www.siv-ik.ca/955ce | **Developer:** 2833257 Ontario Inc. (c/o Royal Premier Developments)



Concept At-A-Glance

USE

188

RESIDENTIAL UNITS

PARKING

188

VEHICLE SPACES
(168 STRUCTURED SPACES
AND 20 SURFACE SPACES)

HEIGHT



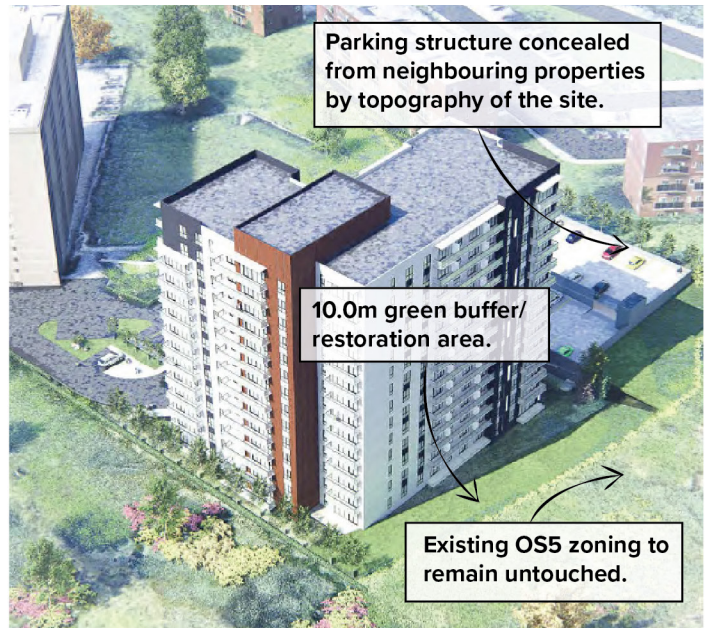
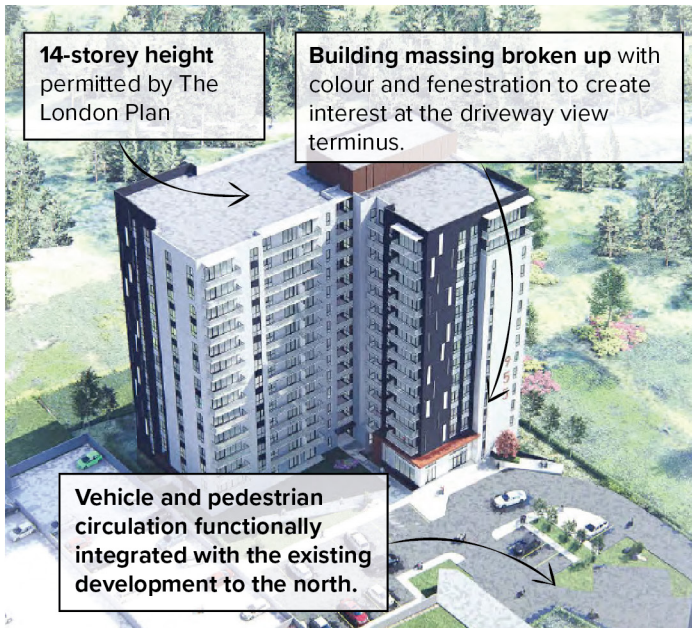
14
STOREYS
(46.0m)

DENSITY

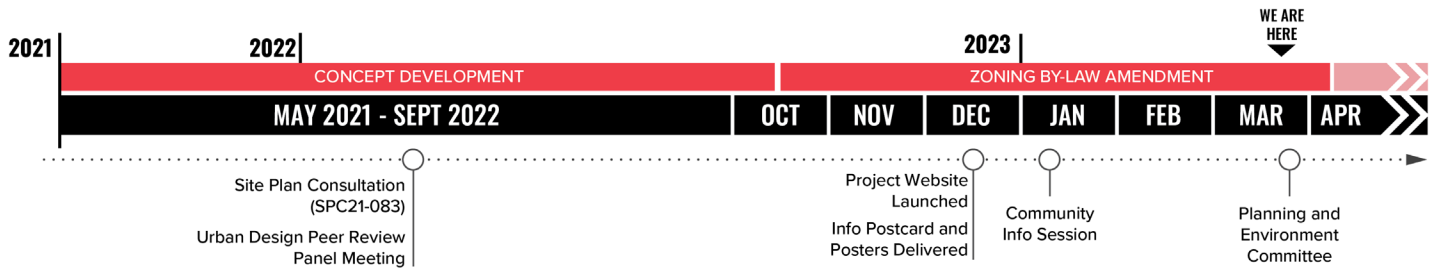


265
UNITS PER
HECTARE

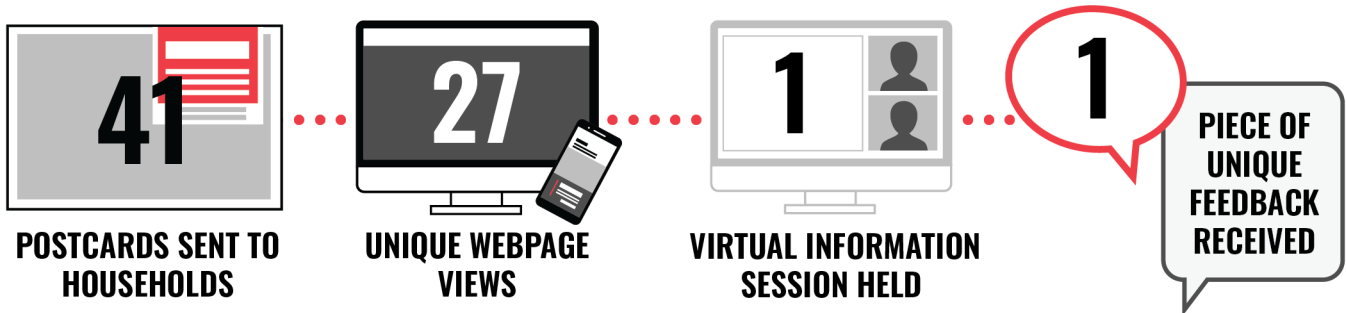
Key Features



Timeline



Community Engagement by the Numbers



*Includes feedback received from the Siv-ik project website feedback form, Virtual Community Information Meeting #1, and emails to info@siv-ik.ca. The count does not include any feedback sent directly to the City.

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: East Village Holdings Limited
376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King
Street, City File Z-9576, Ward 4
Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application of East Village Holdings Limited relating to the property located at 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R8 (R8-4) Zone and a Business District Commercial Special Provision (BDC(2)) Zone **TO** a Residential R8/Temporary (R8-4/T-_) Zone and Business District Commercial Special Provision/Temporary (BDC(2)/T-_) Zone **BE REFUSED** for the following reasons:

- i) The requested amendment is not consistent with the policies of the Provincial Policy Statement, 2020;
- ii) The requested amendment is not in conformity with the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan, including but not limited to the King Street Character area policies and General Built Form policies;
- iii) The requested amendment is not in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions; the Urban Corridor Place Type and Rapid Transit Corridor Place Type policies; and the evaluation criteria for Temporary Use By-laws;
- iv) The request does not implement the action items of the Core Area Community Improvement Plan; and,
- v) The requested amendment would hinder/delay the long-term redevelopment of the site to a more intense, transit-supportive land use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

Executive Summary

Summary of Request

The owner has requested to add a new Temporary (T-_) Zone to permit the site to function as a surface parking lot for a temporary period not exceeding three (3) years.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the request to add a Temporary Zone to permit a surface parking lot for a period not exceeding three (3) years.

Rationale of Recommended Action

1. The requested amendment is not consistent with the policies of the Provincial Policy Statement, 2020;
2. The requested amendment is not in conformity with the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan, including but not limited to the King Street Character Area policies and General Built Form policies;

3. The requested amendment is not in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions; the Urban Corridor Place Type and Rapid Transit Corridor Place Type policies; and the evaluation criteria for Temporary Use By-laws;
4. The requested amendment does not implement the action items of the Core Area Community Improvement Plan; and,
5. The requested amendment would frustrate the long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

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. The introduction of a Temporary Zone for a surface parking lot continues to foster the use of automobiles and is a use that conflicts with the long-term planning of the subject lands for development, which promotes mobility alternatives that are transit-supportive and pedestrian-friendly. See more detail in Appendix B.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject lands are located in the East London Planning District on the northeast corner of Hewitt and King Street. The lands consist of seven properties, six of which front on Hewitt Street and one corner lot fronting on both Hewitt and King Street. The lands are currently developed without City approval as a surface parking lot serving the high-density residential apartment building at 700 King Street. The surrounding area consists of a mix of low- and high-density residential uses, along with some office and commercial uses.



Figure 1: 376-390 Hewitt Street & 748 King Street – north easterly view from intersection of King and Hewitt Streets

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

- The London Plan Place Type – Rapid Transit Corridor (376-382 Hewitt Street and 748 King Street), Urban Corridor (386 and 390 Hewitt Street)
- Existing Zoning – Residential R8 (R8-4) Zone (376-382 Hewitt Street and 748 King Street), Business District Commercial Special Provision (BDC(2)) Zone (386 and 390 Hewitt Street)

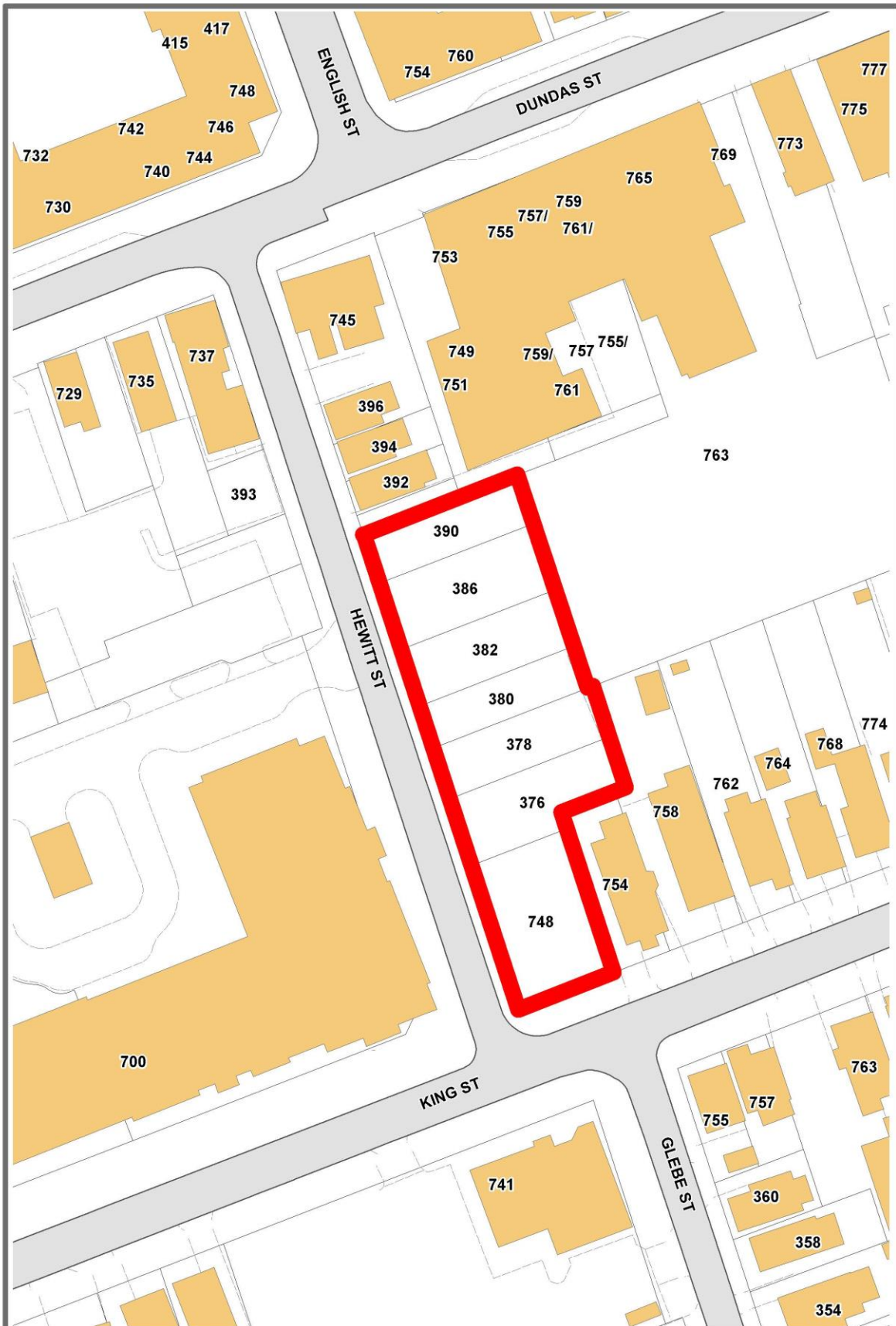
1.4 Site Characteristics

- Current Land Use – Surface parking lot
- Frontage – 12.3m (along King Street), 80.5m (along Hewitt Street)
- Area – 2,325m²
- Shape – Irregular

1.5 Surrounding Land uses

- North – Residential
- East – Residential, tavern/public house
- South – Office building, residential
- West – Residential

1.6 Location Map



LOCATION MAP

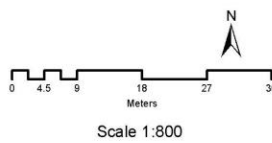
Address: 376-390 Hewitt Street and 748 King Street

File Number: Z-9576

Planner: Catherine Maton and Noe O'Brien

Date: 2023/2/14

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



Legend

-  Buildings
-  Assessment Parcels
-  Driveways/Parking Lots
-  Draft Approved Subdivisions

2.0 Discussion and Considerations

2.1 Description of Proposal

The requested amendment is to add a new Temporary Zone on the subject lands to permit the use of a surface parking lot for a period not exceeding three (3) years, the maximum length of time for a Temporary Zone. While the lots have been converted from residential dwellings to the existing parking lot, the use is not permitted and was not legally established on site.

2.2 Planning History

The subject lands were previously developed as low density residential. The former dwellings on the seven individual lots were incrementally demolished between 2009 and 2016 and illegally converted to surface parking to serve the residential apartment buildings at 690, 696, 698, and 700 King Street and 400 Lyle Street.

2.3 Requested Amendment

The requested amendment is to add a Temporary (T-_) Zone to permit the site to function as a surface parking lot for a temporary period of three (3) years. The request also includes the following special provisions to the Temporary Zone:

- Parking Setback: Minimum External Property Line Setback (ROW) of 2 metres,
- Parking Setback: Minimum Internal Property Line Setback of 1.0 metres
- Parking Setback: Minimum Daylight Triangle Property Line Setback of 0.4 metres
- Minimum Drive Aisle Width of 6.0 metres
- Minimum Drive Isle Hammerhead Depth of 1.0 metres
- Landscape Island Width: Minimum Interior Islands of 0.5 metres with concrete
- Landscape Island Width: Minimum Entrance Islands of 2.0 metres with landscaping.

It should be noted that drive aisle widths, hammerhead depths, and landscape island widths are not regulations contained in the Zoning By-law, but rather are technical requirements of the Site Plan Control By-law. However, these special provisions were included as special provisions in the owner's requested amendment and have therefore been included in staff's review for overall appropriateness of the requested zoning and development.

2.4 Community Engagement (see more detail in Appendix A)

No written responses or phone calls were received from the public.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1. Issue and Consideration #1: Use

The use of the subject lands as a surface parking lot has illegally existed since 2009, beginning with the demolition of the former dwelling at 748 King Street and its conversion to unpaved parking. The use then expanded over time as the remaining six dwellings were incrementally demolished and converted to parking. As the dwellings were demolished, the parking lot was expanded and ultimately formalized with paving, painted lines, and a gate system.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting

land use planning matters shall be “consistent with” the policies of the PPS. The PPS encourages densities and a mix of land uses that make efficient use of the land and infrastructure, as well as land uses that support active transportation and are transit-supportive (PPS 1.1.3.2, 1.7.1, and 1.6.7.4).

Section 1.1.3.2 of the PPS promotes densities and land uses that support efficient use of land and resources, support active transportation, and are transit supportive where transit is planned, exists, or may be developed. The proposed surface parking lot does not support these policies, as its long-term use discourages the potential for future development to a more intense, transit-supportive land use. Furthermore, Section 1.6.7.4 of the PPS encourages land use patterns, densities and a mix of uses that reduces the length and number of vehicle trips and support current and future use of transit and active transportation. The use of the subject property as a surface parking lot encourages vehicle trips and discourages use of alternative modes of transportation, which is inconsistent with the aforementioned PPS policies.

Section 1.7.1 of the PPS encourages long-term prosperity to be supported by maintaining and enhancing the vitality and viability of downtowns and main streets. The use of a surface parking lot on the subject properties would lead to a delay in future development opportunities that would enhance the vitality and viability of the Old East Village and surrounding area, and as such, is inconsistent with this policy.

Old East Village Dundas Street Corridor Secondary Plan

The subject lands are located in the King Street Character Area of the Old East Village Dundas Street Corridor Secondary Plan [herein referred to as Character Area]. The Character Area applies area-specific policies to the lands of the Old East Village and surrounding area, applying a planning vision which aims to respect and reinvest in the local cultural heritage resources, provide a variety of retail and commercial uses, promote a safe and welcoming environment for pedestrians and cyclists, as well as establishing safe connection to the local transit systems and surface parking lots. The King Street Character Area focuses on the lands between King Street and Dundas Street. Policies of the Character Area, such as 3.3.2 e), address parking lots and recommend landscaping within and along the edges of parking lots.

General policy for the King Street Character Area mentions specifically that “*along King Street, there are a number of large surface parking lots offering excellent opportunities for transit-oriented intensification. The area between Dundas Street and King Street is characterised by deep lots which offer good high-rise development opportunities.*” The subject lands are captured under this category of large surface parking lots and deep lots that offer excellent opportunity for long-term and permanent development.

Policy 3.3.2. c) delves further into this, stating that the King Street Character Area is “planned to accommodate rapid transit service and high-rise development”. While the current zoning permits up to 13 metres in height, a low- to mid-rise development would reflect the policy and sought out development more accurately for the Old East Village Dundas Street Corridor Secondary Plan than a surface parking lot.

The London Plan

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:

- Planning for and promoting strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities;
- Revitalizing our urban neighbourhoods and business areas (Key Direction #1, Directions 1 and 4).

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within the Primary Transit Area;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods;
- 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, 3, 4 and 5).

The London Plan also provides direction to place a new emphasis on creating attractive mobility choices by:

- Establishing a high-quality rapid transit system in London and strategically use it to create an incentive for development along rapid transit corridors and at transit villages and stations;
- Focusing intense, mixed-use development to centres that will support and be served by rapid transit integrated with walking and cycling;
- Dependent upon context, requiring, promoting, and encouraging transit-oriented development forms (Key Direction #6, Directions 3, 5, and 6).

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

- Implementing “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character;
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Directions 3 and 10).

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

- Thinking “big picture” and long-term when making planning decisions – consider the implications of a short-term and/or site-specific planning decision within the context of this broader view (Key Direction #8, Direction 3).

The subject lands are located within the Urban Corridor Place Type (386 and 390 Hewitt Street) and the Rapid Transit Corridor Place Type (376-382 Hewitt Street and 748 King Street), as identified on Map 1 – Place Types. The sites are also in the Old East Village Main Street Specific Segment, as identified on Map 7 – Specific Policy Areas. Both Place Types contemplate a variety of residential, retail, service, office, cultural, recreational and institutional uses (837_). New surface parking lots are not explicitly permitted in either the Urban Corridor or Rapid Transit Corridor Place Types. Policy 841 of the Place Types directs surface parking specifically to rear and interior side yards, and encourages integrating parking underground and within buildings (841_12.).

Policy 1672_ in the Our Tools section of The London Plan also establishes evaluation criteria for Temporary Use By-laws. These criteria are as follows:

1672_ In enacting a temporary use by-law, City Council will have regard for the following matters:

1. Compatibility of the proposed use with surrounding land uses;

Land uses surrounding the subject property include residential uses to the east, west, north, and south, a surface parking lot to the northeast, and an office building to the southwest. While in the short-term the use of a new surface parking lot does not conflict with the surrounding uses, legally establishing this use would preclude long-term redevelopment of the site to a more appropriate, transit-supportive land use.

- 2. Any requirement for temporary buildings or structures in association with the proposed use;*

The only structure required to support the use is the parking gate, which is already installed on site. No other temporary buildings or structures in association with the use are proposed.

- 3. Any requirement for temporary connection to municipal services and utilities.*

No temporary connection to municipal services or utilities would be required for the proposed use.

- 4. The potential impact of the proposed use on mobility facilities and traffic in the immediate area;*

There are no impacts anticipated on transportation facilities or traffic in the immediate area from the request to formalize existing parking through a Temporary Zone. However, the use of the subject lands as a parking lot encourages vehicle usage rather than alternative modes of transportation such as the future Bus Rapid Transit system and active transportation.

- 5. Access requirements for the proposed use;*

The subject property currently has one access point from along Hewitt Street, which has been curbed for vehicle access.

- 6. Parking required for the proposed use, and the ability to provide adequate parking on-site.*

As the proposed use is a parking lot, no parking is required to support the use. Rather, the proposed parking lot is accessory to and supports the existing apartment buildings across the street at 700 King Street.

- 7. The potential for long-term use of the temporary zone.*

The site has unofficially operated as a surface parking lot since 2009. Formalizing the use through a Temporary Zone would allow the use to continue and potentially perpetuate the use for the long-term through future extensions of the Temporary Zone. It is preferable that the site be redeveloped with a more intense, transit-supportive use as intended by the existing zoning and policies that apply to the site.

- 8. In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.*

While not applicable, the lot is not located in the Downtown. Notwithstanding, formalizing the use through the introduction of a Temporary Zone would discourage long-term redevelopment of the site with a transit-supportive, pedestrian-friendly development. Staff have concerns that the requested amendment (including the requested special provisions) and proposed site concept plan, have little regard for the pedestrian environment. Little effort has been made to provide for landscaping and buffering along the street line.

- 9. The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands*

The subject lands were previously used for residential dwellings, and the current zoning would permit mixed-use development at 386 and 390 Hewitt Street and medium density residential uses, such as apartment buildings or stacked townhouses up to 13 metres in height, at 376-382 Hewitt Street and 748 King Street. These intended uses align with other policy direction for the site and the area and would implement the long-term intent of these policies.

As the current parking lot has existed illegally since 2009, legalizing the use through

the requested Temporary Zone could perpetuate the use through future Temporary Zone extensions, which would discourage redevelopment of these lands to a more compatible land use that implements the long-term vision for the area.

Core Area Community Improvement Plan

The Core Area Community Improvement Plan (CIP) covers the area bound by the Thames River to the west, to Egerton Street to the east, from approximately York Street to the south and Queens Avenue to the north, although some sections along the west end of the area (notably along Richmond Street) span up to Oxford Street to the north. The Core Area CIP sets general planning goals for the community, such as improvement to accessibility to the area by active and public transportation, creating accessible, interesting and clean streetscapes, and increasing residential population.

While most of the direction in the CIP implementation section has broad applicability and does not apply to the application, Action Item 10 aims to “*Discourage the perpetual extension of temporary surface parking lots*”. While the requested amendment is not an extension of a Temporary Zone for a legally established surface parking lot, it would have the effect of perpetuating the use by legally establishing it on site. Should Council approve this initial request for the Temporary Zone, the owner would then have the ability to apply for future extensions to the Temporary Zone upon expiration.

Zoning By-law Z.-1

The subject lands are currently split zoned a Residential R8 (R8-4) Zone (748 King Street and 376-382 Hewitt Street) and a Business District Commercial Special Provision (BDC(2)) Zone (386 and 390 Hewitt Street). The R8-4 Zone does not permit commercial parking structures and/or lots, whereas the BDC(2) Zone does. However, the proposed parking lot is not interpreted to be a surface commercial parking lot as the users of the lot are restricted to residents of the apartment buildings at 690, 696, 698, and 700 King Street and 400 Lyle Street. The parking lot is not available for commercial use by the general public. Further, while the BDC(2) Zone prohibits accessory parking lots on Dundas Street between Adelaide Street and Rectory Street, the subject lands are not within the specified location therefore the prohibition does not apply. As such, a portion of the subject lands, being 386 and 390 Hewitt Street, could be used as a surface commercial parking lot subject to Site Plan Approval, provided the plan meets the minimum standards of the Zoning By-law and Site Plan Control By-law.

As previously mentioned, the subject lands are currently used as a parking lot serving the existing apartment buildings at 690, 696, 698, and 700 King Street and 400 Lyle Street. The existing development on these lands (Phases 1 and 2) consist of the following:

- A 24-storey, 325-unit apartment building (northwest corner of King Street and Hewitt Street);
- A 21 storey, 292-unit apartment building (mid-block along King Street);
- A 21 storey, 299 unit apartment building (northeast corner of King Street and Lyle Street).

Phase 3 includes 24-storey 243-unit apartment building at 725, 729, 735, and 737 Dundas Street and 389, 391, and 393 Hewitt Street, and was approved by the Ontario Land Tribunal in June 2022. The approved zoning for all three phases includes a Bonus (B-32) Zone, which requires a minimum of 900 spaces for a total of 1,159 units on site (approximately 0.77 spaces per unit). The approved Site Plan for Phases 1 and 2 includes 73 surface spaces and 493 underground spaces (566 total).

In August 2022, the City approved an amendment to Zoning By-law Z.-1 to reduce parking requirements through a City-wide comprehensive Parking Standards Review. As a result, the minimum parking requirement for apartment buildings is now at a rate of 0.5 spaces per unit, less than the minimum parking rate approved for Phases 1, 2, and 3. Under these new parking standards, a total of 458 spaces would be required for the 916 units approved in Phases 1 and 2, and 580 spaces would be required for the 1,159 units approved in all three phases. As such, it is difficult to justify the use of the subject

lands as an accessory parking lot serving the three existing buildings approved in Phases 1 and 2 when the current parking standards would require substantially fewer spaces.

4.2 Issue and Consideration #2: Form

The site concept plan as proposed for the temporary surface parking lot has a number of issues and does not meet the minimum standards of the Zoning By-law and Site Plan Control By-law.

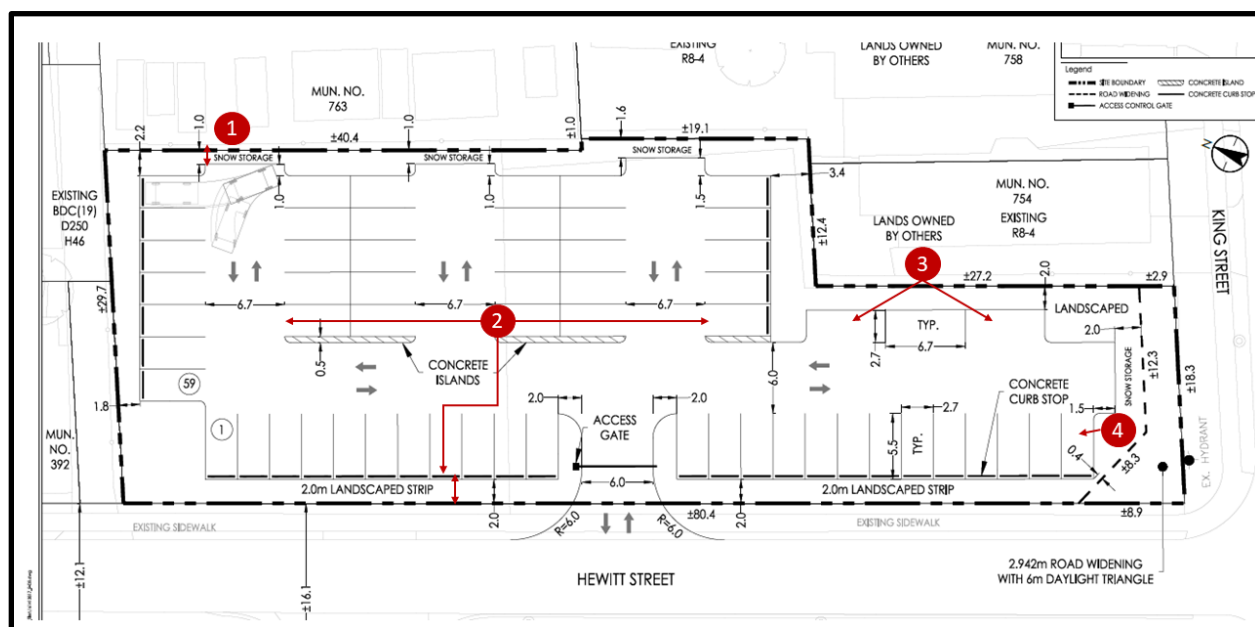


Figure 2: Site Concept Plan for proposed temporary surface parking lot on subject lands, with denoted issues.

Figure 2 depicts the site concept plan, as proposed by the applicant, with numbered identifiers added by City staff denoting the Zoning and Site Plan Control By-law deficiencies affecting site functionality. Numbers 1 through 4 on Figure 2 correspond with the numbered descriptions and recommendations below:

1. The proposed setback from the parking area to the eastern property line is 1 metre, whereas a minimum of 1.5 metres is the minimum required to provide landscaping and buffering between parking and adjacent properties. Larger setbacks are often encouraged between property lines to ensure sufficient space is provided for appropriate buffering. As well, the hammerheads are limited in size which could affect the ability for larger vehicles to safely manoeuvre and reverse out of spaces.
2. Removal of these spaces would allow the north-south drive aisle to satisfy the minimum standard of 6.7 metres, and for the westerly setback of the parking area to the lot line abutting Hewitt Street to be increased from the proposed 2 metres to 3 metres. This is the minimum required setback from a parking area to a street line.
3. These parallel spaces were recommended to be removed to satisfy the minimum 6.7 metre drive aisle requirement and the westerly 3 metre setback requirement from a parking area to a street line. The parallel spaces, as proposed, also lack functionality.
4. This parking space was recommended to be removed to satisfy the required 3 metre setback from the daylight triangle/street line.

In addition to the above issues, other overarching issues with the site concept plan and built form remain, notably with respect to greenery and landscaping. The majority of landscaping is proposed along the westerly edge of the site – there is no landscaping in the interior of the parking lot, as required in section 1.6.1 of the Site Plan Control By-law. The plan does not include planted parking islands, nor does it provide for tree

planting along streets or interior property lines.

The proposed site design and lack of landscaping does not conform to the City Building policies in The London Plan. Policy 249_ states that neighbourhoods are to be designed with a high-quality public realm in mind. In its current form, the parking lot does not offer much for the public realm due to the lack of street focus or sitting areas, as well as the lack of landscaping and screening onsite. In addition, Policy 270_ requires the location, configuration, and size of parking areas to be designed to support the planned vision of the place type and enhance the experience of pedestrians, transit-users, cyclists, and drivers. The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas, with surface parking located in the interior side and rear yards (272_). Lastly, surface parking lots are to be designed to include a sustainable tree growth, and are to be screened by low walls and landscape treatments when located in highly visible areas (277_ and 278_).

Lastly, the Old East Village Dundas Street Corridor Secondary Plan also requires landscaping on the edges of and within parking lots, per policy 3.3.2. e).

Conclusion

The requested amendment is not consistent with the Provincial Policy Statement, 2020 and does not conform to the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan, including but not limited to the King Street Character Area policies and the General Built Form policies. The requested amendment is not in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions; the Urban Corridor Place Type and Rapid Transit Corridor Place Type policies; and the evaluation criteria for Temporary Use By-laws, and does not implement the action items of the Core Area Community Improvement Plan. Lastly, the requested amendment would hinder/delay the long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner, Planning Implementation

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

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

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

Copy:

Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A – Public Engagement

Community Engagement

Public liaison: On January 4, 2023, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 5, 2023. A “Planning Application” sign was also posted on the site.

No replies were received.

On March 1, 2023, Notice of Application and Notice of Public Meeting was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 2, 2023. The purpose of the second Notice of Application was to correct an omission of the requested special provisions in the initial Notice of Application published in *The Londoner* on January 5, 2023. No revisions to the application were made. A Notice of Public Meeting was published in *The Londoner* on March 9, 2023. **Nature of Liaison:** The purpose and effect of this zoning change is to permit a temporary surface residential parking lot on the subject property for a period not exceeding three (3) years. Possible change to Zoning By-law Z.-1 **FROM** a Residential and Business District Commercial (R8-4 and BDC(2)) Zones which permit medium density residential development in the form of low rise apartment buildings (for the R8-4 Zone) and a mix of retail, residential, and office uses (for the BDC(2) Zone), **TO** a Residential (R8-4/T-_) and BDC(2)/T-_) Zone to additionally permit a surface residential parking lot for a period not exceeding three (3) years. File: Z-9576 Planner: C. Maton

The purpose and effect of this amendment is to permit a surface parking lot for a period not exceeding three (3) years. Possible change to Zoning By-law Z.-1 **FROM** a Residential R8 (R8-4) Zone, which permits medium density residential development in the form of low rise apartment buildings, and a Business District Commercial Special Provision (BDC(2)) Zone, which permits a mix of retail, residential, and office uses, **TO** a Residential R8/Temporary (R8-4/T-_) Zone and Business District Commercial Special Provision/Temporary (BDC(2)/T-_) Zone. The proposed Temporary Zone would permit a surface residential parking lot for a period not exceeding three (3) years. Special provisions to the Temporary Zone would permit: a minimum parking setback to external property lines (ROW) of 2 metres; a minimum parking setback to internal property lines of 1.0 metres; a minimum parking setback to the daylight triangle of 0.4 metres; a minimum drive aisle width of 6.0 metres; a minimum drive aisle hammerhead depth of 1.0 metres; a minimum interior landscape island width of 0.5 metres with concrete; and a minimum entrance landscape island with of 2.0 metres with landscaping. The existing range of permitted uses and the existing special provisions would continue to apply to the site. File: Z-9576 Planner: C. Maton

Responses: No written responses and no phone calls were received from members of the public.

Agency/Departmental Comments

Landscape Architecture – January 4, 2023

- No comments.

Urban Design – January 10, 2023

- Urban design staff are not supportive of a temporary surface parking lot in this location. The site is located within the Old East Village Core and King Street character areas within the Old East Village Dundas Street Corridor Secondary Plan [OEVDSCSP] as well as the Rapid Transit Corridor and Urban Corridor Place Types in The London Plan [TLP]. Temporary parking lots are not contemplated uses within TLP or the OEVDSCSP. Creating a new surface parking lot will contribute to a car-dominated streetscape in an area that is highly walkable, is close to transit and cycling infrastructure and is located near a future BRT route. As the proposed parking lot is intended for use by

the residents of the adjacent high-rise apartment buildings, the existing parking facilities within those buildings should be sufficient. There are also several municipal parking lots located within walking distance of the site. In addition, the design of the parking lot is in contravention with nearly every design provision within the Site Plan Control By-law as per Table 2 in the applicant's Planning & Design Report, which further indicates this use is not suitable for this site. Urban design staff encourage the applicant to consider a more intense form of residential or mixed-use development for these lands that is more consistent with the policies in The London Plan / OEVDSCSP.

- If the applicant can justify the requested zoning change, the following should be resolved in terms of site design:
 - The size of the landscaped areas should be wide enough to accommodate a tree canopy at 20 years of anticipated tree growth [TLP Policy 277];
 - As this parking area is located in a highly visible location, it should be screened from view with low walls and landscape treatments along the public ROWs [TLP Policy 278];
 - Ensure the lighting of the parking lot does not negatively affect the private amenity space of the adjacent properties [TLP Policy 279]
 - Consider using a more porous and environmentally-friendly paving material other than asphalt as well as providing electric-vehicle charging stations.

London Hydro – January 18, 2023

- 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.

Parks Long Range Planning & Design – January 20, 2023

- Parkland dedication not required for temporary use. Parkland dedication will be required in the future at the time when the permanent conforming use is developed.

UTRCA – January 23, 2023

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the *Conservation Authorities Act*, the *Planning Act*, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

CONSERVATION AUTHORITIES ACT

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

DRINKING WATER SOURCE PROTECTION: Clean Water Act

For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

The UTRCA has **no objections** or requirements for this application. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned.

Engineering – January 25, 2023

- No concerns with the re-zoning to allow the continued use of the temporary parking lot. We do encourage the Applicant to complete the following:
 - In order to address water quality, SWED would suggest the applicant consider incorporating LIDs in the form of rain gardens within the proposed landscaping.

Site Plan – February 1, 2023

- Comments from the Site Plan Consultation still apply and have not been addressed.
- Minimum parking area setbacks are 1.5m from interior property lines and 3.0m to street lines.
- Locate the parking area a minimum of 1.5 metres from interior property lines and 3.0m from exterior property lines to allow space for landscaping.
- Ensure all drive aisles are a minimum of 6.5m wide.
- Label snow storage on the site plan.
- Demonstrate that the hammerheads at the end of the parking aisles are large enough for vehicles to reverse out of the northern-most spaces.

Appendix B – Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

Infill and Intensification

Located within the Built Area Boundary: Yes
Located within the Primary Transit Area: Yes
Net density change: N/A
Net change in affordable housing units: N/A

Complete Communities

New use added to the local community: Yes, surface parking lot
Proximity to the nearest public open space: 500 metres (Lorne Avenue Park)
Proximity to the nearest commercial area/use: 110 metres (immediately adjacent)
Proximity to the nearest food store: 230 metres
Proximity to nearest primary school: 350 metres (St Mary Catholic Choir School)
Proximity to nearest community/recreation amenity: 300 metres (London Curling Club); 1.4 km (Boyle Memorial Community Centre); 2 km (Carling Heights Optimist Community Centre)
Net change in functional on-site outdoor amenity areas: N/A

Reduce Auto-Dependence

Proximity to the nearest London Transit stop: 81 metres
Completes gaps in the public sidewalk network: No
Connection from the site to a public sidewalk: No
Connection from the site to a multi-use pathway: N/A
Site layout contributes to a walkable environment: No
Proximity to nearest dedicated cycling infrastructure: 81 metres
Secured bike parking spaces: None
Secured bike parking ratio: N/A
New electric vehicles charging stations: None
Vehicle parking ratio: N/A

Environmental Impacts

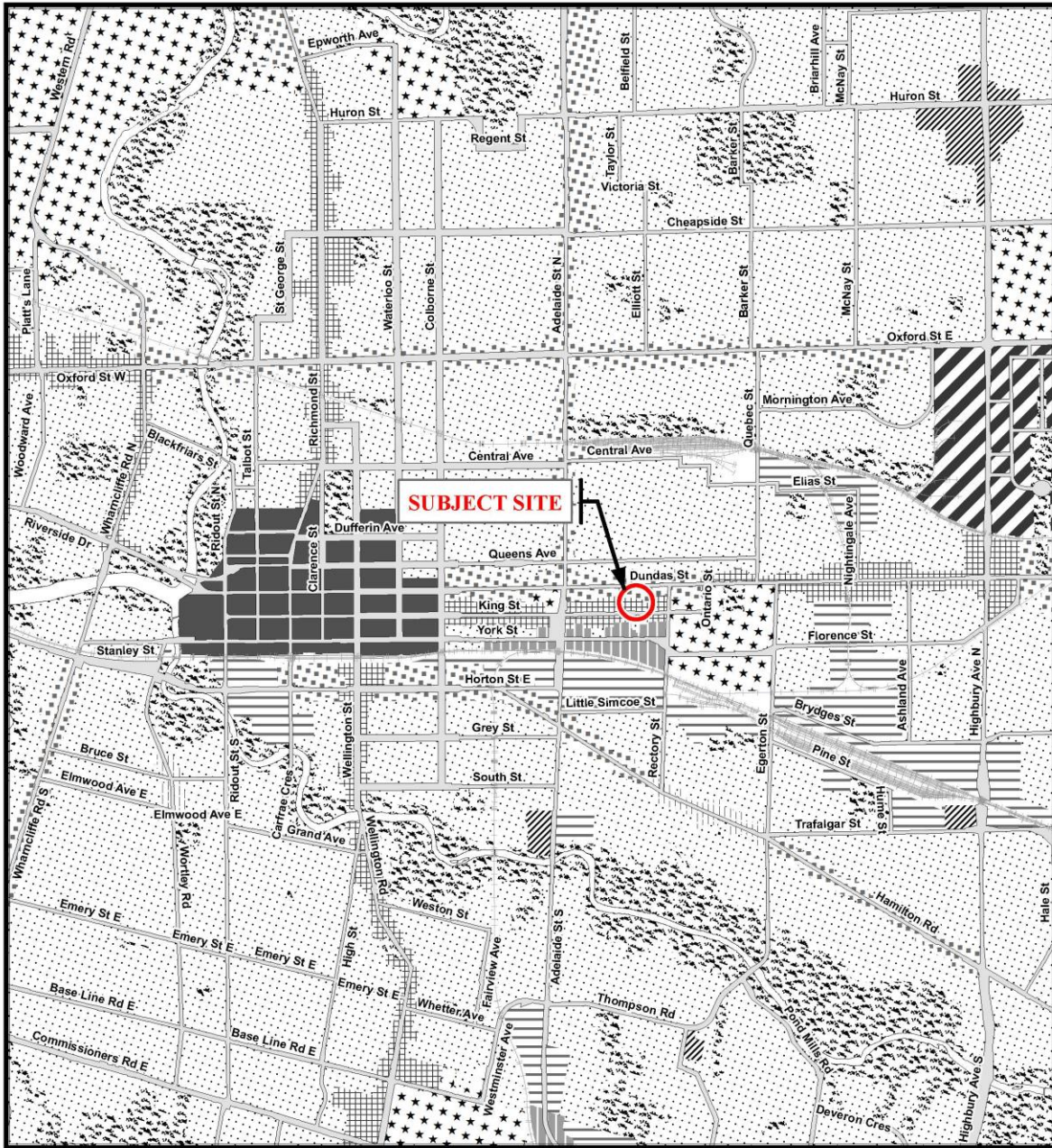
Net change in permeable surfaces: N/A
Net change in the number of trees: N/A
Tree Protection Area: No
Landscape Plan considers and includes native and pollinator species: N/A
Loss of natural heritage features: No
Species at Risk Habitat loss: No
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): N/A

Construction

Existing structures on site: No
Existing structures repurposed/adaptively reused: N/A
Green building features: No
District energy system connection: N/A

Appendix C – Relevant Background

Additional Maps



Legend

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

This is an excerpt from 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



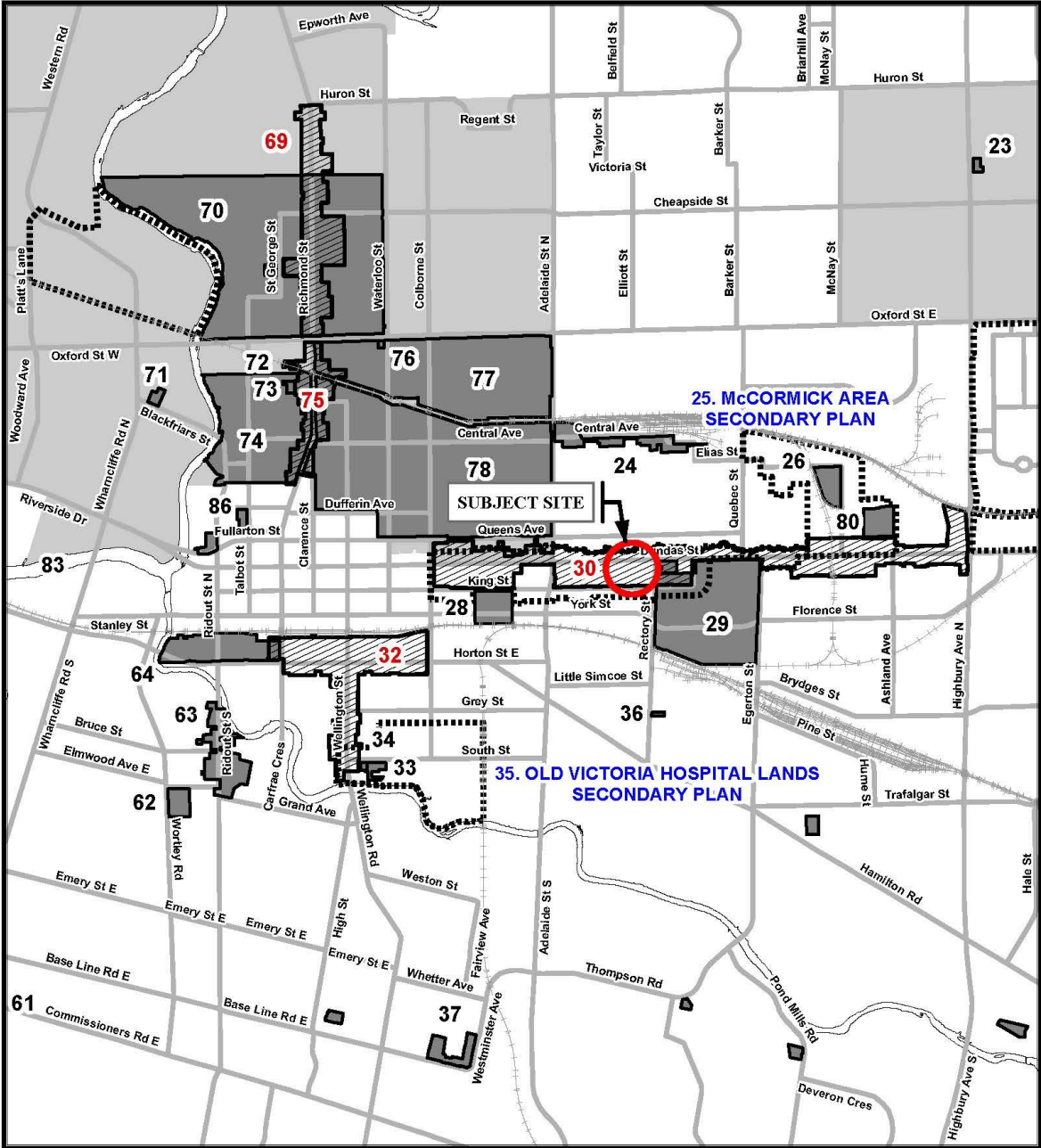
File Number: Z-9576

Planner: CM/NO

Technician: JI

Date: 2023/2/14

Project Location: \\file1\giswork\Planning\Projects\p_officialplan\workconso100\excerpts_LondonPlan\mxd\Z-9576_Map1_PlaceTypes.mxd



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 Planning & Development's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

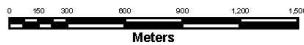
CITY OF LONDON
Official Plan

LONDON PLAN MAP 7
- SPECIFIC POLICY AREAS -

PREPARED BY: Planning & Development



Scale 1:30,000



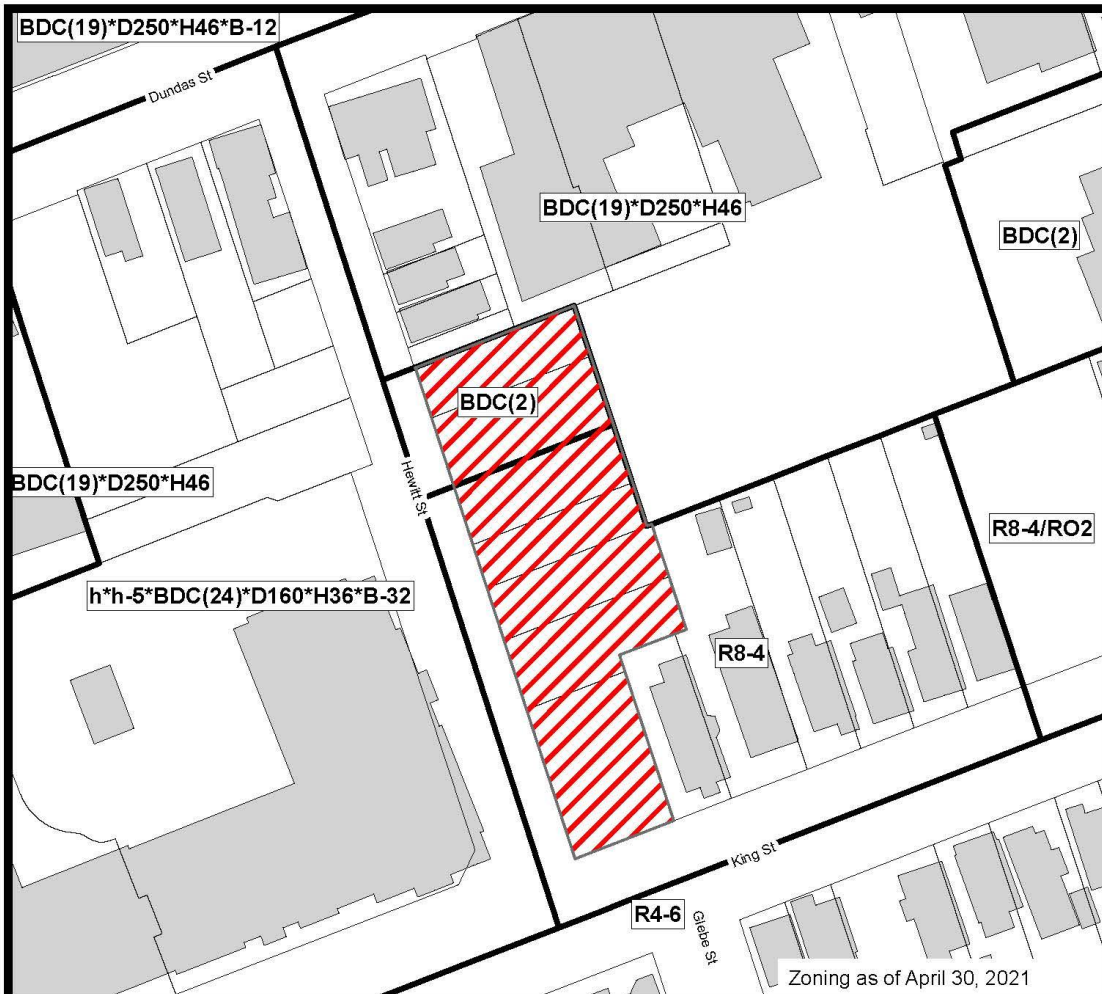
FILE NUMBER: Z-9576

PLANNER: CM/NO

TECHNICIAN: JI

DATE: 2/14/2023

Document Path: \\c:\file1\giswork\Planning\Projects\p_officialplan\work\consolid00\excerpts_LondonPlan\mxd\Z-9576_Map7_SpecialPolicyAreas.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: BDC(2), R8-4

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9576

CM/NO

MAP PREPARED:

2023/2/14

JJ

1:1,000

0 5 10 20 30 40 Meters

Slide 1 - Z-9576: 376-390 Hewitt Street & 748 King Street



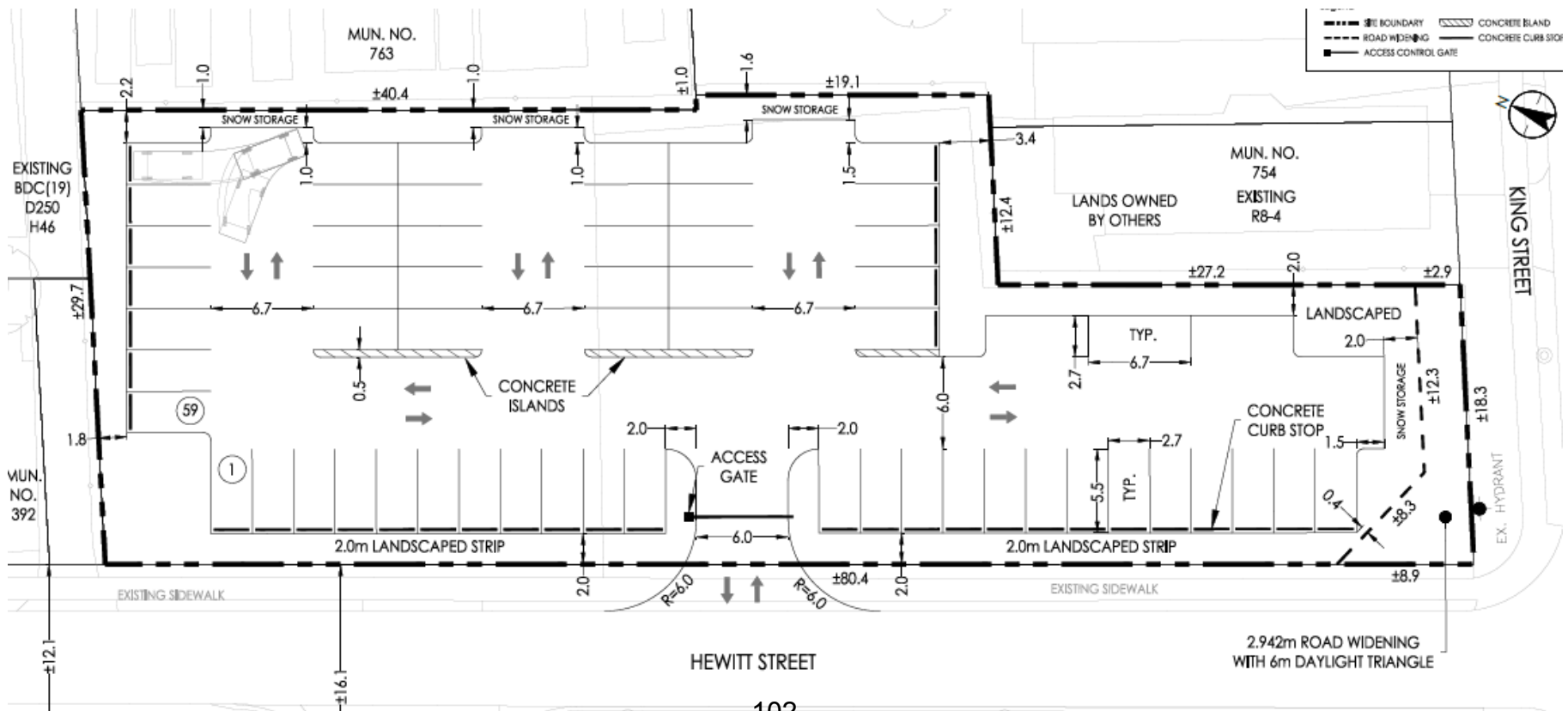
East Village Holdings Limited
March 27, 2023

Slide 2 - Subject Site



Slide 3 – Requested Amendment

- Request to add a Temporary Zone to permit the use of the site as a surface parking lot for a maximum of 3 years





Slide 4 – Policy Context

Old East Village Dundas Street Corridor Secondary Plan

- Within the OEV Core & King Street Character Areas
- Up to high-rise forms permitted (9+ storeys)
- Low-rise, mid-rise, and high-rise buildings up to 12 storeys are generally permitted on the south side of Dundas Street, on both sides of King Street, and on both sides of Ontario Street

The London Plan

- Within the Rapid Transit Corridor and Urban Corridor Place Types and the Old East Village Main Street Specific Segment
- In the Main Street segment, the standard maximum height is 12 storeys, and the upper maximum height is 16 storeys
- Evaluation criteria for Temporary Use By-laws in Our Tools also applies

Zoning By-law Z.-1

- The site is split-zoned a BDC(2) Zone (386-390 Hewitt Street) and an R8-4 Zone (376-382 Hewitt Street and 748 King Street)
- Parking rates reduced City-wide in August 2022 (0.5 spaces/unit required for apartment buildings)

Slide 5 – Issues

Issue and Consideration #1: Use

- Recognizing the parking lot through the requested Temporary Zone could perpetuate the use through future Temporary Zone extensions, discouraging redevelopment to a more intense, transit-supportive use that implements the long-term vision for the area
- Approval of the parking lot encourages continued use of automobiles and discourages use of alternative modes of transportation, such as active transportation and public transit
- Parking rates were reduced City-wide in August 2022
- Alternative parking options exist in close proximity to the site

Issue and Consideration #2: Form

- There are several Zoning and Site Plan Control By-law deficiencies in the site design that result in site functionality issues
- Limited landscaping and greenery is provided on site
 - The majority of landscaping is proposed along the westerly edge of the site – there is no landscaping in the interior of the parking lot, as required by the Site Plan Control By-law
 - The plan does not include planted parking islands, nor does it provide for tree planting along streets or interior property lines

Slide 6 - Recommendation

Staff recommend the requested amendment be **REFUSED**, for the following reasons:

- i) The requested amendment is not consistent with the policies of the Provincial Policy Statement, 2020;
- ii) The requested amendment is not in conformity with the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan;
- iii) The requested amendment is not in conformity with the in-force policies of The London Plan;
- iv) The request does not implement the action items of the Core Area Community Improvement Plan; and,
- v) The requested amendment would hinder/delay the long-term redevelopment of the site to a more intense, transit-supportive land use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

Liability Note

The Contractor shall verify and be responsible for all dimensions. DO NOT scale this drawing - any errors or omissions shall be reported to Stantec without delay.

Legend

- SITE BOUNDARY
- PHASE LIMIT
- EXISTING PHASE 1 & 2
- ▲ PRINCIPAL ENTRANCE
- ▼ SECONDARY ENTRANCE
- Ⓡ DEPRESSED CURB WITH DETECTABLE WARNING SURFACE (PHASE 3)

NOTES:

1. TO BE READ IN CONJUNCTION WITH ALL OTHER PLANS
2. SEE ARCHITECT PLANS FOR DETAILED BUILDING INFORMATION.
3. UNDERGROUND PARKING FOR ALL PHASES ACCESSED THROUGH EXISTING UNDERGROUND PARKING ENTRANCE.
4. PODIUM PARKING FOR PHASE 3 ACCESSED DIRECTLY FROM HEWITT STREET. SEE ACCESS REVIEW LETTER, LEA CONSULTING NOVEMBER 5, 2019.
5. NORTH UNITS ENTRY, LEVELS 3 AND 4, OVERHANG PROPERTY LIMIT BY 2.0m.
6. GARBAGE TO BE STORED INTERNALLY AND BROUGHT OUT FOR COLLECTION BY BUILDING MANAGER ON PICK UP DAY.

| Revision | By | Appd. | YY.MM.DD | |
|---------------------------------|------|-------|----------|----------|
| 4. SITE PLAN APPROVAL - SUB 1 | AB | BB | 22.05.23 | |
| 3. FOR SITE PLAN CONSULTATION | AB | BB | 21.11.26 | |
| 2. AS PER CITY & UDPRP COMMENTS | AB | BB | 20.12.10 | |
| 1. ADDITIONAL PARKING | AB | BB | 20.05.29 | |
| Revision | By | Appd. | YY.MM.DD | |
| 5. SITE PLAN APPROVAL - SUB 1 | AB | BB | 22.05.23 | |
| 4. FOR SITE PLAN CONSULTATION | AB | BB | 21.11.26 | |
| 3. FOR ZBA APPLICATION | AB | BB | 20.12.10 | |
| 2. FOR ZBA APPLICATION | AB | BB | 20.05.29 | |
| 1. FOR ZBA APPLICATION | AB | BB | 19.06.19 | |
| Issued | By | Appd. | YY.MM.DD | |
| File Name: 161413817.rvt | AB | BB | 19.06.19 | |
| | Dwn. | Chkd. | Dsgn. | YY.MM.DD |

| Permit-Seal | AB | BB | AB | 19.06.19 |
|-------------|------|-------|-------|----------|
| | Dwn. | Chkd. | Dsgn. | YY.MM.DD |



Client/Project

East Village Holdings Limited
File No. Z-9155 & SPC21-210

Phase 3 - 729, 735, 737 Dundas St,
393 Hewitt St, 400 Lyle St & 700 King St
London, ON Canada

Title

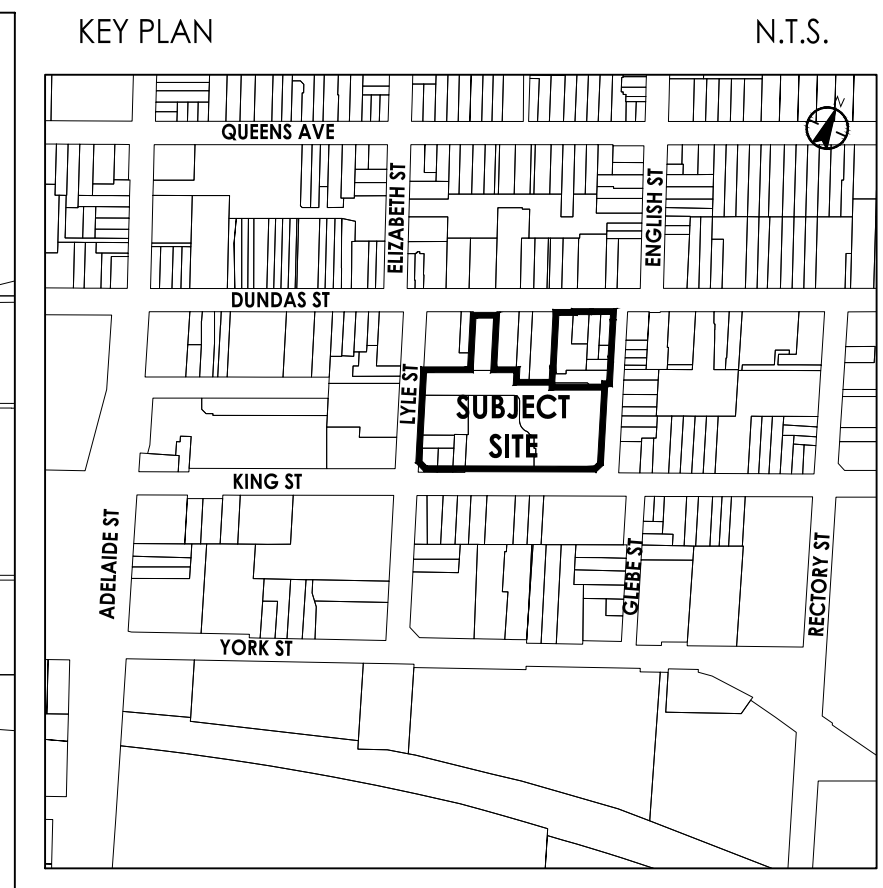
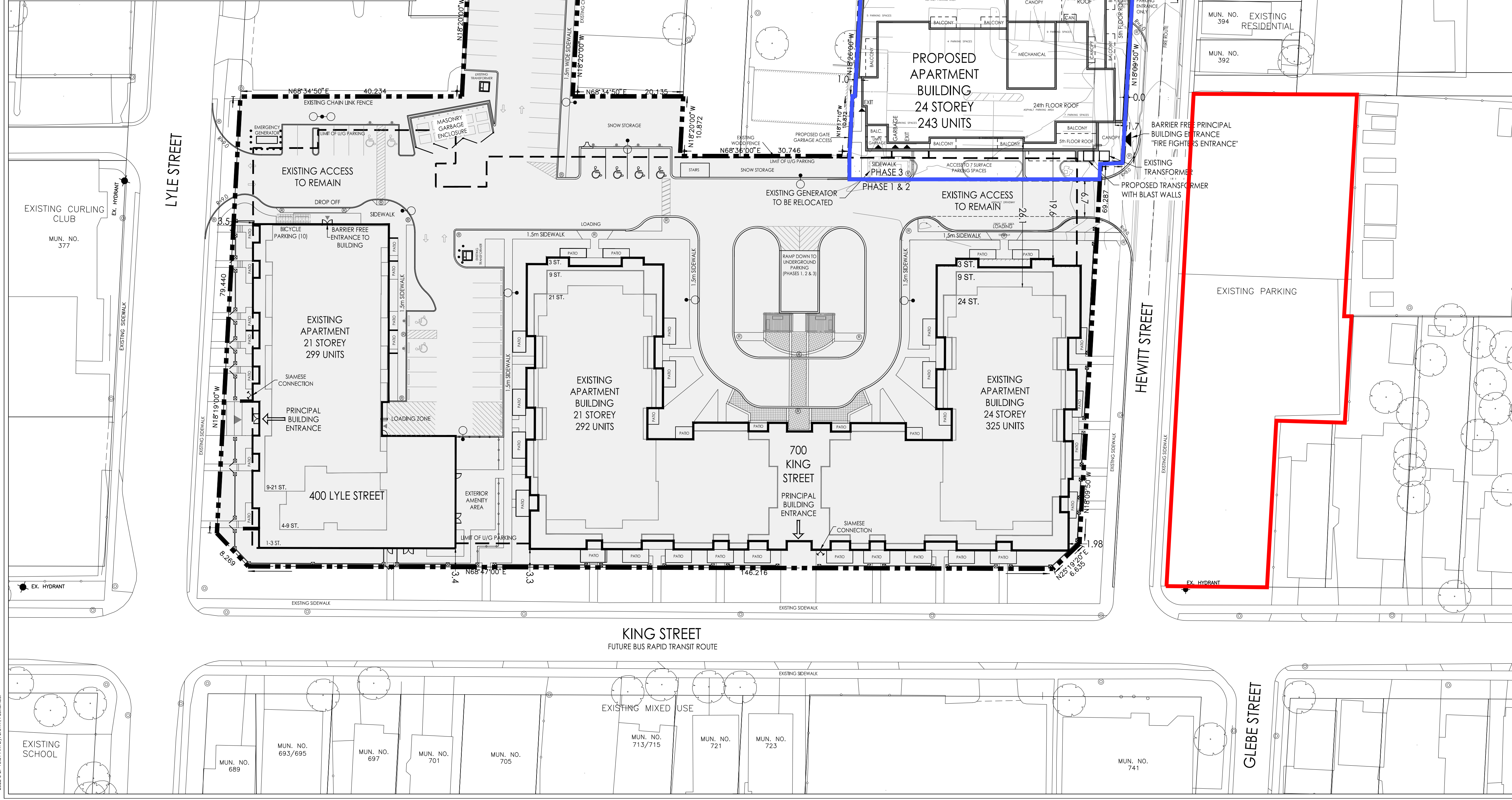
Site Plan
Existing and Proposed - Full Site

| Project No. | Scale | Revision |
|-------------|--------------------------|----------|
| 161413817 | HORZ - 1 : 400 4 0 8m | |
| Drawing No. | Sheet | Revision |
| SP-1 | 1 of 2 | 4 |

| | Existing Phase I & II | | Proposed Phase III | | All Phases Combined | |
|--|--|-----------------------|---|-------------------------|---|----------|
| | 700 King St. & 400 Lyle St. (Approved Site Plan) | | 729, 735, 737 Dundas St. & 393 Hewitt St. (Fourth Tower) | | 700 King St. & 400 Lyle St. & Phase II | |
| EXISTING ZONE | BDC(24)D160H36B-32 | | BDC(24)D160H36B-32 & BDC(19)D250H46 | | BDC(24)D160H36B-32 & BDC(19)D250H46 | |
| PROPOSED ZONE | nBDC(24)D160H36B-32* | | nBDC(24)D160H36B-32* | | nBDC(24)D160H36B-32* | |
| Regulations | Required | Provided | Required | Provided | Required | Provided |
| TOTAL AREA | N/A | 816 Residential Units | 0.120 ha = Additional Area | 243 Units = Residential | 1.551 Units | |
| TOTAL UNITS | N/A | 816 Residential Units | 243 Units = Residential | 243 Units = Residential | 1.551 Units | |
| PERMITTED USES | Apartment Building Ground Floor Commercial | | Apartment Building with Ground Floor Commercial | | Apartment Buildings and Ground Floor Commercial | |
| LOT FRONTAGE MINIMUM | 8.0m | 146.2 m = King St | 49.5 m = Dundas St | 49.5 m Dundas St | 49.5 m Dundas St | |
| PHASE 1 & 2 EXTERIOR SIDE YARD SETBACK | 0.0m Minimum* 4.5m Maximum* (Z-1-212904) | | N/A | | N/A | |
| PHASE 3 GROUND FLOOR COMMERCIAL SPACE MINIMUM | 850m ² (Z-1-212904) | | N/A | | 900m ² | |
| PHASE 3 GROUND FLOOR CEILING HEIGHT MINIMUM | 4.8m* (Z-1-212904) | | N/A | | 4.57m | |
| PHASE 3 FRONT YARD SETBACK MINIMUM | 9m = Above 4th Storey* 25m = Above 6th Storey* (Z-1-212904) | | N/A | | N/A | |
| PHASE 3 EXTERIOR SIDE YARD SETBACK MINIMUM | 0m | | N/A | | 0m = Hewitt St | |
| PHASE 3 INTERNAL SIDE YARD SETBACK ABUTTING A NON-RESIDENTIAL ZONE MINIMUM | 0m | | N/A | | 0.4m = West | |
| PHASE 3 TOWER FLOOR PLATE AREA | 1.075m ² Above 6th Storey (Z-1-212904) | | 1.075m ² | | 1.075m ² | |
| LOT COVERAGE MAXIMUM | 70% (5,600 m ²) | | 38.1% 2,822 m ² Additional Coverage | | 50.9% (8,422m ²) | |
| DENSITY - UNITS PER HECTARE MAXIMUM | 80.4 m ² (Z-1-212904) | | 243 Residential Units Added 800m ² Commercial = "9 Units Added" | | 706.8 uph (1,188 Units) | |
| OFF-STREET PARKING MINIMUM | 800 Spaces* (Z-1-212904) | | 28 = Surface Removed 513 = Underground | | 849 = Underground/Podium | |
| ACCESSIBLE PARKING | 2% = 2% of Total Spaces (20) | | 12 = Accessible Spaces | | 22 = Accessible Spaces | |
| BICYCLE PARKING MINIMUM | Secured = 465 Spaces* (Z-1-212904) | | 280 Spaces | | 465 Spaces | |

*AS PER APPROVED ZONING BY LAW Z-1-212904 (APPLICATION Z-9155) - CURRENTLY UNDER LPAT APPEAL (CASE NO. PL210168) v.2022.05.17

NOTES:
- NO LANDSCAPE OFFENSIVE REQUIREMENTS WITHIN BDC ZONE
- PHASE 3 FALLS WITHIN STANDARD AREA 1
- BALCONY ENCROACHMENT PERMITTED IN ALL YARDS 1.5m PROVIDED THE PROJECTION IS NO CLOSER THAN 1.5m TO THE LOT LINE (Z-1-152397 & Z-1-212904)
- FOR DENSITY PURPOSES ONLY, CITY OF LONDON CALCULATES "COMMERCIAL UNITS" AT A RATE OF 100m² = 1 UNIT. ONLY 5 ACTUAL COMMERCIAL UNITS PROPOSED
- EXISTING PHASE 1 & 2 CONSTRUCTED BASED ON PREVIOUSLY APPROVED ZONING BY LAW Z-1-152397



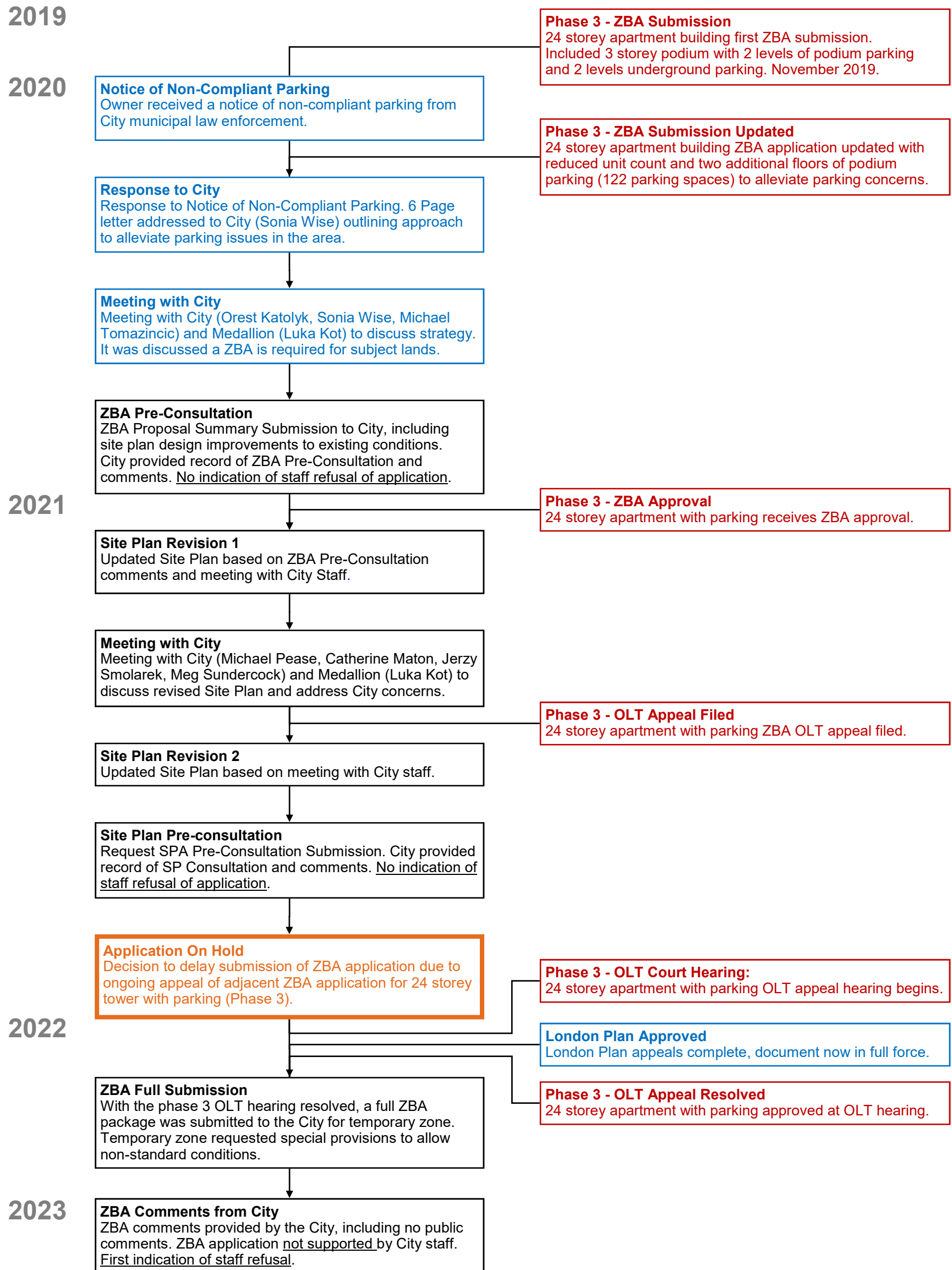
Project Chronology

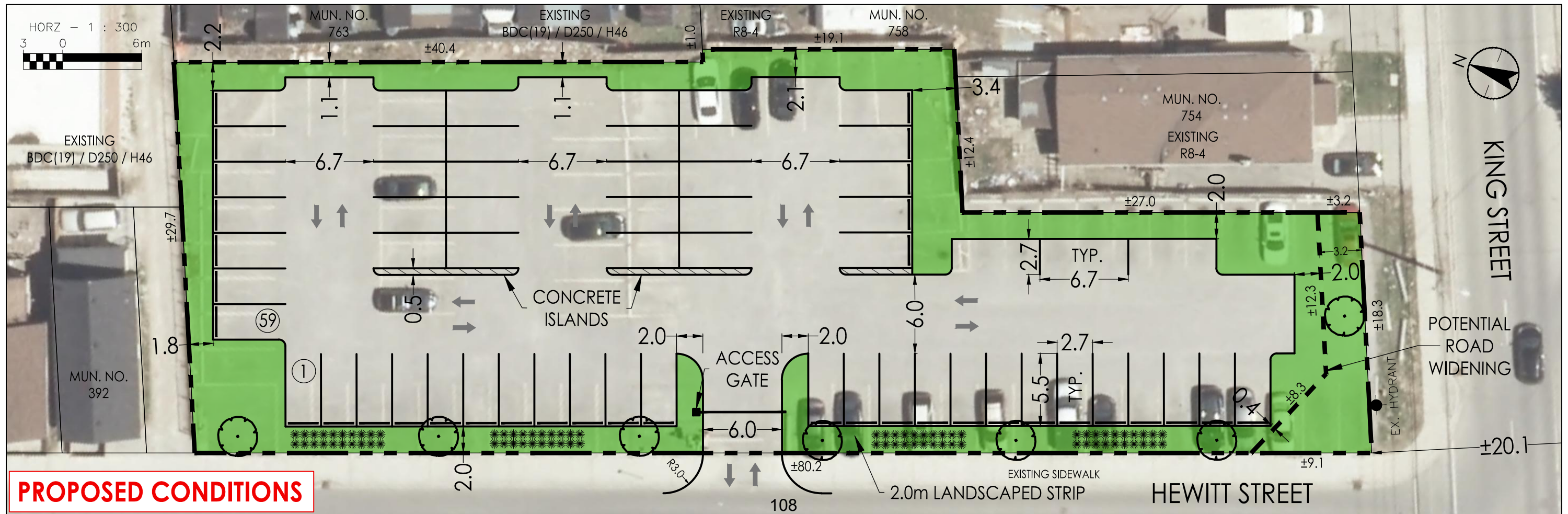
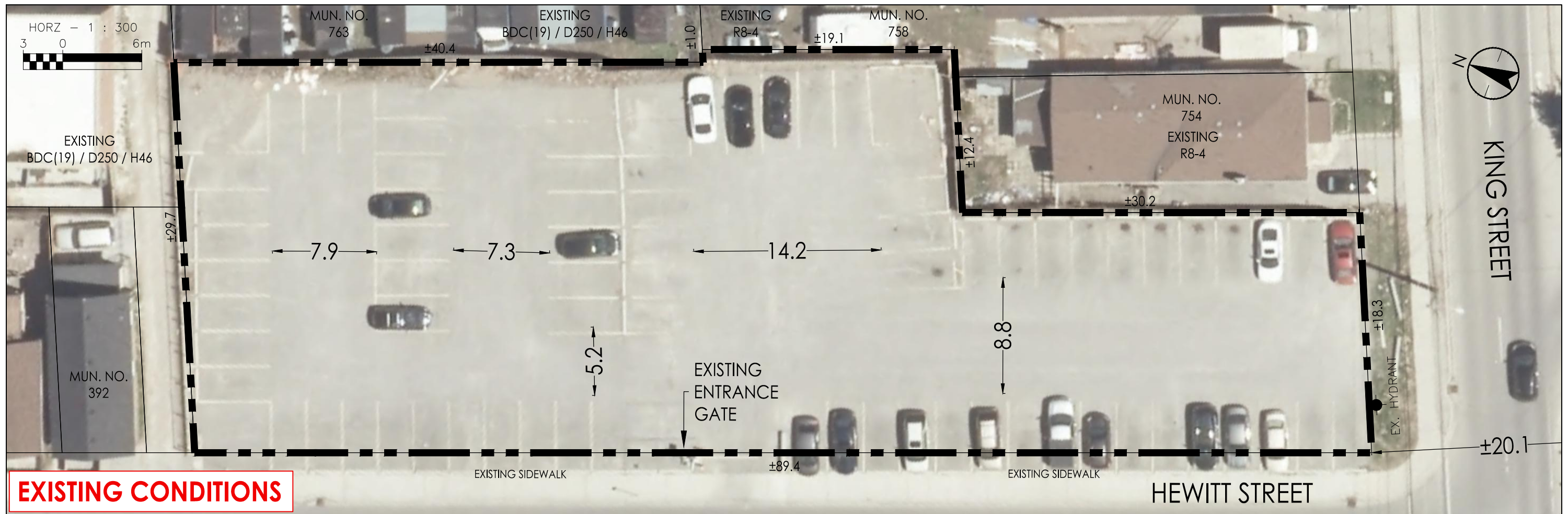
376-390 Hewitt Street & 748 King Street, London
 Zoning By-Law Amendment - File No. Z-9576

PROPOSED DEVELOPMENT

The purpose of the ZBA application is to allow the existing at grade asphalt parking lot to be permitted through a temporary zone, until the construction of a new 24 storey apartment tower with additional parking (phase 3) can be built across the street (File Z-9155). Once the tower has been constructed and temporary zoning expired, the temporary parking lot will be closed.

Zoning By-Law Chronology









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| 1 | 2021.10.20 | ISSUED FOR SPA |
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PROJECT NAME

Medallion Residential Tower
 Dundas - Hewitt
 London, ON

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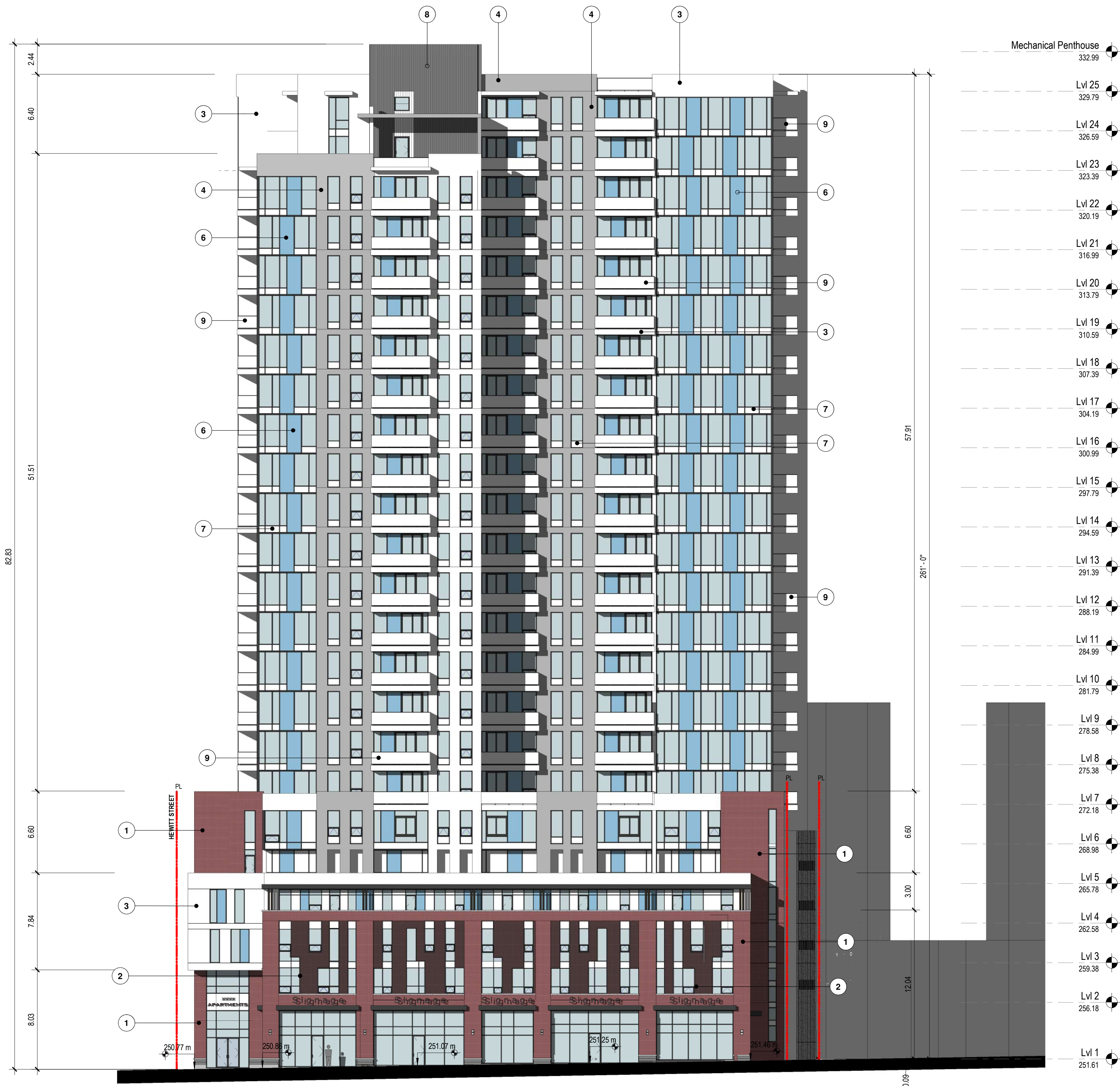
North Elevation

DRAWING INFO.

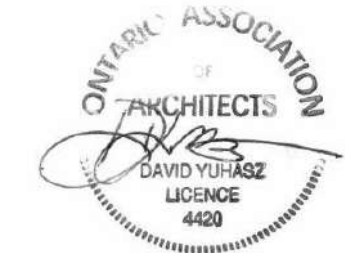
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SPA-10



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| ② | BRICK MANUFACTURER : TBD COLOUR : BROWN | ⑧ | METAL PANEL MANUFACTURER : TBD COLOUR : GREY |
| ③ | PAINTED CONCRETE MANUFACTURER : TBD COLOUR : WHITE | ⑨ | PERFINISHED GLASS RAILING SYSTEM MANUFACTURER : TBD COLOUR : FROSTED |
| ④ | PAINTED CONCRETE MANUFACTURER : TBD COLOUR : LIGHT GREY | ⑩ | PERFINISHED WINDOW/ DOOR MANUFACTURER : TBD COLOUR: BLACK |
| ⑤ | PAINTED CONCRETE MANUFACTURER : TBD COLOUR : MEDIUM DARK GREY | ⑪ | PERFORATED METAL PANEL MANUFACTURER : TBD COLOUR: BRONZE |
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PROJECT NAME

Medallion Residential Tower
 Dundas - Hewitt
 London, ON

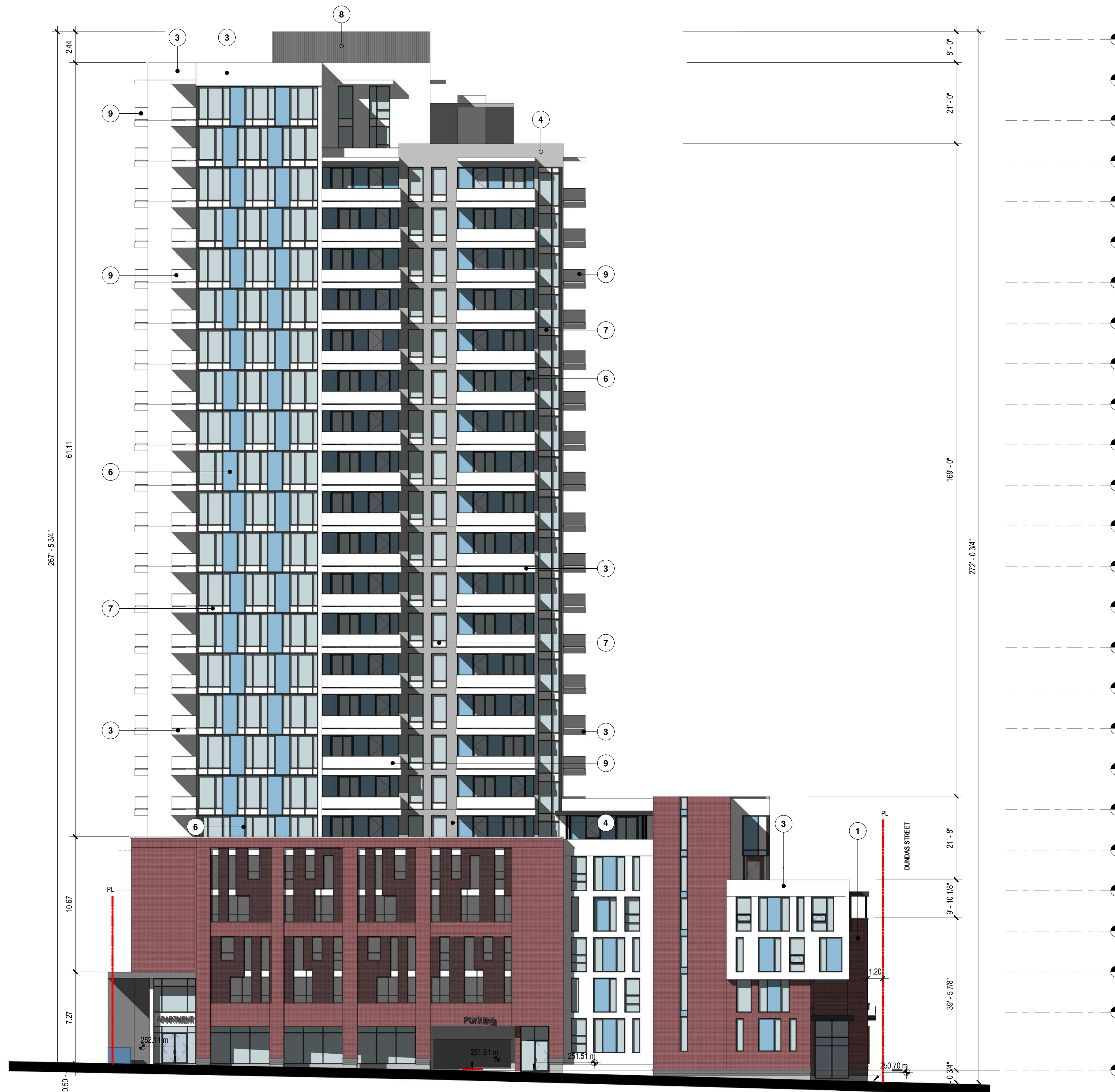
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East Elevation

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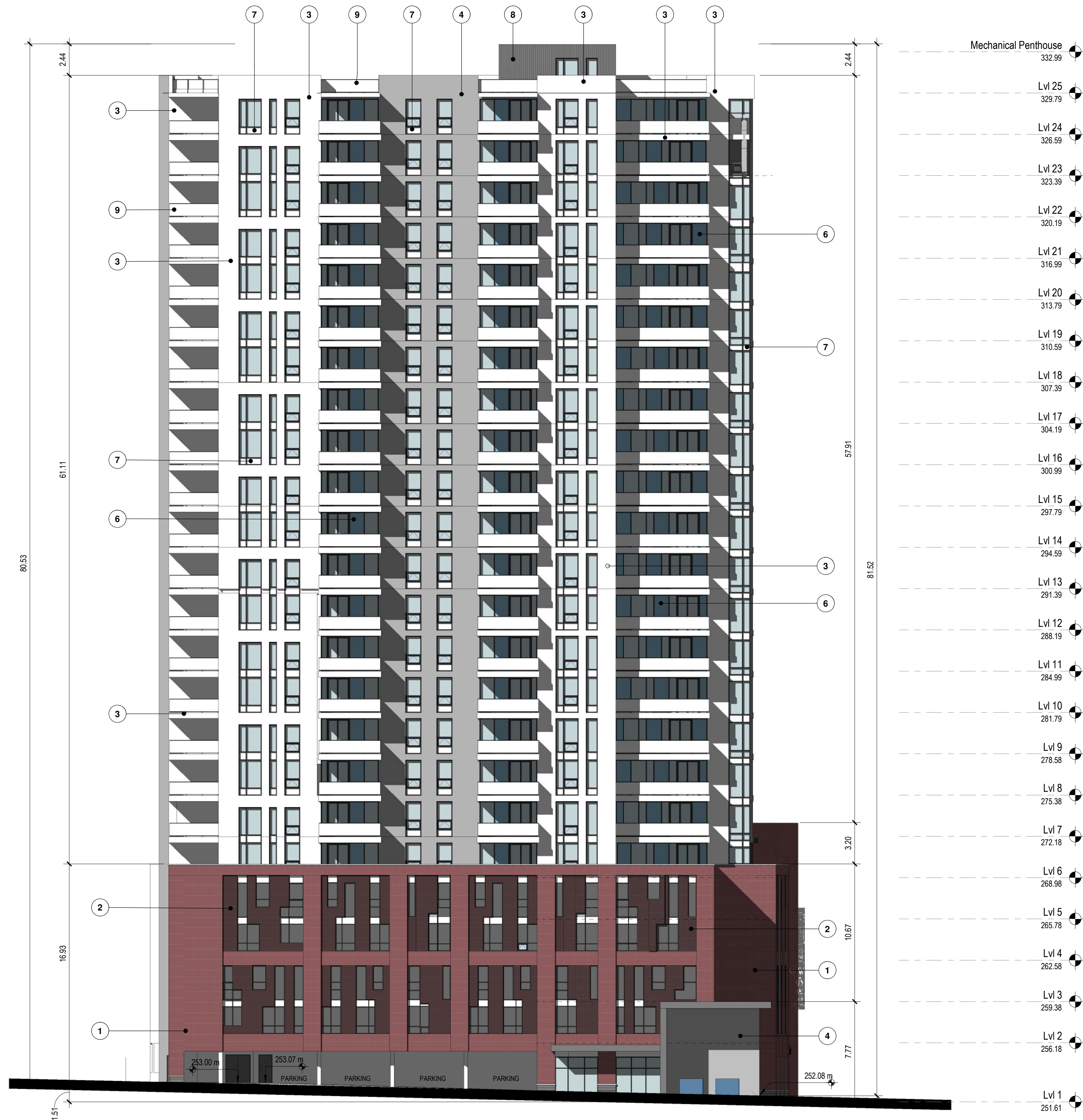
South Elevation

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SHEET NO.

SPA-12



| Exterior Finish Legend | | | |
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Dundas - Hewitt
London, ON

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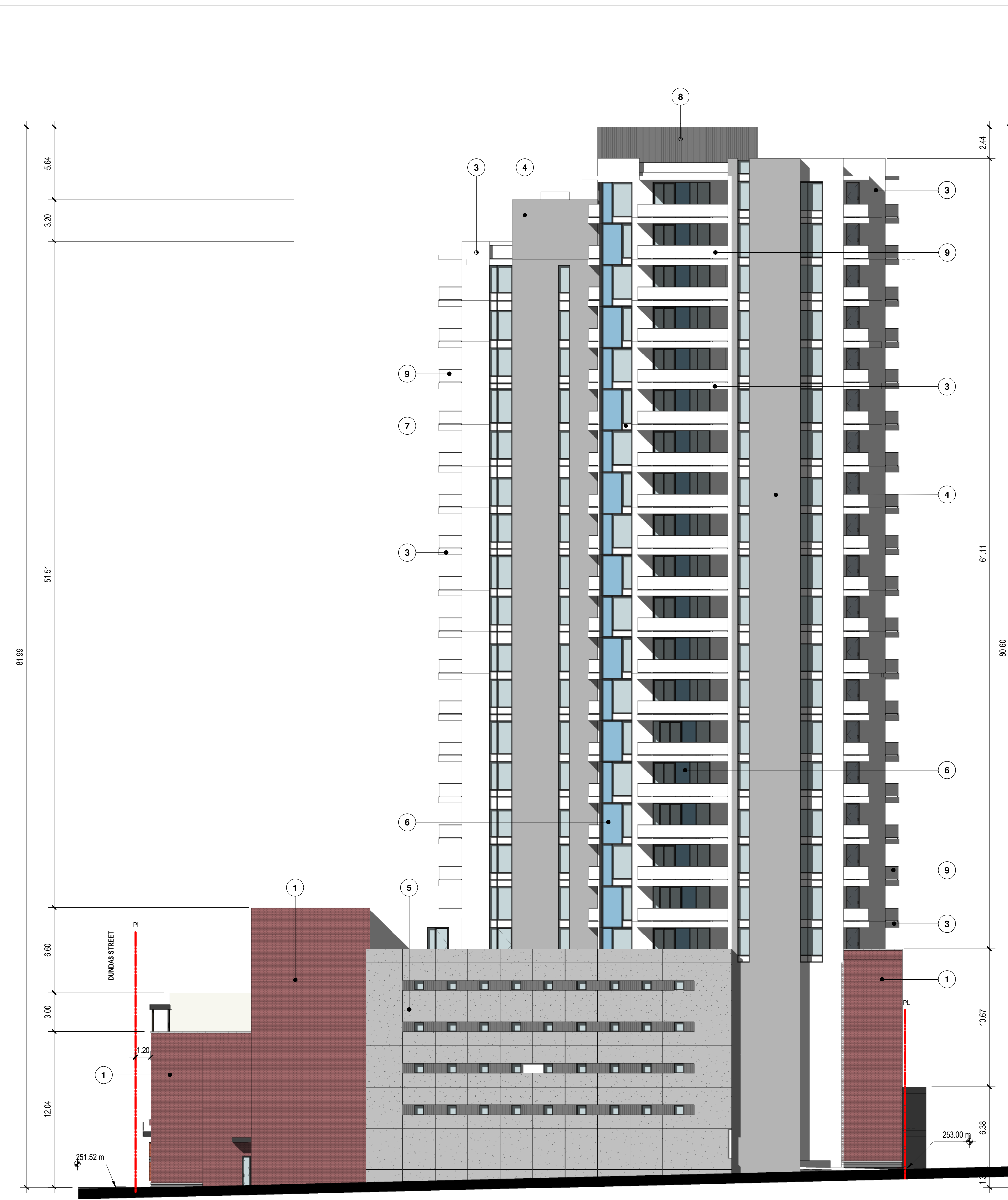
West Elevation

DRAWING INFO.

Project Number 18 023
Date 10/18/21
Scale As indicated
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Checked by Checker

SHEET NO.

SPA-13



- Mechanical Penthouse 332.99
- Lvl 25 329.79
- Lvl 24 326.59
- Lvl 23 323.39
- Lvl 22 320.19
- Lvl 21 316.99
- Lvl 20 313.79
- Lvl 19 310.59
- Lvl 18 307.39
- Lvl 17 304.19
- Lvl 16 300.99
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- Lvl 14 294.59
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- Lvl 8 275.38
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- Lvl 2 256.18
- Lvl 1 251.61

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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: Bonaventure Crossings (London) Limited (c/o Effort Trust)
161 Bonaventure Drive
City File: Z-9574 Ward 2
Public Participation Meeting

Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Bonaventure Crossings (London) Limited (c/o Effort Trust) relating to the property located at 161 Bonaventure Drive.

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 4, 2023 to amend Zoning By-law No. Z-1, in conformity with The London Plan for the City of London, to change the zoning of the subject property **FROM** Highway Service Commercial/Restricted Service Commercial (HS1HS4 /RSC2/RSC3/RSC4) Zone to a Residential R9 Special Provision (R9-7(_)*H30) Zone.
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan process:
 - i) Reduce the number of surface parking spaces to accommodate more amenity space;
 - ii) Remove the parking area that is adjacent to Dundas Street and address the corner through a landscape treatment and outdoor amenity space;
 - iii) Screen any surface parking exposed to the public street or residential units with enhanced landscaping, including low landscape walls, shrubs and street trees;
 - iv) Provide a centrally located and adequately sized outdoor amenity space;
 - v) Consent to remove any boundary trees is required prior to final site plan approval; and
 - vi) Differentiate the main building entrance from ground floor units. Incorporate patios or forecourt spaces that spills out into the setback to further activate the space and provide additional amenity space for residents.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site to permit the development of an 8-storey apartment building containing 125 units, which is equivalent to a density of 232 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 R9 Special Provision (R9-7(_)*H30) Zone to permit the proposed 8-storey, 125 unit apartment building. The following special provisions would facilitate the development: a maximum residential density of 232 units per hectare, a minimum interior yard setback of 12.0 metres, a minimum rear yard setback of 16.0 metres, a minimum exterior side yard setback of 2.0 metres, a minimum parking area setback

from the north lot line of 30 metres, and no access shall be provided along Bonaventure Drive within the first 60 metres of the intersection, south of the Dundas Street frontage.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future.
2. The recommended amendment conforms to the in-force policies of The London Plan including, but not limited to, Key Directions and Urban Corridors Place Type and will facilitate a built form that contributes to achieving a compact, mixed-use city.
3. The recommended amendment would permit a development at an intensity that is appropriate for the site and the surrounding neighbourhood.
4. The recommended amendment facilitates the development of an underutilized property within the Built-Area Boundary through 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. Refer to Appendix C for further details on the characteristics of the proposed application related to the City’s climate action objectives.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

None.

1.3 Property Description

The subject site is located at the southwest corner of the Bonaventure Drive and Dundas Street intersection in the Argyle Planning District. The site has an irregular shape, is 0.54 hectares in size with 19 metres of frontage along Dundas Street and 145 metres of frontage along Bonaventure. Currently, the site is undeveloped consisting of a predominately landscaped open area in the form of a maintained lawn. A London Transit bus stop and bust stop shelter is located along the Bonaventure Drive frontage.



Figure 1: 161 Bonaventure Drive, facing north on Bonaventure Drive (Google Image, June 2021)



Figure 2: 161 Bonaventure Drive, facing south on Dundas Street (Google Image, June 2015)

1.3 Current Planning Information

- The London Plan Place Type –Urban Corridor Place Type fronting a Neighbourhood Connector (Bonaventure Drive) and intersecting with a Civic Boulevard (Dundas Street)
- Existing Zoning – Highway Service Commercial/Restricted Service Commercial (HS1/HS4 /RSC2/RSC3/RSC4)

1.4 Site Characteristics

- Current Land Use – Underutilized landscaped area
- Frontage – 19.0 Metres
- Depth – 118.7 Metres
- Area – 0.445 Hectares
- Shape – Irregular

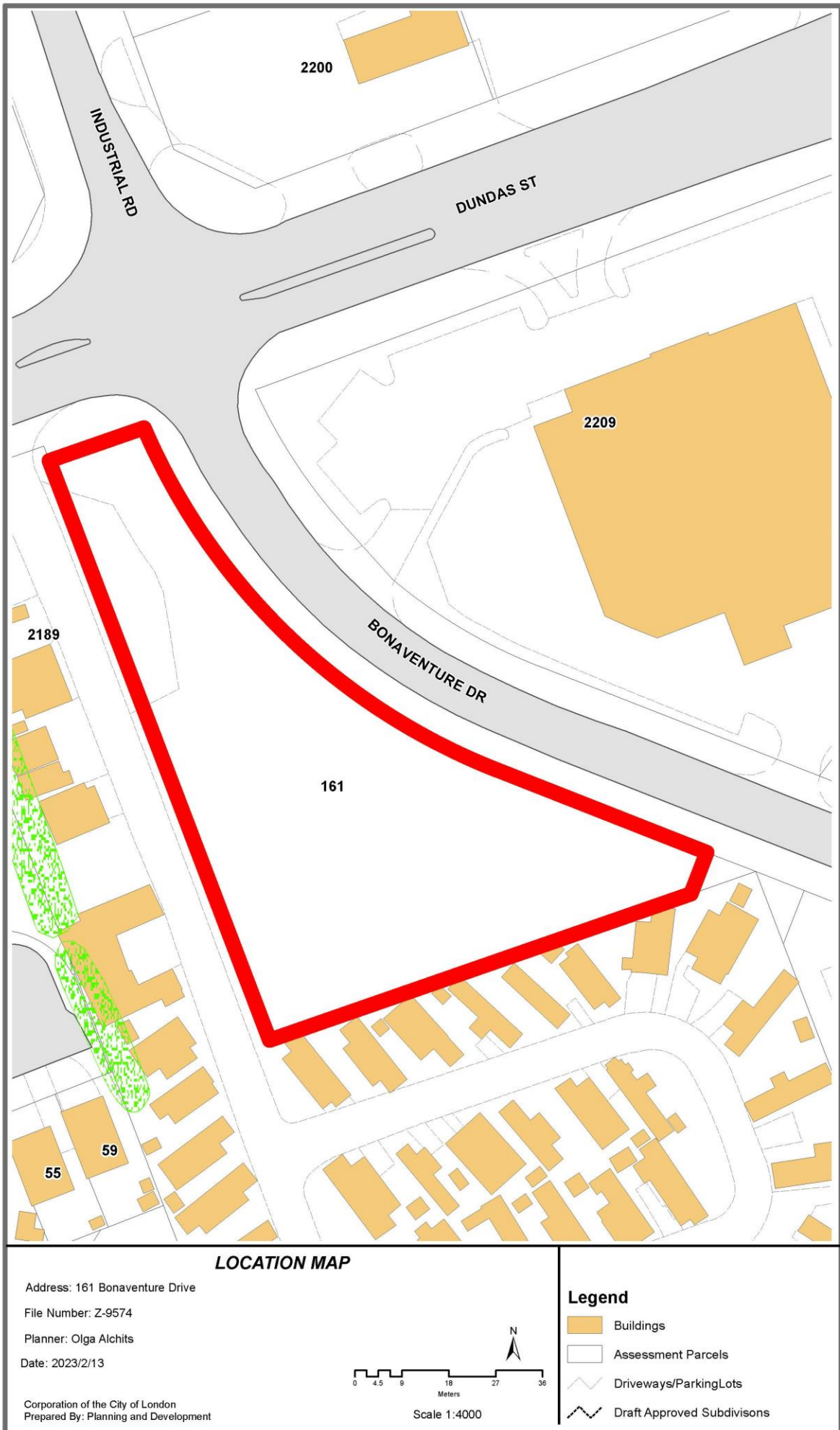
1.5 Surrounding Land Uses

- North – Dundas Street corridor, commercial/industrial uses
- East – Commercial, low-density residential, single detached dwellings
- South – Low Density Residential/ mobile park home dwellings
- West – Low Building and Medium Density Residential/ mobile home park dwellings/ townhouse development

1.6 Intensification

The total of 125 residential units represents intensification within the Built-Area Boundary.

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

In December of 2022, the City of London accepted a complete application that proposed the development of an 8-storey apartment building containing 125 units, made up of one- and two- bedroom layouts, which is equivalent to 232 units per hectare.

The design of the building positions and orients the building mass to the Bonaventure Drive Street frontage and transitions the building height from eight storeys adjacent to the street frontage to seven storeys internal to the site toward Dundas Street. Common indoor amenity space is incorporated on the ground level, whereas outdoor common area is proposed to be located in the southwest corner of the site, measuring 65 square metres in area. The Site Plan provides for 55 surface parking stalls, inclusive of 4 barrier free spaces, as well as a structured parking facility accommodating 102 underground stalls including two barrier free spaces and storage space. Two vehicular access points are proposed from Bonaventure Drive with a main drive-aisle and internal walkway providing access to the building internal to the site. The site concept plan is shown in Figure 3, and building renderings are shown in Figure 4 and 5.

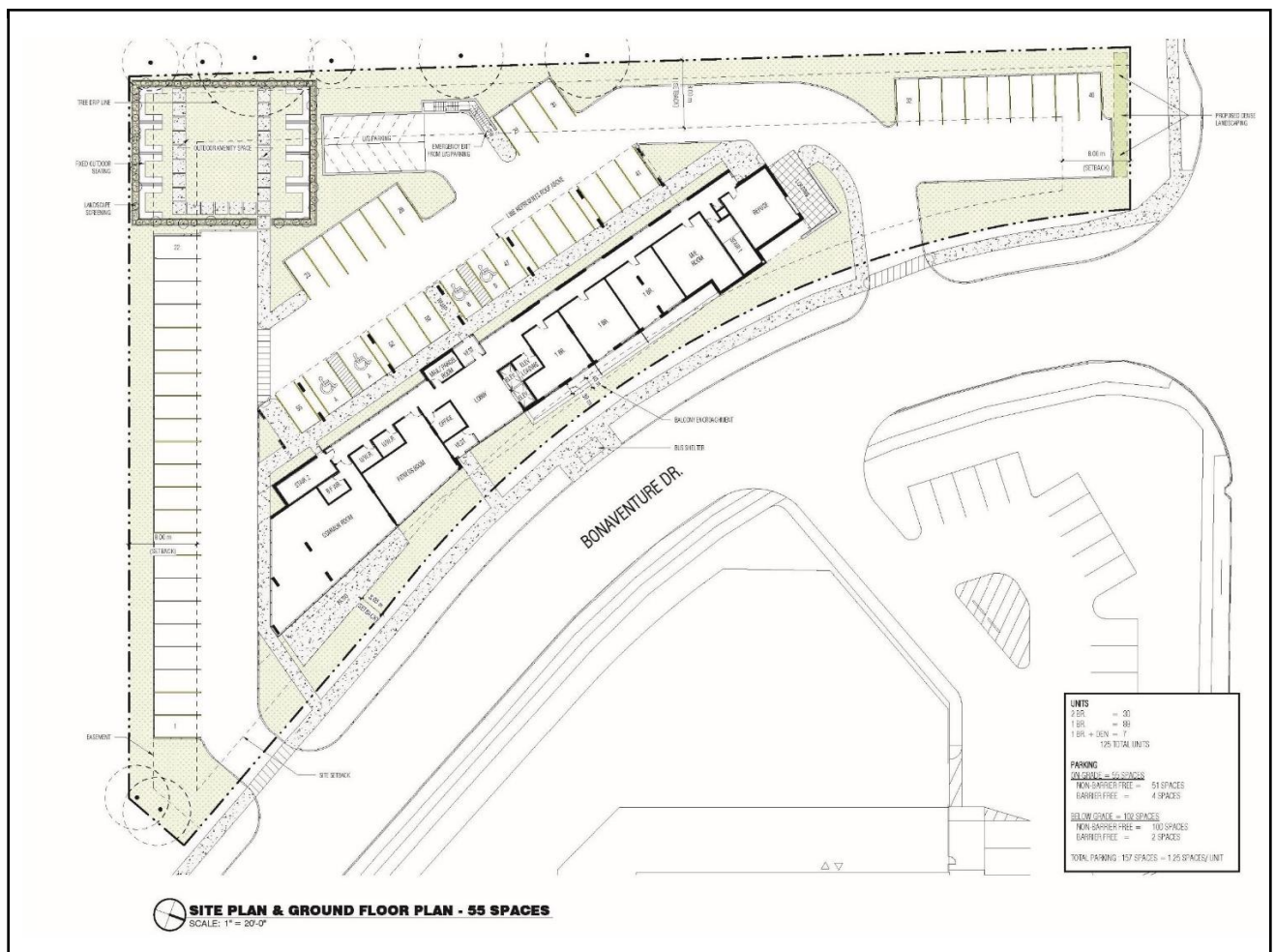


Figure 3: Site Concept



Figure 4: Rendering; view from Bonaventure Drive



Figure 5: Rendering; view from Bonaventure Drive

2.2 Requested Amendment

The applicant is requesting a Residential R9 Special Provision (R9-7(_)) Zone, which permits apartment buildings. Special provisions are being requested for:

- maximum height of 30 metres;
- increased residential density of 232 units per hectare whereas 150 units per hectare is the maximum;
- a reduced interior yard setback of 12 metres, whereas 28 metres is required;
- a reduced rear yard setback of 16.0 metres, whereas 28.0 metres is required;
- a reduced minimum exterior side yard setback of 2.0 metres, whereas 9.0 metres is required; and
- to permit parking in the front yard and exterior yard.

2.3 Community Engagement (see more detail in Appendix B)

Members of the public were given an opportunity to provide comments on this application in response to the notice of application given on December 21, 2022.

5 emails were received from 6 members of the public:

The public's concerns generally identified the following:

- Increased traffic
- View obstruction, privacy

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 Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3).

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

Consistent with the PPS, the proposed apartment building, as recommended, will contribute to the existing range and mix of housing types in the area, which consists primarily of low density residential in the form of mobile homes, single detached dwellings, with some medium density residential uses to the west in the form of townhouse dwellings. Further, this development will provide choice and diversity in housing options for both current and future residents. The recommended amendment facilitates the development of an underutilized site within a settlement area and the

increased intensity on the site will make use of existing transit services, nearby recreational, institutional, shopping and entertainment service uses. The subject site is of a size and configuration capable of accommodating a more intensive development on an underused site. As such, the proposed Zoning By-Law amendment to permit the development of the proposed apartment building is consistent with the 2020 Provincial Policy Statement.

4.2 Issues and Consideration #2: The London Plan Key Directions and Specific Policy Area – Dundas Street Transitional Segment

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 building strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7).
- Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (Key Direction #7).

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, Direction1).

The rezoning supports these Key Directions by proposing a development that achieves a form of residential intensification that builds inward and upward, resulting in compact growth and takes advantage of the existing services and facilities, specifically along Dundas Street as well as all available municipal services. Further, the proposed 8-storey, 125-unit apartment building development contributes to the mix of housing options within the neighbourhood, allowing residents to age in place while providing a more intrinsically affordable housing option in the community.

Policy 853_ and Map 7 of The London Plan identify that the subject site is in the Dundas Street Transitional Segment and is subject to Transitional policies. These policies are intended to recognize the current development pattern along certain segments of the Corridor Place Types and guide development in these areas to allow, on a transitional basis, proposal that do not generally fulfil the long-term vision for the place types (854_, 855_). These policies support additional uses than what is prescribed in the Place Type, specifically, large-scale retail and service uses. As the apartment building, that is the subject of this rezoning is a permitted use within the Urban Corridor Place Type, these additional transitional policies are not relevant to the proposed rezoning.

4.3 Issue and Consideration #3: Use

The subject site is in the Urban Corridor Place Type which contemplates a range of residential, retail, service, office, cultural, recreational and institutional uses (837_). The London Plan further directs Urban Corridors to be places that encourage intensification over the life of the Plan so that they can mature to support higher-order transit at some point in the future beyond 2035 (828_). The proposed apartment building is a permitted

use in this location in The London Plan providing a form of intensification that helps realize the vision set out for the Urban Corridor Place Type. The proposal will provide a residential land use with convenient access to nearby goods and services in a walkable environment, and convenient access to higher order transit.

The London Plan supports the development of a variety of residential types, with varying locations, size, affordability, tenure, design and accessibility so that a broad range of housing requirements are satisfied (830.11). The recommended amendment will result in 125 residential apartment units contributing to the variety of housing options available in the area.

4.4 Issue and Consideration #4: Intensity

The London Plan provides direction to sustain, enhance and revitalize our downtown, main streets, and urban neighbourhoods to build a mixed-use, compact City (59.3). The subject site is a vacant, underutilized parcel within a notable intersection fronting a bus transit route and other amenities. The objective of The London Plan is to provide and support opportunities for the development of vacant or underutilized properties, and to strengthen the existing corridor. The proposed development supports this objective.

The London Plan places an emphasis on growing “inward and upward” to achieve a compact form of development with a greater focus on encouraging and supporting growth within the existing built-up areas of the City. The Urban Corridor Place Type policies encourage intensification along these corridors, while managing and mitigating impacts on adjacent, lower-intensity residential areas (832_). The unique shape of the lot requires creativity when determining the location of the building and site functions in order to ensure that any impacts to neighbouring properties are mitigated. The building is proposed to be positioned close to Bonaventure Drive and central to the street frontage to provide adequate separation distance and setbacks from abutting properties as well as providing visual screening such as dense landscaped areas, landscape buffers, and private fencing between land uses.

Table 9 of the Plan further prescribes that the height in the Urban Corridor Place Type is a minimum of 2 storeys, a standard maximum of 8 storeys, and an upper Maximum of 10 storeys. The rezoning proposal is requesting an 8-storey apartment building, which is a permitted height and aligns with the standard maximum for this place type. Given the above-mentioned location of the building combined with the proposed setbacks and opportunity for landscaping, staff are satisfied the proposed intensity and scale of development is in conformity of The London Plan.

4.5 Issue and Consideration #4: Form

Within the Urban Corridor Place Type, and according to the urban design considerations the following relevant design policy criteria will be considered (841_):

1. Buildings should be sited close to the front lot line, to create a pedestrian-oriented street along Corridors and provide appropriate setback from properties that are adjacent to the rear lot line.
2. The mass of large buildings fronting the street should be broken down and articulated at grade so that they support a pleasant and interesting pedestrian environment. Large expanses of blank wall not be permitted to front the street, and windows, entrances, and other building features that add interest and animation to the street will be encouraged.
3. Development should be designed to implement transit-oriented design principles.
4. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through consideration of building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure and general site layout that reinforces pedestrian safety and easy navigation.

The proposed site plan is consistent with The London Plan and conforms to the Urban Corridor Design policies in the following ways:

- the building is positioned and oriented to Bonaventure Drive frontage which reinforces the building line along the street and helps activate the streetscape;
- the position of the building allows for an adequate separation distance between the apartment building and residential properties adjacent to the rear and interior side yards.

Further, the design transitions the building height from eight storeys adjacent to the street frontage to seven storeys internal to the site and towards the Dundas Street frontage. A transit stop is located directly to the front of the subject site allowing for convenient access to public transit. The development also includes walkway connections to the existing sidewalk on Bonaventure Drive, which further connects to the existing sidewalk along Dundas Street. The design elements support connectivity to transit routes and supportive uses proximate to the site, placing importance on pedestrian safety and easy navigation. As such the development is in line with the vision of the Urban Corridor Place Type that supports the development of a variety of residential types, with varying locations, size, affordability, tenure, design and accessibility so that broad range of housing requirements are satisfied along these corridors.

4.6 Issues and Consideration #5: Zoning

The proposed apartment building requires special provisions to facilitate the development. The following is an analysis of the request and staff's response:

- A maximum height of 30.0 metres or 8 storeys and a density of 232 units per hectare.

The requested 8-storeys or 30.0 metres in height is considered appropriate based on Planning Staff's review of the proposal and aligns with the standard maximum height for the Urban Corridor Place Type. Staff have no concern with the density being sought as the site can accommodate the development and provides adequate parking, landscaped open space, outdoor amenity space, indoor amenity space and provide adequate separation with the abutting uses.

- Minimum Interior side yard setback of 12.0 metres and a maximum rear yard setback of 16.0 metres.

The intent of interior yard and rear yard setbacks is to provide adequate separation and mitigate potential impacts between the proposed development and adjacent properties, while also providing access to the rear and interior yards. In this case the west interior side yard setback is 12.0 metres and abuts the rear yard of a mobile park development at 2189 Dundas Street. The 12.0 metre rear yard setback is for the northwest corner of the building, the setback increases as the development moves south to the site. Amenity space is provided at the southwest corner to increase the buffering between the mobile park homes. The rear yard setback is 16.0 metres and also abuts the rear yards of the mobile homes. This setback applies to the narrower end of the building, which is also reduced to 7 storeys in height, to mitigate any impacts of the reduced setbacks in the rear yards of the abutting property. Staff are satisfied that the 12.0 metre and 16.0 metre setbacks provide adequate separation between the future apartment building and abutting lots. Privacy issues will be mitigated through the spatial separation, landscaping, tree planning and fencing.

- Minimum exterior yard setback of 2.0 metres.

In this case, because the subject site is irregularly shaped and abuts the lot line to both Bonaventure Drive and Dundas Street, the exterior yard is identified as being Bonaventure Drive, although the future apartment building fronts onto this street making Bonaventure Drive the active lot frontage. The London Plan encourages buildings to be positioned with minimal setbacks to public rights-of

ways to create a street wall/edge that provides a sense of enclosure within the public realm (259_). The reduced exterior yard setback of 2.0 metres is appropriate for the site as it provides a minimal setback helping create a street wall/edge and activate the streetscape along Bonaventure Drive.

- Parking Area Setback from north lot line (minimum) 30 metres.

The applicant's site plan locates the surface parking lot on the north portion of the site and has requested special provisions to permit parking in the front and exterior yard. The London Plan policies direct parking facilities to minimize associated impacts on the public realm by strategically locating and screening these parking areas (272_). Staff do not support a surface parking lot along Dundas Street and have placed a special provision in the by-law to locate the parking lot away from the street. Measures to screen the surface parking are also identified for consideration by the Site Plan Approval Authority.

- No access shall be provided along Bonaventure Drive within the first 60 metres of the intersection, south of the Dundas Street frontage.

The north access location is not supported by Transportation Staff. The preferred location for access is to be aligned with the existing access at 2209 Dundas Street or removed completely with only one access location on the southerly portion of the site. As per City's Access Management Guidelines, a private driveway cannot be located closer than 60.0 metres from the Arterial intersection. As such, a special provision has been placed in the Zoning By-law to implement this.

4.7 Issues and Consideration #6: Public Concerns

As noted in the public engagement section of this report, 5 emails were received from 6 members of the public. The public's concerns were related to the following matters:

Increased Traffic

The Transportation Department provided comment which state that the applicant is required to submit a Transportation Impact Assessment at the Site Plan Control review stage to evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for mitigation measures.

Bonaventure Drive is identified as a Neighbourhood Connector and Dundas Street is identified as Civic Boulevard (Map 3- Street Classifications). Neighbourhood Connectors are intended to prioritize pedestrian movement and move low to medium volumes of cycle, transit and vehicle movement with an average daily traffic volume of 4,500 vehicles per day, whereas Civic Boulevards are intended to prioritize pedestrian, cycle and transit movements and move medium to high volumes of vehicular traffic with an average daily traffic volume of 22,000 vehicles per day. Additionally, Bonaventure Drive and Dundas Street are integrated into the City's cycling and walking route system as identified in Map 4- Active Mobility Network and the development is within convenient walking distance of London Transit bus stops located along Bonaventure Drive and Dundas Street. Staff are satisfied that the recommended special provision, which allows for a single access, only, to the proposed development along Bonaventure Drive, would accommodate the additional traffic of the proposed development and will not significantly affect the capacity of the local roads.

View obstruction/Loss of privacy/Noise

The applicant has made efforts to ensure that the placement, orientation and design of the new development on the site appropriately responds to surrounding land uses in a manner that reduce shadow and privacy issues.

The proposed interior and rear setbacks measuring 12.0 metres and 16.0 metres, respectively, provide an appropriate separation between the proposed residential building and existing dwellings, which will serve to mitigate the concerns of the public. In addition, through the installation of landscaping and fencing, these design features also serve to provide privacy and soft screening between the existing residential uses abutting to the west and south. Overall, the proposed plan provides for sufficient space that can accommodate enhanced, robust landscaping, which will provide the necessary building separation and space that allows for the identified screening for the adjacent residents.

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 Urban Corridor Place Type. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary with a land use, intensity and form that is appropriate for the site.

Prepared by: Olga Alchits
Planner I, Planning Implementation

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

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

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

Copy:

Britt O'Hagan, Manager, Current Development

Michael Pease, Manager, Site Plans

Ismail Abushehada, Manager, Development Engineering

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 161 Bonaventure Drive.

WHEREAS Bonaventure Crossings (London) Limited (c/o Effort Trust) has applied to rezone an area of land located at 161 Bonaventure Drive, 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 161 Bonaventure Drive, as shown on the attached map comprising part of Key Map No. A108, from a Highway Service Commercial/Restricted Service Commercial (HS1HS4 /RSC2/RSC3/RSC4) Zone to a Residential R9 Special Provision (R9-7()*H30) Zone
- 2) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:
 -) R9-7() 161 Bonaventure Drive
 - a) Regulations
 - i) Density (Maximum) 232 Units per hectare
 - ii) Interior Side Yard Depth (Minimum) 12.0 metres (39.3 feet)
 - iii) Exterior Side Yard Depth (Minimum) 2.0 metres (6.5 feet)
 - iv) Rear Yard Depth (Minimum) 16.0 metres (52.4 feet)
 - v) Parking Area Setback From north lot line (Minimum) 30 metres (98.4 feet)
 - vi) No access shall be provided along Bonaventure Drive within the first 60 metres of the intersection, south of the Dundas Street Frontage.

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.

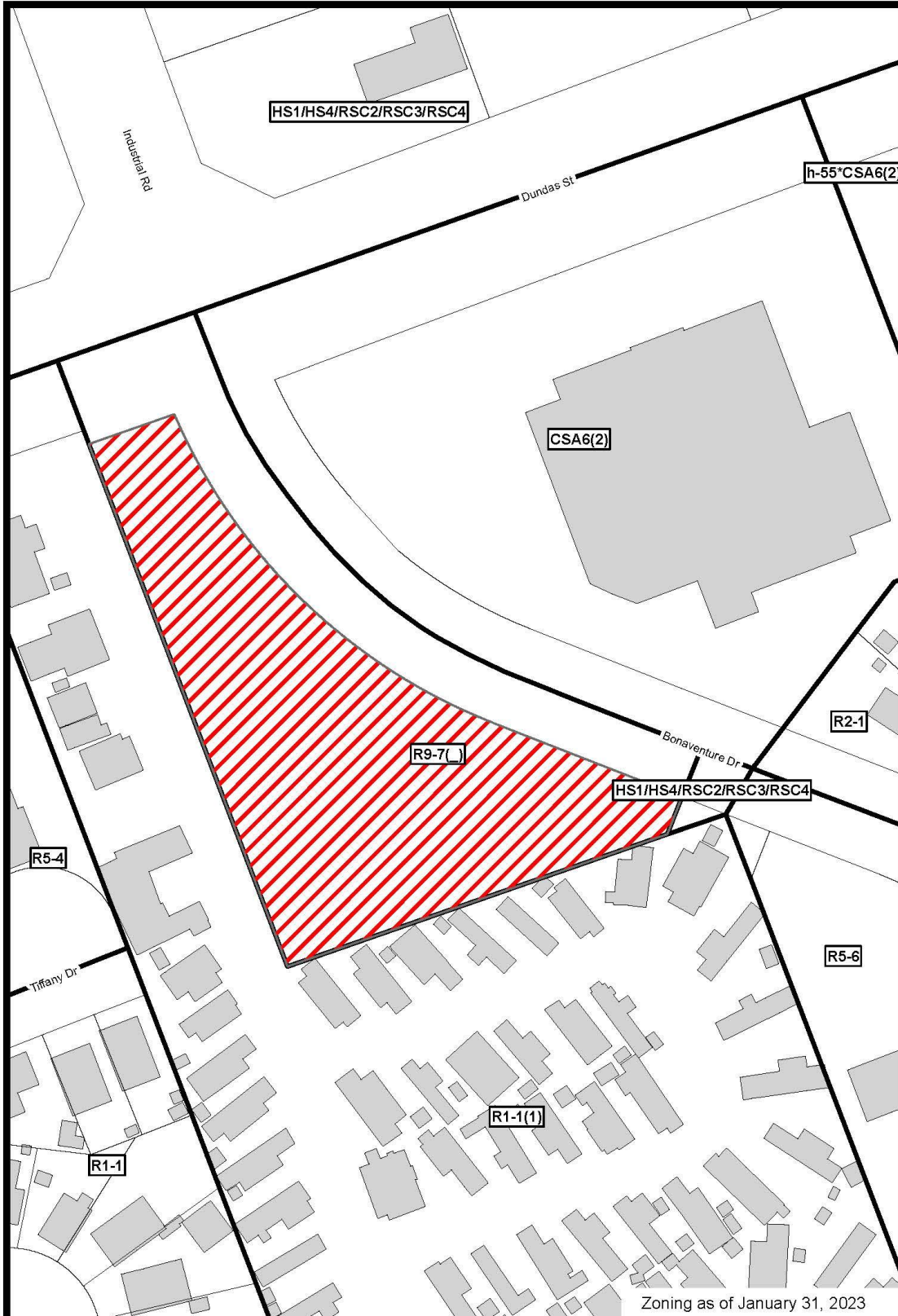
PASSED in Open Council on April 4, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 4, 2023
Second Reading – April 4, 2023
Third Reading – April 4, 2023

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

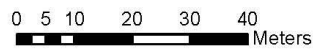


Zoning as of January 31, 2023

File Number: Z-9574
 Planner: OA
 Date Prepared: 2023/2/13
 Technician: JI
 By-Law No: Z-1-

SUBJECT SITE 

1:1,000



Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application:

Public liaison: On December 21, 2022, Notice of Application was sent to surrounding 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 December 22, 2022. A “Planning Application” sign was also posted on the site.

5 Replies from 6 individuals were received.

Nature of Liaison:

161 Bonaventure Drive –The purpose and effect of this zoning change is to permit an 8-storey apartment building containing 125 units with 157 parking spaces. Possible change to Zoning By-law Z.-1 **FROM** Highway Service Commercial (HS1), (HS4), and Restricted Service Commercial (RSC2), (RSC3), (RSC4) Zones **TO** a Residential R9 Special Provision (R9-7_) Zone to permit an 8-storey apartment building. The following special provisions are being requested: a maximum height of 30 metres, an increased residential density of 232 units per hectare whereas 150 is the maximum, a reduced minimum rear yard setback of 16.0 metres, whereas 28.0 meters is required, a reduced minimum exterior side yard setback of 2.0 metres, whereas 9.0 metres is required and to permit parking in the front yard and exterior yard. The city may consider additional special provisions for this site. File: Z-9574 Planner: O. Alchits.

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

Concern for:

- Increased traffic
- View obstruction, privacy

Public Responses: 5 (see below)

Comment 1:

We the people who live in this neighbourhood, are opposed to this proposal. This end would like a few more stores etc. This area needs no apartment buildings or anything of the kind. Opposed is not a strong enough word really.

April D.

Comment 2:

Hello,

I live in a townhouse on Bonaventure Dr.

First of all, thank you for providing us with the "Notice of Planning Application".

We have some questions in regards to the planned construction of 161 Bonaventure Dr.

- 1) How long is the construction of the building estimated to take?
- 2) Will the roadway entry to the building be from Dundas or from Bonaventure? If it will be off Bonaventure, will Bonaventure be widened to accomodate the heavier traffic? There is already an issue when the 2B bus stops at the stop (#281).
- 3) Speaking of buses, will the 2B get a turn-off area to that stop since it will obviously see heavier use with the new building?
- 4) Will this building have underground parking? There doesn't seem to be enough room for vehicles for 125 units (~ 500-900 people) if they were to all be parked beside the building.
- 5) Finally, what effect will this building have on property values in the area?

Thank you for your time.

Ewa & Justin Dawid

Comment 3:

I am curious if the application for the 125-apartment high rise is for a normal apartment or a London Housing Project?

Allan Lacoursiere

Comment 4:

Dear Mr. Lewis and Olga Alchits:

I am contacting you to voice my concerns over the proposed 8 storey apartment building at 161 Bonaventure Drive. I do understand the need for more affordable housing, however those who live in this established area and who will be most impacted, need to be considered also. I have lived here for 30 years and have a corner lot off Bonaventure Drive across from the school.

Having such high density infill will obviously create heavier traffic, noise and pollution through the neighbourhood, especially for those of us on the main artery of the subdivision. On a daily basis I witness cars speeding through the stop signs in front of the school, and hear them at night racing through the subdivision. This will only get worse with more housing density.

Noise is a huge concern for me as I enjoy being outdoors in my garden, opening my windows for fresh air. I resent the conclusion statement from akoustic engineering ltd. That people should just turn on their A/C in the summer to block out noise and hole themselves up in their apartments/homes. How is this healthy or environmentally friendly?

Those abutting this proposed massive white elephant, now also have to contend with added noise and having no privacy with 8 storeys of apartment dwellers looming over them, looking in their windows. The proposed green space is so minuscule it's an insult to any future tenant and their children. A parking lot is not a suitable space for kids to play.

I believe that town homes or at most a much smaller 3 storey apartment building is a more reasonable alternative to what is proposed currently. I know that I will be negatively impacted and I am upset about what you are planning to do to an established neighbourhood. I implore you to come to the site and hopefully see how oversized this apartment building is for the area.

A concerned homeowner.

Mona Philips

Comment 5:

Hello,

How do I go about contesting a zoning amendment? I have been speaking with almost all the residents near Bonaventure Dr., Simpson Cres., Moreau Cres. and even some down Carlyle Dr. and no one wants the apartments built there.

If you could provide any assistance I would greatly appreciate it.

Corbulo Olubroc

Departmental and Agency Comments

Ecology (January 11, 2023)

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 (January 18, 2023)

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

Comments for the Re Zoning:

- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines;
 - Vehicle turning diagrams (AutoTurn analysis) is required part of TIA for waste collection, loading, U/G parking ramp, and internal driveway aisle;
- North Access location is not acceptable to Transportation. Preferred location for access is to be aligned with the existing access at 2209 Dundas Street. As per City's Access Management Guidelines, a private driveway cannot be located closer than 60.0m from the Arterial intersection.
- 6m x 6m daylight triangle is required at the corner of Bonaventure and Dundas. This is not shown on the concept plan.

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

TRANSPORTATION COMMENTS:

- A TMP is required for any work in the City ROW, including servicing, restoration, proposed access construction, etc. To be reviewed as part of a PAW submission;
- Ensure 1.5m clearance between proposed access and any hydro pole/signal poles/light standards and/or fire hydrant. Ensure 2.0m clearance for communication pedestals;
- Fully dimension access as per Access Management Guidelines, radii 6.0m, width 6.7m, and 8.0m minimum clear throat at property line;
- Ensure 6.7m wide internal drive aisle is maintained throughout development;
- Presently the width from centerline on Dundas St adjacent to this property is 18.288m as shown on Plan 33M-208. Therefore no additional widening would be required to attain 18m from centerline as per Z-1;
- Please note that a 6m x 6m daylight triangle is required at the widened limit of Bonaventure Dr and Dundas St.

WATER COMMENTS

- Water is available from the 300mm PVC watermain on Bonaventure.
- A water servicing report to be provided which includes water demand, fire protection and turnover calculations.
- Servicing to meet City of London design standards.

WASTEWATER COMMENTS

- The municipal sanitary sewer available is the 200mm diameter sanitary on Dundas Street. City Plan 22378 shows “as-constructed” information related to the municipal sewer and PDC stub. Applicant to field verify size of the existing PDC; if it is 100mm diameter as city records indicate, applicant will be required to resize the PDC adequately for the proposed use.
- Area is tributary to Bonaventure Meadows Sanitary Drainage Area Plan (City plan no. 12619) Block 55 allocated 160p/ha. Applicant to provide servicing brief with maximum peak flow for the proposed development.
- Further comments may be forthcoming as part of a future application.

STORMWATER MANAGEMENT COMMENTS:

Specific comment for this site

- As per City as-constructed 12618 & 12625, the site at C=0.70 is tributary to the existing 375mm storm sewer on Bonaventure Drive. 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.
- The number of proposed/existing parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options are outlined in the Stormwater Design Specifications & Requirements Manual.
- The proposed land use of a high density residential triggers the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely convey the 250 year storm event.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- This site plan may be eligible to qualify for a Stormwater Rate Reduction (up to 50% reduction) as outlined in Section 6.5.2.1 of the Design Specifications and Requirements manual. Interested applicants can find more information and an application form at the following: <http://www.london.ca/residents/Water/water-bill/Pages/Water-and-Wastewater-Rates.aspx>.
- An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed LIDs. For examples of such report contents please refer to the following website <https://cvc.ca/low-impact-development/lid-maintenance-monitoring/>

General comments for sites within Waubuno Subwatershed

- The subject lands are located in the Waubuno Subwatershed and is tributary to the Crumlin Drain. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets

identified in the Pottersburg Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.

- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- 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 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.

Heritage Planning (December 6, 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 (Pre-Application Consultation- ZBA):

- Lincoln Environment Consulting Corp. *Stage 1-2 Archaeological Assessment of 161 Bonaventure Drive (...)* Middlesex County, Ontario (PIF P1289-0233-2022), April 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" (p 2).

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has been received (without technical review), dates Apr 21, 2022 (MHSTCI Project Information Form Number P1289-0233-22, MHSTCI File Number 0016287).

Archaeological conditions can be considered satisfied for this application.

Landscape Architect (January 18, 2023)

1. Please advise the applicant that they must include in the Site Plan Application Documents - Proof of payment to Forestry Operations for the removal of 2 city trees growing in Bonaventure road allowance.

2. The Tree Preservation Plan has identified one boundary tree on south property line co-owned with 2189 Dundas St.. A boundary tree is the common property of the owners of the adjoining lands. Forestry Act 1998, c. 18, Sched. I, s. 21. Every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the land owners is guilty of an offence under this Act. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. A letter of consent from tree's co-owner to be submitted to Development and Planning Staff at the Site Plan Application stage.

Site Plan (January 9, 2023)

1. A communal amenity space is required to provide quality of life elements for future residents.

2. Perimeter plantings are required in accordance with the SPCBL – Provide a separation 3.0m from parking areas to the edge of the property to allow for tree roots.
3. The pedestrian pathway to Dundas that duplicates the sidewalk should be removed.
4. Dimension all elements on plan to confirm regulations are met.
5. Reduce driveway connection to the rear to one.
6. Provide underground parking plan at application.
7. Further details on lighting, plantings, pedestrian circulation on site and snow storage are expected at application.
8. Provide more details on the approach for waste collection and set out locations for both garbage bulk bins and recycling carts.
9. The building design needs to pronounce elevation and front entrance/active ground floor.
10. While The London Plan contemplates the proposed form on sites located within the Urban Corridor Place Type, the form and site design policies of the plan must also be taken into consideration to ensure appropriate intensity. In this case, the following are design related issue that would need to be addressed/resolved by establishing the limits of development and implementing the limits with appropriate setbacks and other zoning provisions;
 - Locate the proposed building or the bulk of the massing closer to the intersection of Dundas Street & Bonaventure Drive, as this built form is intended to be located adjacent to the higher order street;
 - Orient the building to the Dundas Street frontage;
 - Provide a centrally-located and adequately-sized outdoor common amenity space;
 - The design of the site should have regard for the large boundary trees. This may require increased setbacks for the parking area in order to retain the trees and the low density residential.
11. Through the submission materials at the Zoning By-Law Application and subsequent Site Plan process the proposed building design should incorporate the following:
 - Design the building to have regard for its corner location. Building massing and articulation should address the corner of Dundas Street and Bonaventure Drive;
 - Include active ground floor uses such as: the principle building entrance, lobbies, common amenity areas, and street oriented residential units on the ground floor of street facing elevations in order to active the street edge.
 - Design any ground floor residential units located adjacent to a street frontage design their individual amenity spaces as open courtyards or front porches extending into the front setback to create a pedestrian-oriented streetscape. Provide direct walkway access from ground floor units to the public sidewalk;
 - Provide a primary entrance to the lobby on the street-facing elevation, and differentiate this entrance from the individual units through an increased proportion of glazing and appropriately scaled building mass;
 - Provide for a step-back above the 3rd or 4th stories along the street frontage in order to provide for a human-scale environment along the street;
 - Incorporate balconies/terraces along with variety of complimentary materials and textures to highlight different architectural elements (i.e. trim, framing, decorative masonry details, fenestration rhythm), and provide interest and rhythm on street facing elevations of the building to reduce the perceived elongated mass.
 - Design the building to include a high proportion of fenestration in order to add further interest and break-up the massing of the building. Increase the size & scale of proposed windows and use material change and articulation to break up the street facing facades;
 - Include all requirements of the Site Plan Control By-Law in the site design, in particular as it relates to parking (landscape islands, parking setbacks) and garbage pick-up (location). These changes may require a reduction in the number of parking spaces in order to ensure the functionality of the site

Urban Design (First Submission – January 19, 2023)

The applicant is commended for the provision of an underground parking facility. Floor plans of the parking garage should be submitted. Include the circulation into and out of the parking garage in the primary vehicular circulation route. Further urban design comments may follow upon receipt of the plans.

The proposed built form for the ZBA related to **161 Bonaventure Drive** must be revised to receive support from Urban Design. The following Urban Design comments must be addressed:

- Orient the building to front onto Dundas Street and locate the proposed building closer to the intersection of Dundas Street & Bonaventure Drive.
 - Ensure there are zoning provisions for a maximum front yard setback from Dundas Street.
- Design the building to have regard for its corner location. Building articulation and massing should address the corner of Dundas Street and Bonaventure Drive.
 - The entrance should align with the bus stop along Bonaventure Drive and any secondary entrance oriented towards Dundas Street should include a direct pedestrian path to the higher-order right-of-way.
 - Remove the parking area that is adjacent to Dundas St and address the corner through a landscape treatment and outdoor amenity space.
- The height of the building is significantly taller than the surrounding mature neighborhood, and the location of the proposal is far from the Primary Transit Area. A lower height may be more appropriate for the site.
 - If the height is justified in this location, a zoning provision for a minimum side yard setback (west property line) should be included in the zoning to ensure the shadow impacts of the building are mitigated as much as possible.
- Provide for a step-back above the 2nd or 3rd stories along the street frontage to provide for a human-scale environment along the street. Alternatively, step down a portion of the building (eg. North half) to minimize the shadow and overlook impacts of a the long 8-storey built form.
- Provide a zoning provision for the minimum area of amenity space based on the number of residents anticipated (i.e., at grade and/or rooftop). Refer to the London Plan, Policy 295.
 - Outdoor amenity space should be located away from the parking lot, and include direct pedestrian connections to the proposed built form.
- Screen any surface parking exposed to the public street or residential units with enhanced landscaping, including low landscape walls, shrubs, and street trees. Refer to the London Plan, Policy 282.
 - Include zoning provisions for large, enhanced setbacks to accommodate trees and buffer landscape between the parking lot and the right-of-way/adjacent properties. Refer to the London Plan, Policy 224.

The following Urban Design comment should also be addressed through revisions or direction to the site plan authority:

- Include active ground floor uses such as: the principle building entrance, lobbies, common amenity areas, and street oriented residential units on the ground floor of street facing elevations to activate the street edge.
- Differentiate the main building entrance from the ground floor units. Incorporate patios or forecourt spaces that spills out into the setback to further activate the space and provide additional amenity space for residents.
 - Provide direct walkway access from ground floor units to the public sidewalk.
 - Use lockable front doors for ground floor units facing the public street to encourage walkability and access to the units from the sidewalk and to activate the streetscape.
- Incorporating a variety of materials, textures, and articulation to highlight different architectural elements and provide interest and rhythm, along the building (i.e., trim, framing, balconies, decorative masonry details, fenestration rhythm).

- Ensure that the design of the building includes high-quality durable materials.
- Provide easily accessible temporary bicycle parking facilities on-site. Refer to the London Plan, Policy 280.
- Consider providing benches, street furniture, street trees, and pet amenities on-site. Especially, next to the bus stop on Bonaventure Drive.
- Ensure that the development is “future ready”. Refer to the London Plan, Policy 729.
 - Consider including charging station for ebikes and electric vehicles within the proposed parking facilities.
 - Consider making the roof strong enough to hold solar panels and/or green roof infrastructure.
- Provide a full set of dimensioned elevations for all sides of the proposed built form, floor plans, and a rooftop plan. Include materials and colour labels. Further urban design comments may follow upon receipt of the elevations.
 - The rooftop plan and elevations should outline the placement of rooftop mechanical equipment and the proposed mechanical equipment screening. Refer to the London Plan, Policy 296.

London Hydro (January 9, 2023):

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.

Upper Thames River Conservation Authority (January 10, 2023):

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the *Conservation Authorities Act*, the *Planning Act*, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

CONSERVATION AUTHORITIES ACT

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

DRINKING WATER SOURCE PROTECTION: *Clean Water Act*

For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

The UTRCA has **no objections** or requirements for this application. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY

Mike Serra

Land Use Planner I

Urban Design Peer Review Panel (UDPRP):

- The applicant is to submit a completed “Urban Design Peer Review Panel Comments – Applicant Response” form that will be forwarded following the January 2023 UDPRP meeting. This completed form, with the revised drawings, must be submitted prior to the site plan application stage.

Urban Design Peer Review Comments and Applicants Responses (March 3, 2023)

| |
|---|
| Comment: |
| The panel commends the applicant for proposing a building with good massing and form, interesting architectural character, and a positive relationship with Bonaventure Drive. We appreciate the dynamic quality of the building facades and suggest the same attention to detail that has been put into the design of the building elevations should be applied to the site plan |
| Applicant Response: |
| Commented Noted. |
| Comment: |
| The panel recommends reducing the amount of surface parking to provide more open space, landscaping, and more meaningful outdoor amenity space. We suggest reorganizing site traffic and parking as follows: a) Reorganize underground parking to make it more efficient, to allow surface parking to be displaced if required. b) Delete the north access to Bonaventure drive (the City will not approve this access point due to its proximity to Dundas Street.) Consolidate a single driveway access, loading area, and ramp to underground parking, to the south side of the site. c) Consider integrating the underground parking ramp into the ground floor of the building. d) Locate surface parking behind buildings main façade to screen it from the street, both visually and for noise considerations. We recommend removing minimum three of the surface parking spaces proposed near the south driveway entrance to allow for adequate landscaping. e) Remove surface parking from the north side of the site. Including a parking lot along Dundas Street goes against the City’s vision for future development of the street. We recommend reconsidering the north end of the site as per the comments below. |
| Applicant Response: |
| The proposed site layout has been development with consideration for the matters addressed above. • Parking Configuration: The parking area configuration has been designed to efficiently accommodate surface and underground stalls. No substantive changes are proposed to the parking layout. • North Access: It is proposed that the northern access would be a right-in and right-out configuration. This measure is intended to mitigate any traffic impacts that could potentially cause problems due to the proximity of the northern access to the intersection. |
| Comment: |
| The panel recommends moving and/or extending the building north, closer to Dundas Street to create a stronger urban edge. Consider a single loaded corridor that leads to the interior amenity space, relocated to the north side of the building, as a better solution. Retail space and outdoor patio space facing Dundas Street could also be considered. We suggest that the portion of the building extending to Dundas Street could be smaller in scale (1-2 stories) and could include a roof terrace. We recommend providing adequate setback (min 4.5M) to allow for substantial landscape treatment along the north edge of the site. |
| Applicant Response: |
| The request to relocate the building to the corner of the lot fronting Dundas Street, is not feasible for several reasons. Firstly, the limited setback requirements in the corner make such a move impractical. Additionally, there is a potential concern regarding that casting of shadows on the nearby trailers, which could lead to further issues and extreme proximity to the lot line. Furthermore, relocating the building to the corner of the lot would violate the guidelines set forth by MEPC per the noise and vibration study, as well as guidance |

| |
|--|
| <p>provided by our noise consultant. Based on the recommendation provided by our noise consultant in a memo, it has been advised that the construction of any residential dwelling in that corner should be avoided.</p> <p>Finally, related Departmental comments from the City’s Transportation and Urban Design groups present a conflict. If we were to attempt to accommodate both parties, it would likely result in circulation issues with vehicles, which could create additional problems if the building was moved to the corner of the lot.</p> |
| <p>Comment:</p> <p>The panel notes that the proposed location for outdoor amenity space seems isolated. We recommend relocating the outdoor amenity space further to the north side of the site, ideally located adjacent to the indoor amenity space noted above and provided with direct access to the building.</p> |
| <p>Applicant Response:</p> <p>Suggestion will be taken into account as part of project planning to advance Site Plan Approval (SPA).</p> |
| <p>Comment:</p> <p>The panel notes the following regarding setbacks, edge treatments, and landscape buffers:</p> <ul style="list-style-type: none"> a) Building setbacks appear to be appropriate but overhangs need to be shown and dimensioned to verify. b) Show and dimension all building outlines, landscape setbacks, and easements. Easements generally don’t allow any structures or significant landscape. Applicant to confirm. It appears the proposed outdoor amenity space is within the easement and surface and below grade parking directly abuts the easement. c) Underground and surface parking to be set back minimum 3.0 meters to allow for adequate landscape buffer, including consideration of easements noted above. We recommend providing continuous landscaping and trees to buffer the south and west edges of the site. d) We recommend providing a continuous tree canopy and increased common patio space with gardens and benches along Bonaventure Drive to further animate the street frontage. e) We recommend providing direct sidewalk connections to private terraces and gardens for apartments along Bonaventure Drive. |
| <p>Applicant Response:</p> <p>Suggestions will be taken into account as part of the development of detailed landscape designs to advance the future SPA application.</p> |
| <p>Comment:</p> <p>The approach to creating two adjoining angled volumes is appropriate for site geometry and context and has resulted in an interesting overall massing composition. However, the building appears to be top heavy. Consider ‘un-topping’ the building by removing the cantilevered soffit framing at the top the grey volume of the building.</p> |
| <p>Applicant Response:</p> <p>Suggestion will be taken into account in conjunction with the development of detailed elevations to progress the SPA process.</p> |
| <p>Comment:</p> <p>The panel suggest the drama of the cantilevered balconies shown on the south end of the building could be repeated on the north end.</p> |
| <p>Response:</p> <p>Suggestion will be taken into account in conjunction with the development of detailed elevations to progress the SPA process.</p> |
| <p>Comment:</p> <p>The panel notes the ground floor of the building appears to be compressed. We suggest Upper floors of the building should be “lifted” by means such as increasing the floor to ceiling height of the ground floor, and/or reducing the height of the canopy/framing element above the ground floor.</p> |
| <p>Response:</p> <p>Suggestion will be taken into account in conjunction with the development of detailed elevations to progress the SPA process.</p> |

Appendix C – Climate Emergency Impact Summary

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

Infill and Intensification

Located within the Built Area Boundary: Yes
Located within the Primary Transit Area: No
Net density change: 232 units/hectare
Net change in affordable housing units: 0

Complete Communities

New use added to the local community: Yes, residential
Proximity to the nearest public open space: 300 metres
Proximity to the nearest commercial area/use: 30 metres
Proximity to the nearest food store: 900 metres
Proximity to nearest primary school: Bonaventure Meadows Public School/ 290 metres
Proximity to nearest community/recreation amenity: Argyle Arena/ 900 metres
Net change in functional on-site outdoor amenity areas: N/a

Reduce Auto-dependence

Proximity to the nearest London Transit stop: 0 metres
Completes gaps in the public sidewalk network: No
Connection from the site to a public sidewalk: Yes
Connection from the site to a multi-use pathway: Yes
Site layout contributes to a walkable environment: Yes
Proximity to nearest dedicated cycling infrastructure: 0 metres
Secured bike parking spaces: 125 spaces
Secured bike parking ratio: 1:1
New electric vehicles charging stations: N/A
Vehicle parking ratio: 157 parking stalls/125 units (1.25 space per unit)

Environmental Impacts

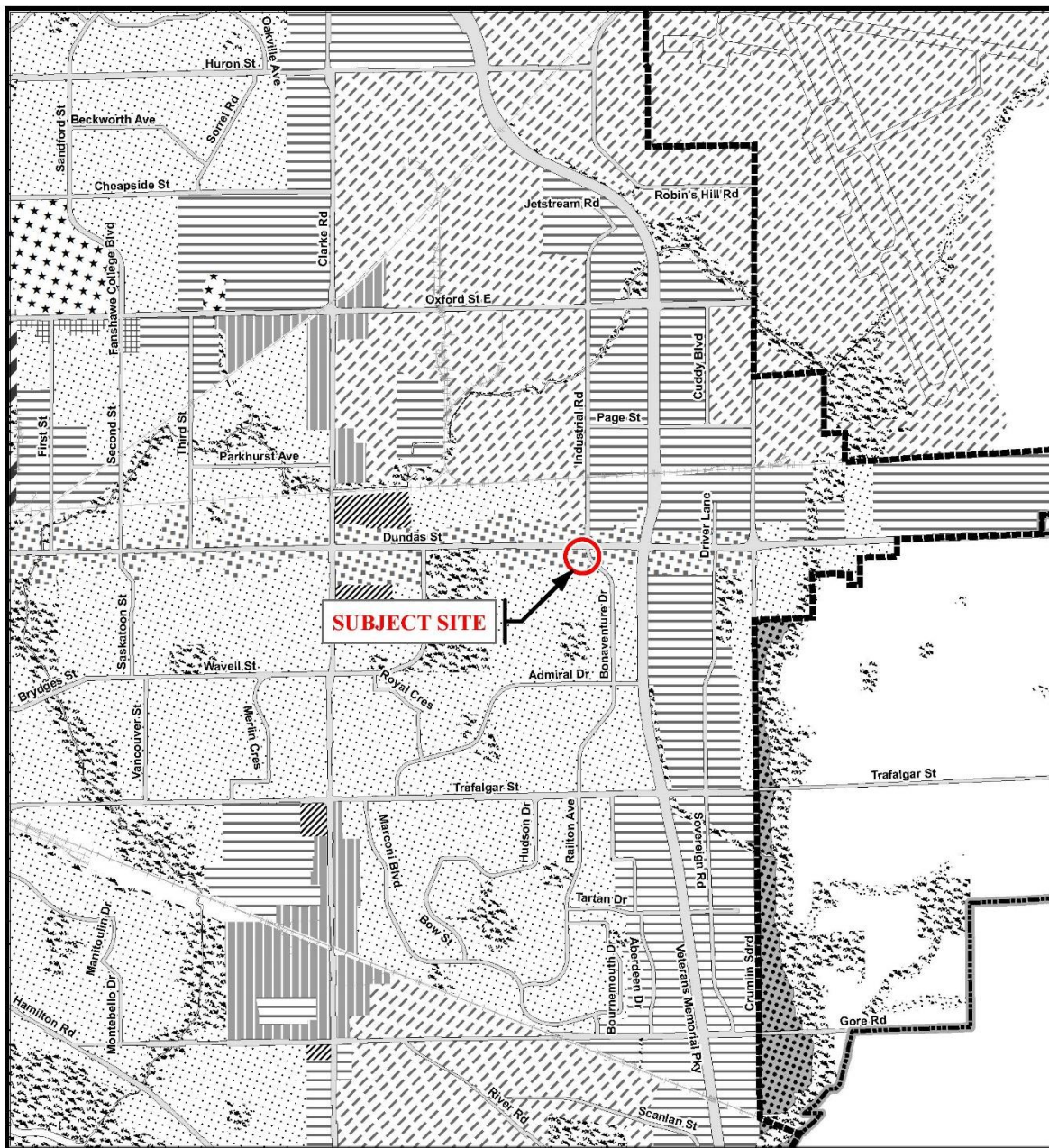
Net change in permeable surfaces: 0.53 hectares
Net change in the number of trees: -23
Tree Protection Area: No
Landscape Plan considers and includes native and pollinator species: Yes
Loss of natural heritage features: | No
Species at Risk Habitat loss: No
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): Yes

Construction

Existing structures on site: No
Existing structures repurposed/adaptively reused: N/A
Green building features: N/A
District energy system connection: N/A

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 | |

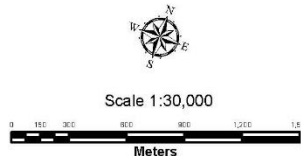
This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON

Official Plan

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning & Development



File Number: Z-9574

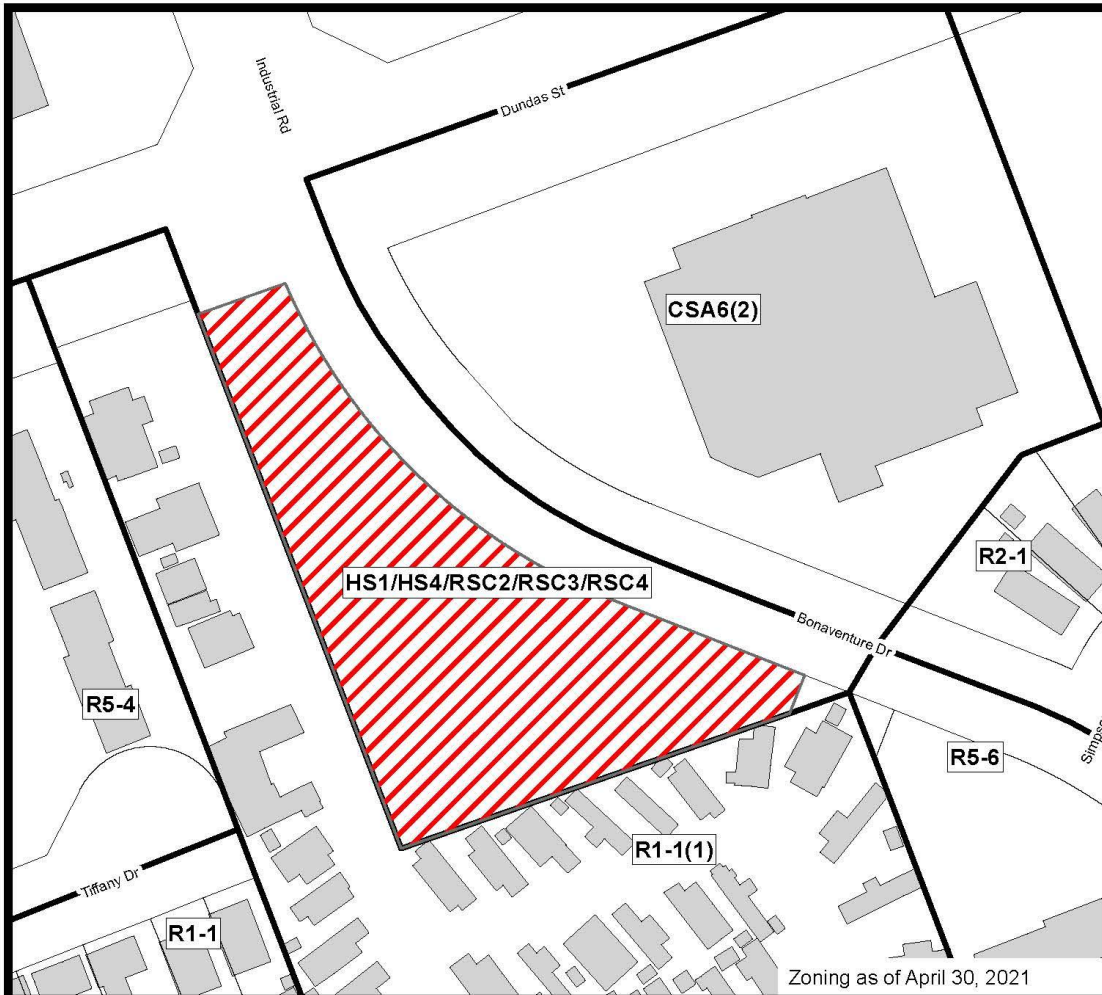
Planner: OA

Technician: JI

Date: 2023/2/13

Project Location: \\file1\giswork\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9574_Map1_PlaceTypes.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: HS1/HS4/RSC2/RSC3/RSC4

1) LEGEND FOR ZONING BY-LAW Z-1

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
Z-9574 OA

MAP PREPARED:
2023/2/13 JI

1:1,200
0 5 10 20 30 40
Meters

Slide 1 – Z-9574:161 Bonaventure Drive



City of London
March 27, 2023

Slide 2 - Subject Site



Slide 3 - Subject Site



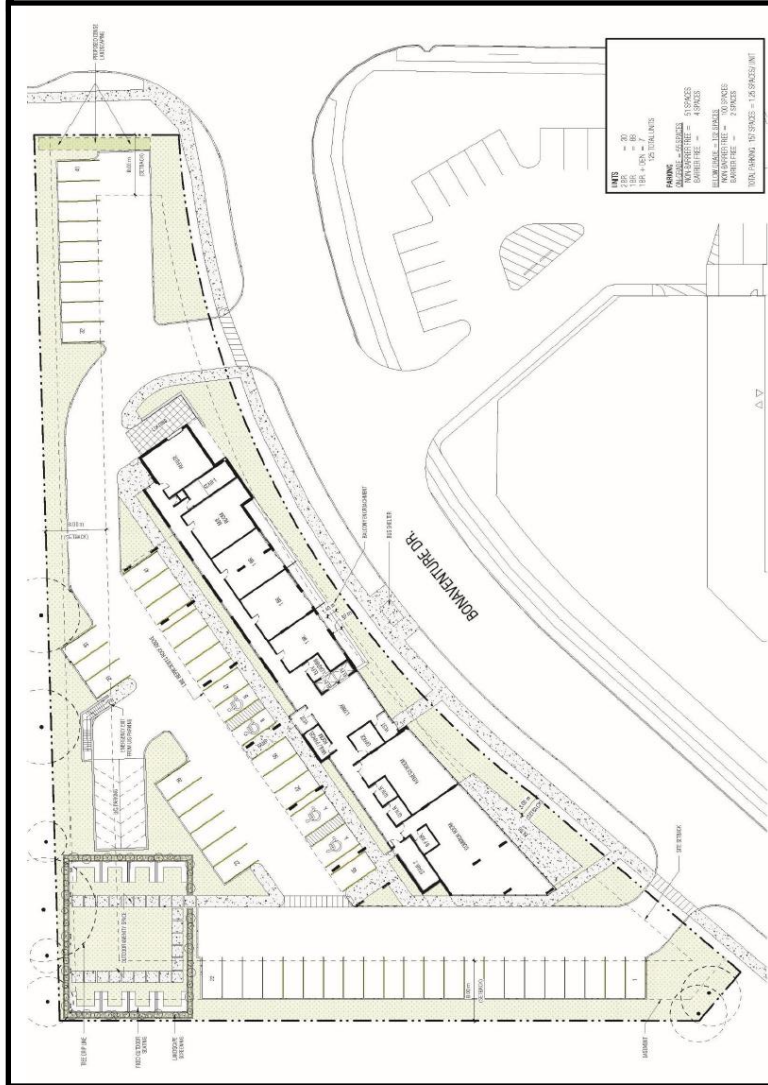
161 Bonaventure Drive, facing north on Bonaventure Drive (Google Image, June 2021)



161 Bonaventure Drive, facing south on Dundas Street (Google Image, June 2015)



Slide 4 - Proposed Development



Rendering; view from Bonaventure Drive



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Rendering; view from Bonaventure Drive

Site Concept



Slide 5 – Policy Context

Provincial Policy Statement, 2020

- Encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns
- 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

The London Plan

- Urban Corridor Place Type fronting a Neighbourhood Connector (Bonaventure Drive) and interesting with a Civic Boulevard (Dundas Street).
- Permitted uses includes a range of residential, retail, service, office, cultural, recreation and institutional, with a minimum of 2 storeys, a standard maximum of 8 storeys and an upper maximum of 10 storeys.
- *The use and intensity of the proposed 8-storey apartment building is in conformity of the London Plan policies within the Urban Corridor Place Type.*
- The recommended amendment will result in 125 residential units contributing to a variety of housing options available in the area on a site that is otherwise vacant and underutilized.
- The development is being proposed in a location where existing transit, services, amenities and facilities are within close proximity, thereby reducing the need to grow outward.



Slide 6 – By-law Amendment

Summary of Amendment:

The purpose and effect of this zoning change is to permit an 8-storey apartment building containing 125 units with 157 parking spaces. Request to change the Zoning By-law Z.-1 **FROM** Highway Service Commercial (HS1), (HS4), and Restricted Service Commercial (RSC2), (RSC3), (RSC4) Zones **TO** a Residential R9 Special Provision (R9-7(_)) Zone to permit an 8-storey apartment building.

The following special provisions are required to facilitate the development: an increased density of 232 units per hectare, a reduced interior yard setback of 12.0 metres, a reduced exterior side yard setback of 2.0 metres, a rear yard setback of 16.0 metres, a parking area setback from the north lot line of 30 metres, and no access shall be provided along Bonaventure Drive within the first 60 metres of the intersection, south of the Dundas Street frontage.



Slide 7 – Neighbourhood Concerns

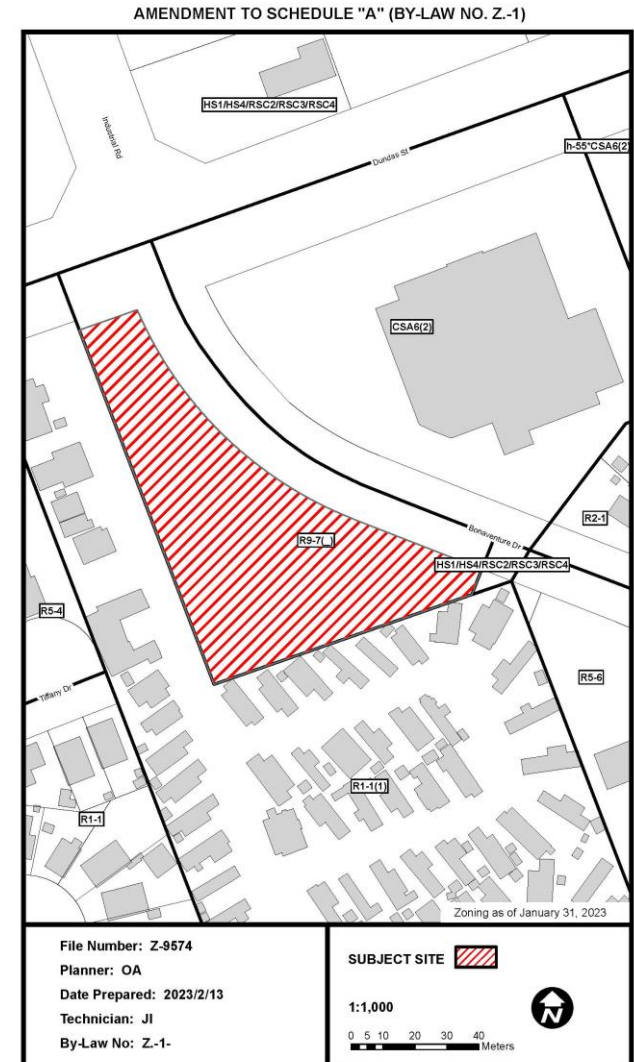
5 responses were received from the notice of application, citing the following concerns:

- Increased traffic
- View obstruction/loss of privacy/noise

Slide 8 - Recommendation

Recommendation:

Staff is recommending approval as the amendment is consistent with the Provincial Policy Statement, 2020, conforms to the in-force policies of The London Plan, including but not limited to, the Key Directions and Urban Corridor Place Type. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary with a land use, intensity and form that is appropriate for the site.



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: 1407 - 1427 Hyde Park Road (at South Carriage Road)
City File: OZ-9438/York Developments - Ward 7
Public Participation Meeting
Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of York Developments relating to the properties located at 1407-1427 Hyde Park Road:

- (a) the request to amend the Official Plan to permit a single storey building height within the Main Street Place Type in The London Plan, **BE REFUSED** for the following reasons:
- i) the proposal is not in conformity with the 2020 Provincial Policy Statement;
 - ii) the proposal is not in conformity with the Main Street policies in The London Plan; and,
 - iii) the proposal is not in conformity with the Hyde Park Community Plan - Community and Urban Design Guidelines.
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject properties to permit a site-specific Business District Commercial Special Provision (BDC2(_)) Zone, **BE REFUSED** for the following reasons:
- i) the proposal is not in conformity with the 2020 Provincial Policy Statement;
 - ii) the proposal is not in conformity with the Main Street policies in The London Plan;
 - iii) the proposal is not in conformity with the Main Street Commercial Corridor policies in the 1989 Official Plan; and,
 - iv) the proposal is not in conformity with the Hyde Park Community Plan - Community and Urban Design Guidelines.

Executive Summary

Summary of Request

The applicant initially requested amendments to:

1. add a Specific Policy Area to permit a single-storey building within the Main Street Place Type in The London Plan, whereas a minimum of two storeys are required, and to add the subject site to Map 7 – Specific Policy Areas.
2. change the zoning from a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone to a Business District Commercial Special Provision (BDC2(_)) Zone with special provisions to permit stacked townhouses, maintain the existing special provision exempting the site from the maximum 3.0 metre front yard depth (South Carriage Road); to permit a maximum mixed-use density of 65 units per hectare, a maximum building height of 14.5 metres in place of 12.0 metres, a drive-through facility associated with a restaurant, whereas drive-

through facilities are not permitted, a minimum of 202 off-street parking spaces in place of 222 spaces and parking in the front yard, whereas parking in the front yard is not permitted.

A second submission received on December 21, 2022 removed the request for the restaurant with a drive-through facility and made further minor changes to the proposal. In addition, due to a recent change in City-wide parking standards, the required parking is now 77 vehicle spaces and 9 bicycle spaces but the applicant is proposing 177 vehicle spaces and 36 bicycle spaces, all exceeding the requirements. All other requests remained the same.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to refuse all the requested amendments. The effect of the recommended action would not allow for single storey buildings, whereas a minimum of two storeys are required, and not allow for a Business District Commercial zoning with special provisions for a use that does not meet the long term planned vision for the area.

Rationale of Recommended Action

1. The requested amendments are not consistent with the PPS, 2020 because it will result in an inappropriate form of development, is an underutilization of the site and will create safety concerns for pedestrians and residents on the subject site;
2. The proposed site layout and function between the residential and commercial uses as to how they integrate with one another and lack of amenity space for the residential uses are major concerns;
3. The requested amendments are not in conformity with the Main Street Place Type policies in The London Plan with regard to intensity and form;
4. The requested amendments do not conform to the policies of the 1989 Official Plan because it creates a form of development not consistent with the Main Street Commercial Corridor policies; and,
5. The requested amendments do not conform to the policies of the Hyde Park Community Plan – Community and Urban Design Guidelines because it creates a form of development not consistent with the Business District policies.

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. Refer to Appendix C for further details on the characteristics of the proposed application related to the City's climate action objectives.

Analysis

1.0 Site at a Glance

1.1 Property Description

The property is relatively flat with no designated natural features except for a municipal drain which traverses the site. The Van Horik drain runs along the southern boundary of the site and across a portion of the site to the northeast.

1.2 Current Planning Information

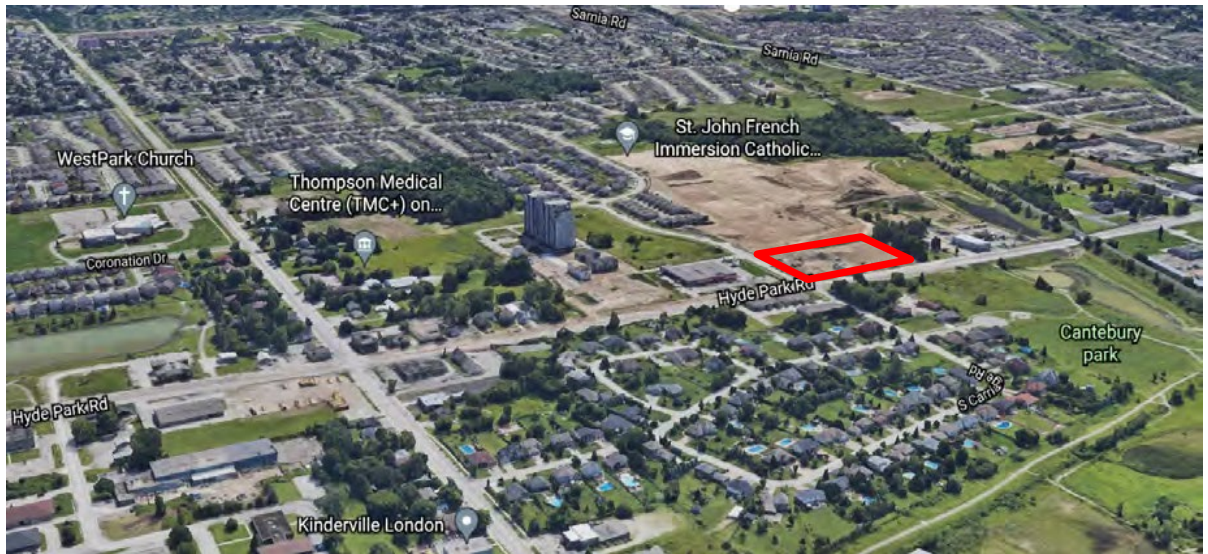
- 1989 Official Plan Designation – Main Street Commercial Corridor
- Hyde Park Community Plan – Business District
- The London Plan Place Type – Main Street
- Existing Zoning – Business District Commercial Special Provision (BDC2(3)) and Holding Business District Commercial Special Provision (h.BDC2(4)) Zones.

1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 93 metres (South Carriage Road)
- Depth – 149 metres (Hyde Park Road)
- Area – 1.4 hectares
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – South Carriage Road, hardware store (Peavey Mart), retail commercial businesses, apartment building and townhouses
- East – low density residential including street townhouses and single family detached dwellings.
- South – Commercial uses with a street-orientated design, SWM pond and CPR railway corridor
- West – Hyde Park Road (4 lane road with turning lanes), vacant land, low density residential subdivision and Canterbury Park.



Aerial Photo of Subject Site looking Southeast



Aerial Photo of Subject Site looking Southwest

1.5 Intensification (72 stacked townhouse units)

The proposal includes residential units that do not represent intensification within the Built-Area Boundary nor the Primary Transit Area but are within the Urban Growth boundary.

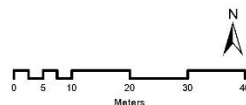
1.6 LOCATION MAP



LOCATION MAP

Address: 1407-1427 Hyde Park Road
 File Number: OZ-9438
 Planner: Chuck Parker
 Date: 2022/08/05

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



Scale 1:1000

Legend

- Subject Site
- Buildings
- Assessment Parcels
- Driveways/Parking Lots
- Draft Approved Subdivisions

2.0 Description of Proposal

Proposal

The initial design concept developed for the Site integrated the following three main components:

- A multiple-unit, single storey commercial structure along Hyde Park Road accommodating a variety of service/retail commercial uses with seven individual units ranging in gross floor area (GFA) from approximately 109 m² to 140 m² and a total gross floor area of 921 m²;
- A stand-alone restaurant (McDonalds) at the corner of Hyde Park Road and South Carriage Road with an accessory drive through facility and an approximate gross floor area (GFA) of 410 m² ;
- Two, 3.5 storey stacked, back-to-back townhouse buildings accommodating a total of 72 dwelling units in the central portion of the property;
- A common parking area comprised of 187 surface parking stalls, including barrier free spaces, and integrating 76 bicycle parking stalls and internal loading areas;
- An internal walkway system (1) providing pedestrian connectivity to commercial and residential units, adjacent sidewalks and the parking field and (2) incorporating enhanced landscaping elements (e.g., gazebo feature); and,
- Vehicular access from Hyde Park Road and South Carriage Lane with internal drive aisle connections, pedestrian walkways and loading areas. A joint access with 1369 Hyde Park Road is proposed to accommodate the southern entrance.

In response to City comments and deferral of the application at Planning and Environment Committee on September 12, 2022, the applicant made the following revisions to their proposal which was submitted November 21, 2022 and circulated for additional comments (see below);

- Increased the amount of commercial gross floor area from 1340m² to 1668m²;
- Removed the request for a restaurant with a drive-through facility;
- Adjusted the provided parking following a general City-wide parking reduction to provide more than required, 177 vehicle spaces instead of 77 and 36 bicycle spaces in place of 9;
- Increase the lot coverage from 26% to 28%; and,
- Increase the landscaped open space from 32% to 35%.



Proposed Site Plan – Second Submission



Commercial Buildings along Hyde Park Road looking North- East



Stacked Townhouses in the Central Portion of the Site

3.0 Relevant Background

3.1 Planning History

The subject site was part of the Hyde Park Community Plan area (1989 Official Plan), on lands that were annexed from London Township on July 1, 1993. At the time of annexation, Hyde Park had a considerable amount of existing industrial, community facility, commercial and residential uses within its boundaries. The existing commercial area centred on the intersection of Hyde Park and Gainsborough Roads had a distinct “village form” at the time, with street-orientated businesses along both Hyde Park Road and Gainsborough Road.

In 1999 the developers (First Professional Management) of the commercial area at Hyde Park and Fanshawe Park Road and the City initiated the Hyde Park Community Plan. In December 1999 the Hyde Park Community Plan – Community and Urban Design Guidelines were completed to guide future development in the area. Those guidelines are still used and form part of The London Plan City Design Guidelines in Policy 1716_6 of the Plan. The Hyde Park Community Plan was Council adopted December 2, 2000 and formed part of the 1989 Official Plan policies. The Hyde Park Community Plan has now been incorporated into The London Plan and is no longer in force and effect although it has to be considered in the evaluation of this application because it was in force and effect when this application was submitted.

Not soon after the completion of the Hyde Park Community Plan, an application (OZ-6368/Braskal Corporation) was initiated on a portion of the subject property requesting amendments to allow service commercial uses on these lands and on lands to the north of the proposed South Carriage Road. On September 2, 2003 Council passed a Zoning By-law amendment (BDC2(3)) which removed the maximum front yard depth of 3.0 metres from the northern portion of the subject property and lands north of the proposed future road allowance (South Carriage Road) to allow the development of a hardware store (TSC, now Peavey Mart) on the latter lands. The maximum setback regulation had been put in place to implement policies in the Hyde Park Community Plan and guidelines in the Hyde Park Urban Design Guidelines which encouraged street-orientated development to maintain the “village character of commercial development in that area.

It is important to note that the report from Planning staff to Planning Committee on August 25, 2003 recommended that;

- (a) *The request to amend the Official Plan by adding a site specific policy to allow for flexibility in the orientation and setback of buildings in the Business District designation (1989 Official Plan) **BE REFUSED**;*
- (f) *The request to amend the Zoning By-law by adding a special provision to permit drive-through restaurants, tavern, and an increased setback for buildings in the Business District designation, **BE REFUSED**; ...*

On September 2, 2003 Council concurred with those recommendations but approved a special provision zone only for the north portion of the subject property to delete the maximum front yard setback regulation.

Since that time a number of other commercial developments in the area (eg. Dentist office at 994 Gainsborough Road; residential/retail development at the intersection of Hyde Park and Gainsborough Road and new commercial development at 1331, 1351 and 1600-1622 Hyde Park Road) have all developed consistent with the Hyde Park Community Plan and Guidelines, which encouraged pedestrian-orientated forms of commercial development, ie. buildings located close to the street with rear yard parking.

In summary, policies and guidelines in the Hyde Park Community Plan (Secondary Plan under the 1989 Official Plan) and Urban Design Guidelines have been in place since the late 1990's and development since, except for one exception at 1435 Hyde Park Road (TSC/Peavey Mart), has conformed to those policies and guidelines. The proposal on the subject site does not meet the intent of The London Plan, 1989 Official Plan and Urban Design Guidelines.

3.2 Requested Amendments

The applicant initially requested amendments to:

1. add a Specific Policy Area to permit a single-storey building within the Main Street Place Type in The London Plan whereas a minimum of two storeys are required and to add the subject site to Map 7 – Specific Policy Areas.
2. change the zoning from a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone, to a Business District Commercial Special Provision (BDC2(_)) Zone with special provisions to permit stacked townhouses, maintain the existing special provision exempting the site from the maximum 3.0 m front yard depth (South Carriage Road); to permit stacked townhouses at a maximum mixed-use density of 65 units per hectare, a maximum building height of 14.5 metres in place of 12.0 metres, a drive-through facility associated with a restaurant whereas drive-through facilities are not permitted, a minimum of 202 off-street parking spaces in place of 222 spaces, and parking in the front yard whereas parking in the front yard is not permitted.

The applicant did not revise their requested amendments but did revise their proposal in response to City staff's previous comments.

3.3 Public Engagement (see more detail in Appendix A)

On December 2, 2021 a Notice of Application for the initial application/first submission was sent to 159 property owners within 120 metres of the property boundaries. Notice of application newspaper notice was also placed in the Londoner on December 3, 2021. A notice of public meeting for the September 12, 2022 Planning and Environment Committee meeting was also sent on August 24, 2022 and Londoner notice was provided August 25, 2022.

In response to those notices eight comments were received.

The issues identified by the public included;

1. *increased traffic and reduction in pedestrian safety from commercial development and drive-through;*
2. *increased litter and garbage;*
3. *need for another McDonald's restaurant;*
4. *impact of restaurant/drive-through on climate change; and,*
5. *disrespects the nearby memorial for the Afzaal family.*

As a result of changes made by the applicant in the second submission, concerns raised in #1, #3 and #4 related to a commercial use with a drive-through facility are no longer relevant.

3.4 Policy Context

Provincial Policy Statement 2020

The PPS provides overall policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. Part IV of the PPS outlines that this policy instrument provides a vision for land use planning in Ontario that focuses growth within settlement areas and encourages efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities.

The applicants have reviewed the policies against the proposed development plan with regard to the policy direction and provisions of the PPS in Section 4.0 (Planning Analysis) of their Planning and Design Report. Planning staff have also reviewed the policies and offer the following comments on conformity with the PPS.

The PPS tries to achieve a balance between providing for growth and creating healthy, safe, sustainable transit and pedestrian friendly communities. The PPS “*supports the provincial goal to enhance the quality of life for all Ontarians.*” (Part 1: Preamble). Further, it provides for appropriate development while protecting “*public health and safety, and the quality of the natural and built environment.*” In the PPS (Part IV) the Vision for Ontario’s Land Use Planning System states “*Strong communities, a clean and healthy environment and a strong economy are inextricably linked. Long term prosperity, human and environmental health and social well-being should take precedence over short-term considerations*”. The proposal as shown is new development; however, the site layout and function of the site and the mixing of commercial and residential parking and traffic may create a safety issue for pedestrians and residents.

In addition, this section states “*Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel*”. The proposal can be characterized as a one storey, suburban form of development on an undeveloped piece of land. Although, the commercial buildings are street-oriented and provide pedestrian connections to the sidewalk, there are large areas of surface parking which are used as an inappropriate buffer between the commercial and residential uses. Affordable housing is not proposed for the residential component of the proposed development and the provided green space/amenity space for the residential uses is limited.

Specifically, the proposed concept is not considered an “*efficient development ...pattern*” (Section 1.1.1 a)) because the commercial development is a one storey, stand-alone use within a Main Street corridor where integrated mixed use buildings are encouraged, public safety may be impacted by inappropriately mixing residential and commercial uses in the same parking lot all resulting in an underutilization of an undeveloped “greenfield” site. In addition, there is very little functional amenity space and buffering for residential uses, while an oversupply of surface parking is being proposed (1.1.1 b) and e)).

The subject site is also close to the Urban Growth Boundary to the west and there are minimal lands in this area for further development and any remaining vacant lands, including the subject property, should seek to be developed to their maximize potential within the existing policy framework for the area.

With regard to Section 1.1.2, “*sufficient land shall be made available...*”, there are ample lands already used for commercial uses a short distance to the north at Hyde Park and Fanshawe (over 100,000m² of commercial), to the east at Sherwood Forest Mall and to the south at Oakridge Mall.

The subject site is within a Settlement Area/Urban Growth boundary, but not the Built-up Area boundary, and doesn't efficiently use land... (Section 1.1.3.2 a)) or infrastructure (1.1.3.2 b)). The proposal is generally transit supportive simply due to its location and proximity to the street. The development must provide safe pedestrian connections around and into the site which is still a concern given the proximity of residential and commercial uses to one another and the sharing of parking areas. The development has potential to improve on these concerns through a more appropriate form of development (1.1.3.4.)

With regard to Section 1.4 (Housing), the proposal doesn't provide for affordable housing (1.4.3 b) because it appears to only include market based stacked townhouses.

With regard to Section 1.6 (Infrastructure and Public Service Facilities) the Main Street Place Type provides the subject site the ability to provide for a more intensive and appropriate form of mixed-use development. This would result in a more efficient use of the existing infrastructure in the area than the current proposal provides.

Section 1.6.7 (Transportation Systems) states "*A land use pattern, density and mix of uses should be promoted that minimizes the length and number of vehicle trips and support current and future use of transit and active transportation.*". The proposed site plan includes a large amount of surface parking and there are few pedestrian connections to the abutting adjacent residential neighbourhoods.

The proposal meets Section 1.7.1 a) (Long-Term Economic Prosperity) by providing an opportunity for economic development but doesn't satisfy subsection b) range of housing options, c) optimizing use of land and infrastructure, e) encouraging a sense of place, well-built form, g) integrated multi-modal transportation system and j) promoting energy conservation. All other criteria do not apply to this proposal.

Section 1.8 (Energy Conservation, Air Quality and Climate Change) also are not met due to the emphasis on parking for automobiles and the minimal amount of amenity space.

Summary

Although the proposal is development on a vacant parcel of land ("greenfield" site) within the Urban Growth boundary and is street-oriented, the proposal is not in conformity with most of the policies in the 2020 Provincial Policy Statement with regard to intensity, wise use of existing infrastructure and land, pedestrian friendliness, mix of housing, lack of amenity space and the creation of a healthy and safe environment. The low height and amount of land covered by parking are primary features which are not in conformity with the policies.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted June 23, 2016, approved by the Ministry with modifications on December 28, 2016, and in force and effect on May 20, 2022).

Use

The subject lands are in the Main Street Place Type in The London Plan, permitting a broad range of residential, retail, service, office and institutional uses to serve surrounding neighbourhoods within walking distance (Policy 908_1). Main Streets can include older business districts in the City or newer developments which have a similar form and function. Mixed-use buildings will be encouraged (Policy 908_2) and retail and service uses will be encouraged at grade, with residential and non-service office uses directed to the rear and upper floors of buildings (Policy 908_3). The proposal doesn't mix the uses in one building, instead it includes uses in separate buildings, which is not in conformity with these policies.

The proposal detracts from the “vision” of the area established by the Hyde Park Community Plan and Urban Design Guidelines in 1999 and carried forward by The London Plan through the inclusion of a single storey development, especially at the intersection of South Carriage Road. Site plan approval will be required following the zoning by-law amendment process.

Intensity

The London Plan does not use density like the previous 1989 Official Plan as a measure of intensity, it uses intensity and form to regulate development.

Policy 791 states that *“Zoning on individual sites may not allow for the full range of heights permitted within a Place Type. To provide flexibility, height limits have been described in building storeys rather than a precise metric measurement. For clarity, this is meant to convey the number of usable above-grade floors in a building. In some cases, minimum heights are to be measured by the lesser of storeys or metres. This alternative measure has been provided to allow for greater flexibility through implementation.”* Further Table 8 (Summary of Minimum and Maximum Heights by Place Type) indicates that the minimum height allowed in the Main Street Place Type is *“2 storeys or 8m”*.

Both the first submission and second submission show a 8.9 metre (29.3 ft) one storey commercial building along Hyde Park Road, which does not meet the intent of the policy. Land uses are intended to be mixed vertically as opposed to horizontally.

The applicants have requested a special policy to allow one storey for the commercial component of the development but that is not in conformity with the policies, which are attempting to encourage higher intensity development along major roadways to make better use of land and infrastructure. A one storey height is typical of previous suburban development which was focused on the private automobile.

The requested height for the stacked townhouses of 3.5 storeys meets the intent of the policies which have a maximum height of 4 storeys. The applicant also requested a parking reduction; however, Council recently approved amendments which removed the minimum parking requirement from Main Street Place Types and lowered minimum parking rates for stacked townhouses, retail and office uses. A reduction in parking could provide more room for amenity space on the site, something that is deficient in the original proposal. However, the applicant is intending to provide more parking than required; 177 vehicle spaces in place of 77 required and 36 bicycle spaces in place of the 9 spaces required.

Policy 910 also limits large floor plate commercial buildings in Main Street Place Types to a maximum gross floor area of 2000m² which may impact future leasing of the commercial buildings. No details have been provided regarding future tenants.

Form

Policy 911 states *“all new development will be designed to be well integrated with the character and design of the associated Main Street.”* The original Hyde Park Community Plan (1989 Official Plan) intended that all future commercial development along the Hyde Park and Gainsborough Road corridors would have a “village” character. For example, buildings along the street, rear yard parking, similar to the existing development at the intersection. Since these lands were annexed into the City and both the Hyde Park Community Plan and associated design guidelines were put in place, with one exception to the north of the subject property (1435 Hyde Park- TSC/Peavey Mart), new developments in the Hyde Park area have adopted the form under the framework of the design guidelines. New development is generally street-oriented with sidewalks and landscaping/street trees in front and parking to the rear. The Hyde Park Urban Guidelines (911_3) are still being used to evaluate development application proposals. They will be discussed further in Section 4.1 of this report.

Policy 911_4 requires buildings along the front property line to be consistent with other developments in the area. Along Hyde Park Road the proposal shows windows, doors and signage to the individual commercial units. The frontage along South Carriage Road is proposed to have no buildings, just landscaping and parking which does not meet the intent of the policy.

Policy 911_5 addresses pedestrian connections placing a priority on the pedestrian experience through site layout, building location, and a design that reinforces pedestrian comfort and safety. Although the proposed site plan provides a pedestrian access along the Hyde Park street edge, the proposed connections through the site require pedestrians to traverse over laneways serving commercial land uses and a large parking area between the commercial building and residential uses to the east. Doing the latter is a safety hazard. Policy 911_9 indicates that surface parking is to be located in the rear (to the south) or interior side yard (to the east). Although the Applicant's proposal demonstrates an effort to screen parking from Hyde Park there is still a large area of parking located in the front yard along South Carriage Road, which is highly visible and not in keeping with the intent of this policy.

Planning and Development Staff have suggested the following: that the northerly residential building be rotated and placed along the South Carriage Road street edge with unit entrances along the street, that the street facing parking be removed, that the building elevation at the intersection of Hyde Park and South Carriage be enhanced, and that the maximum building setbacks along Hyde Park Road (2 metres) and South Carriage Road (4 metres) be reduced to better meet the intent of the policy.

Summary

Except for the street edge along Hyde Park Road and the mix of commercial and residential, albeit in separate buildings, the proposal doesn't conform to the Main Street Place Type policies in a number of areas including street elevations, location and amount of parking, functional amenity spaces, pedestrian connections, street intersection building orientation and height of buildings.

1989 Official Plan/Hyde Park Community Plan

The London Plan is currently in force and effect and replaces the former 1989 Official Plan; however, when this application was submitted, the 1989 Official Plan and associated Hyde Park Community Plan was still in force and the policies still have to be evaluated through this application review process.

These lands were designated as Main Street Commercial Corridor in the 1989 Official Plan which is very similar to the Main Street Place Type in The London Plan discussed above.

The Main Street Commercial Corridor designation permits small-scale retail uses, service and repair establishments, food stores, convenience commercial uses, personal and business services, pharmacies, restaurants, financial institutions, small scale offices, small scale entertainment uses, galleries, studios, community facility, residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings as the main uses (4.4.1.4).

They are similar in regard to other policies including Planning Objectives/Character (4.4.1), common parking areas (4.4.1 iii)), mix of uses at higher densities (4.4.1 iv)), urban design objectives (4.4.1.2), function (4.4.1.3.), location (4.4.1.5), encouraging mixed use development (4.4.1.8) and urban design (4.4.1.9). The only difference between the designation and the Place Type is that there is no minimum height specified in Section 4.4.1.7 (Scale) of the previous 1989 Plan. It does indicate that any residential uses be at a Medium Density Residential scale which is a maximum of 75 units per hectare.

The Hyde Park Community Plan, and associated urban design guidelines, were a

Secondary Plan (Council approved in April 1999) under the 1989 Official Plan and included more specific policies for the area. Some relevant features include recognizing the Hyde Park Village or hamlet as a separate commercial entity and avoidance of typical “strip” commercial suburban development in commercial areas. The Plan states;

“The transformation of an existing mix of auto-orientated and pedestrian-orientated commercial uses in the Hyde Park hamlet to a commercial “village” was eagerly supported by the current business owners and the community at large. The creation of a pedestrian scale commercial focal point was desirable for the community and is supported by the Hyde Park Urban Design Guidelines. Additional lands have been designated to provide room for parking and provide for “gateways” to the business area....”

The Community Plan also did not specify a minimum height but it did encourage a form of development which was similar to existing development at the intersection of Hyde Park and Gainsborough Roads. The Design Guidelines saw this area as a proposed business district, a high activity area with streetscaping and a building orientation to create a pedestrian-friendly, mixed-use area where people can live, work and shop. (2.0 Urban Form). Section 6.0 of the Guidelines provides further direction.

Summary

The policies in the Main Street Commercial Corridor designation in the 1989 Official Plan, the Business District designation in the Hyde Park Community Plan (Council approved April 1999) and the Main Street Place Type in The London Plan are almost identical which means a consistent set of policies have been in place for this specific commercial area since the late 1990’s as the Hyde Park area developed from a rural community (annexed in 1993) into a developing community. The subject site is towards the southern end of the commercial area but is still part of the Main Street Place Type. The proposal as submitted also does not comply with the 1989 Official Plan policies.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Urban Design/Site Plan Issues

Both the Site Plan and Urban Design Sections of the Planning and Development Department and the Urban Design Peer Review Panel (UDPRP) had significant concerns about the design of the proposed development and its ability to meet the intent of the Main Street Place Type policies in The London Plan.

Comments had been provided during both the application pre-consultation (March 17, 2021) and site plan pre-consultation (June 19, 2021) with no significant changes being made prior to the formal application being submitted on September 17, 2021. The public notice was sent December 1, 2021 and through that process similar comments, including new comments from the UDPRP, were received identifying the same concerns as previously provided from staff. Planning staff offered the applicant an opportunity to revise their proposal but they declined on June 16, 2022.

The application was scheduled to be heard at the September 22, 2022 Planning and Environment Committee where Staff had prepared a report recommending refusal of the application. At the applicants request the item was deferred. The applicant met with City staff and on November 21, 2022 submitted a second proposal which removed the restaurant and associated drive-through and made minor changes to increase commercial gross floor area, reduce some yard requirements, increase coverage and landscaped open space and reduce parking.

The components of the proposal which met the intent of the Main Street Place Type policies is the limited setback next to Hyde Park Road (although staff commented it could be moved closer); the inclusion of windows, entrances and signage along Hyde Park Road for individual businesses; and the mix of uses, although they are proposed in separate buildings and not in one mixed use building as encouraged by the policies.

Below is a summary of 1) the issues raised by staff and the UDPRP and 2) possible resolutions from the UDPRP and Urban Design/Site Plan staff to meet the intent of the policies and create a better development;

1) Issues with the Submitted Second Proposal

1. The commercial building along Hyde Park Road is only one storey in height, the policies require a minimum of two storeys (London Plan Policy 908_2);
2. The site layout and function are major concerns;
3. Mix of commercial and residential parking could create a safety hazard;
4. Proposed parking in the front yard and building and parking area setbacks contrary to Main Street Place Type;
5. Inadequate outdoor amenity area particularly for residential uses;
6. UDPRP indicated the overall site design was confusing and detracted from the residential environment;
7. Joint access with 1369 Hyde Park Road requires a consent application, is not supported by Transportation , and creates tree preservation concerns; and,
8. Enclosure of municipal drain requires UTRCA approval.

2) Possible Improvements to Proposal

1. Include a minimum two storey building along Hyde Park Road with ground level retail/office uses and residential or office uses above, split Building 2 into two buildings with parking areas between the two buildings to allow for better access to the commercial units along Hyde Park Road frontage to parking area;
2. Separate commercial and residential parking areas;
4. Rotate Building 3 along South Carriage with parking behind with a 75% street wall frontage. The proposed parking along South Carriage should be removed;
5. No parking shall be located between the street frontages and the building face (The London Plan Policy 911-9) and screen all surface parking areas;
6. Ensure the proposed built form at the intersection emphasizes and addresses the corner location (The London Plan Policy 291);
7. Design the space between the building and the Right-of-Way so it is similar to other developments in the area with a main sidewalk, secondary sidewalk and large planting beds;
8. Ensure direct and safe pedestrian connections, currently there are significant barriers /obstacles to pedestrian flow; and,
9. Locate any garbage/recycling facilities away from public street frontage and in the proposed McDonalds put it in the building.

The Urban Design Peer Review Panel (UDPRP) and both the Site Plan and Urban Design Sections of Planning and Development Department indicated that “*significant modifications*” were required to meet the intent of the policies of the Main Street Place Type in The London Plan and comply with urban design policies and site plan regulations. The second submission addresses some of those concerns but the above issues still have not been addressed.

4.2 Issue and Consideration # 2 – Traffic/Pedestrian Safety

This issue was discussed above but the public responses to the application raised this as their main issue. It includes a concern about traffic at the intersection, turning into the site, traffic on Hyde Park Road and on-site traffic and its impact on pedestrians moving around and into the site. Public health and safety are important measures in the Provincial Policy Statement (See Section 3.4 – Policy Context) and need to be considered and addressed.

The current proposal does not address public/pedestrian safety into and around the site. It should also be noted that Transportation does not support the proposed southerly shared access shown on the second submission.

4.3 Zoning By-law Z.-1 Issues

The subject property is currently zoned Holding Business District Commercial Special Provision (h*BDC2(4)) on the majority of the property and Business District Commercial Special Provision (BDC2(3)) Zone on the northerly portion. Permitted uses include apartment buildings with any or all of the other permitted uses on the first floor, 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 on the ground floor, and a broad range of retail, service, office, recreation, entertainment, institutional and community uses subject to a holding provision for services. The northern portion has a special provision which removes the maximum front yard depth setback. Regulations include a maximum 12 metre height except for apartment buildings which require a zoning by-law amendment application to establish a maximum height for development.

The applicants have requested a Business District Commercial Special Provision (BDC2(_)) Zone with special provisions to;

- 1) permit stacked townhouses;
- 2) maintain the existing special provision exempting the site from the maximum 3.0 m front yard depth (South Carriage Road);
- 3) to permit a maximum mixed-use density of 65 units per hectare and a maximum building height of 14.5 metres in place of 12.0 metres; and,
- 4) parking in the front yard whereas parking in the front yard is not permitted.

Some of the requested zoning by-law special provisions are appropriate and in conformity with the Main Street Place Type policies with the exception of 2) and 4) based on the policy analysis and Department comments, above. Exemption from the maximum 3.0 metre setback and the proposed front yard parking are issues raised through the circulation process and are not in conformity with The London Plan Main Street Place Type policies and; therefore, no zoning by-law changes are being recommended for this site.

Hyde Park Community and Urban Design Guidelines

The guidelines were developed as part of Hyde Park Community Plan process and have been in place since December 1999 as Council adopted guidelines. Even though the guidelines were part of a Secondary Plan under the 1989 Official Plan they are still a listed guideline document (Policy 1716_6) under The London Plan because they still implement the Main Street Place Type in The London Plan. As indicated earlier, the policy approach for the commercial development surrounding the intersection of Hyde Park Road and Gainsborough Road has not changed since the late 1990's.

Section 6.0 (Hyde Park Hamlet) specifically addresses the design of development at the intersection with the following guidelines which are relevant to the subject site;

- *Buildings should be sited in close proximity to the street with walkways extending to the adjacent sidewalk.*
- *Street and pedestrian connections should be provided to neighbouring residential development.*
- *Encourage the planting of large deciduous “street” trees along the roadside to help shade and enclose the street, creating the atmosphere of an “outdoor room”.*
- *Encourage efficient and attractive design of parking lots. Reduce large expanses of asphalt into smaller visual units with landscaping.*
- *Buildings should define the public street space with building walls maximized along the street to enclose and animate the street and create a consistent street edge.*

The second submission for the subject site somewhat meets the intent of these guidelines but does not fully conform.

5.0 Conclusion

The second submission is not in conformity with the 2020 Provincial Policy Statement, the Main Street policies in The London Plan, the Main Street Commercial Corridor policies in the 1989 Official Plan, the Business District policies in the Hyde Park Community Plan and the Hyde Park Community Plan - Community and Urban Design Guidelines. Further revisions to the proposal are required to meet the intent of the policies and urban design guidelines.

Prepared by: **W.J. Charles Parker, MA**
Senior Planner, Long Range Planning and Research

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

Recommended by: **Heather McNeely, MCIP RPP**
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.

March 20, 2023

cc:

Britt O’Hagan, Manager, Current Development

Michael Pease, Manager, Site Plans

Ismail Abushehada, Manager, Development Engineering

Appendix A – Public, Department and Agency Comments

Public Engagement

Public liaison: On December 1, 2001, Notice of Application was sent to 159 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 2, 2001. A “Planning Application” sign was also posted on the site. A notice of public meeting was also sent out August 24, 2022 in advance of a public meeting to be held September 12, 2022.

8 replies have been received to date.

Nature of Liaison: Official Plan and Zoning amendments to allow:

- Mixed-use development
- Single-storey multiple-unit commercial structure
- Two, 3.5 storey stacked, back-to-back townhouse dwellings with a total of 72 dwelling units
- Special provisions regarding front yard depth, townhouse use, height and density.

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

Concern for:

1. *increased traffic and reduction in pedestrian safety from commercial development and drive-through;*
2. *increased litter and garbage;*
3. *need for another McDonald’ restaurant;*
4. *impact of restaurant/drive-through on climate change; and,*
5. *disrespects the nearby memorial for the Afzaal family.*

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

| Telephone | Written/E-mail |
|-----------|-----------------|
| | Diane Dempsey |
| | Samantha Watt |
| | A.J. Daniak |
| | Margaret Fuller |
| | Sandra Venneri |
| | Brandy Straub |
| | Jim Milliken |

1) Public Comments

Diane Dempsey (to Councillor Josh Morgan)

“Proposed McDonalds restaurant

As a member of the community that sees a plan for a McDonalds being built on Hyde Park Road and South Carriage, I am compelled to communicate with you as the City Councillor for this area. I walk on a regular basis past this intersection and honestly have not recovered from the tragedy of last June. I am very happy to see the lovely tribute that has been constructed at this intersection for the Afzaal Family as a permanent reminder of the horror that occurred there. This makes this corner hallowed ground as it memorializes this lovely family. It truly seems like an extreme insult to this Memorial to allow a McDonalds Restaurant to exist exactly across from this special tribute. There are other reasons that I will also mention as to why it is not wise to move forward with any fast food restaurant. The increase in traffic is a big concern as there are always lines as cars pull over to get into the queue for take out. This area is already very busy with traffic and the pedestrians have to navigate very carefully. I predict there will be cars backed up on a regular basis especially at rush hour. Along with this will be increased litter and amounts of garbage that are generated by purchases as well as the huge carbon footprint that McDonalds inflicts on our community. It is extremely discouraging to read all the information about how McDonalds contributes to climate change by how they operate and do business everyday. Please check this data and see how bad they are in this area. The other issues that are very concerning are all the noises, smells, fumes, and light pollution that will interrupt the quietness of this residential area. I have so often enjoyed the song of the killdeer birds who nest in that open space currently and it saddens me all they will be wiped out. I do hope our City leaders will find a solution that is not going to sacrifice quality of life over a McDonalds restaurant...”

Samantha Watt

“There are already 3 McDonald’s in this area.

This would only cause congestion in a residential area, smell, and an ugly appearance. This area has a nice memorial set up across the street, and does not need an eyesore like McDonald’s to distract from it.

Please consider this... I’m sure we can also get lots of signatures to help back us all up. I really hope this isn’t a done deal.”

A.J. Daniak

“...In the conceptualized site plan, it shows a McDonald's as the restaurant. In another spot in the documents, it says that the restaurant was 'conceptualized' as a McDonald's. I was a bit unclear how they would be able to use the McDonald's logo, unless they were already in talks with the company? From the use of the logo, I assumed someone was already in talks with the franchise.

That said I did want to raise concerns that while I don't have objections to a restaurant or drive-thru necessarily I do think that a better suited restaurant could be chosen for the location. The first that comes to mind is a Starbucks (or a local independent coffee shop instead), but for sake of the conversation, a coffee shop would provide a much better lifestyle addition to the area residents, including to all those new proposed stacked townhouse residents who would be sharing a parking lot. A coffee shop would become a community hub where people can gather and meet and I think would be much more welcomed than a McDonald's - for many reasons. I understand that McDonald's would be considered an anchor tenant of the plaza, but that's why I compared it directly to a Starbucks. Less risk than an independent coffee shop. If not a coffee shop - any kind of local restaurant with good quality food would be more welcomed - think something like Dolcetto, Taverna 1331 that is right down the street, Porcino's and so forth. The Hyde Park main street that is being built up has much potential to become a hub for the city and while I have nothing personally against McDonald's, there are already 2 - one at Dalmagarry/Fanshawe Park, and one inside

the Hyde Park Walmart. I realize there is already a Starbucks as well at Fanshawe and Hyde Park road, but as Starbucks has demonstrated in certain locations there can be a Starbucks on multiple corners of the same intersection with no concern of customers served - as there is often that much demand. As well please note I am simply using Starbucks as an example in this situation, there may be many other more suitable choices.

I of course am not an official planner, do not have connections to Starbucks and am not privy to many of the other details I'm sure that go into the planning process before a decision is made, but I wanted to bring my comments to your attention for consideration and in case others share the same concerns.

Margaret Fuller

"I am a resident in the Hyde Park area and would like to be on record as opposing any zoning amendment that would permit a drive-through restaurant at the corner of Hyde Park Road and South Carriage Road.

As indicated in the "Notice of Planning Application", the London Plan does not permit a drive-through facility at this location, and I believe this check on development needs to be respected. In my opinion, the subject intersection was not designed for a drive-through facility, and by making allowances for one, the City of London would be creating an environment conducive to increased traffic problems and safety risks.

For this reason, I am strongly opposed to this proposed amendment and ask that the City respect the terms of the London Plan, which preclude a drive-through facility at the corner of Hyde Park Road and South Carriage Road."

Sandra Venneri

"I'm a resident near Hyde Park and would like to know the process of having a say in the plans. I want to speak up about the fast food restaurant and the planning of healthier options for our community that are allowed. With so many fast food options already, it seems excessive and not supporting public health initiatives that are important when city planning happens."

2) Department Comments

Urban Design (in response to the circulation of the second submission on December 9, 2022, Urban Design revised their previous comments as follows) (TLP- The London Plan, HPCPG-Hyde Park Community Planning Guidelines)

- *Consistent with the previous staff and panel comments, the following comments should be addressed in establishing appropriate zoning provisions (e.g. Setbacks, heights etc..) and as direction to site plan authority.*
- *This site is fully located within the Main Street Place Type in The London Plan[TLP] which contemplates a mid-rise mixed use-built form up to 6 storeys along Hyde Park Road[TLP 908-2; 910_4] and falls within the Hyde Park Community Plan Guidelines Area [HPCPG].*
- *For a more efficient use of the site that is in line with the vision of the London Plan Place Type, a vertically integrated mixed-use mid-rise building should be provided. Should the file planner support the density and form currently proposed, the following changes are required:*
 - *Relocate Building 3 to be closer to South Carriage Road. To create a strong street wall and active facades for a comfortable and vibrant pedestrian environment along South Carriage Road provide an enhanced elevation for Building 3's street fronting townhouse units. [TLP 911-9; HPCPG 4.1.2].*
 - *A maximum setback of 2m along Hyde Park Road and 4m along South Carriage Road from the property line should be considered to ensure buildings are located closer and oriented to the street.*
 - *Rotate "Building 3" and locate along the South Carriage Road frontage to allow for a greater portion of the built form parallel the street, with*

- the surface parking located behind the building and direct access from the individual unit entrances to the public sidewalk.*
- *A minimum building frontage requirement-75% of the plot frontage should also be considered to ensure a continuous street wall along street frontages.*
 - *No parking shall be located between street frontages and the building faces. [TLP 911-9].*
 - *The proposed parking along South Carriage Road should be removed. This requires redesign of the site including locating the proposed stacked townhouses or alternative building typologies along South Carriage Road Frontage*
 - *Ensure that the proposed built form at the intersection of Hyde Park and South Carriage emphasize and address the corner location through appropriate massing, height element and location of entrances. [TLP 291].*
 - *Front doors for commercial and residential units are to be highly visible from and within convenient walking distance to the city sidewalk. Locate entrances to the end units of the commercial buildings on the north and south facades to provide convenient access from both the sidewalk and the parking lots, and to have a portion of the units with street-oriented access.*
 - *Locate any garbage/recycling facilities away from the public street frontage.*
 - *Incorporate the garbage/recycling area south of “Building 2” into the building and fully wrapped with the same exterior materials;*
 - *Screen any surface parking exposed to a public street with enhanced landscaping, including low landscape walls, shrubs, and street trees. [TLP 277, 278, 235]*
 - *A minimum percentage of landscaped open space and perimeter buffering should be included in the zoning provisions to ensure adequate space for tree planting and to reduce the amount of impervious surface.*

The enhanced pedestrian connections and enhanced pedestrian realm along Hyde Park Road have been noted and should be carried forward through the site plan review.

Urban Design Peer Review Panel (December 15, 2021)

The Panel noted that the overall design strategy for the site was confusing and not in alignment with the intended “Main Street” character envisioned through the relevant City Documents (e.g. ’89 Official Plan & London Plan). Though the goal of integrating a mix of commercial and residential uses on the site is a good one, the organization of this site does so in a way that will detract from the residential living environment and the adjacent streetscapes. The following comment were provided to inform the on-going planning and design process for the project:

- *The Panel recommends that the site design be revised to focus a more prominent built form (e.g., 2-storey buildings min.) along the Hyde Park Road frontage in order to create the desired sense of enclosure for the main street pedestrian realm and appropriately relate to width of the adjacent ROW.*
- *Further/special attention should be paid to how the proposed built form related to the intersection of Hyde Park Road and South Carriage Road.*
- *The Panel noted that it was unclear if the principal unit entrances for the proposed commercial/retail units are, in fact, facing Hyde Park Road. Commercial buildings/units are recommended to be oriented toward Hyde Park Road to contribute to the desired Main Street character.*

- *The Panel recommends that no parking be sited between any proposed building and the adjacent public streets in accordance with City policy. This will require a significant reorganization of the site to rectify the current proposed edge condition along South Carriage Road.*
- *The Panel suggested that current proposed site layout and amount of commercial uses relative to the space provided for parking and circulation will create significant barriers/obstacles to pedestrian flow across the site, particularly for those accessing the west-facing residential units.*
- *The Panel expressed concern about the lack of amenity space provided for future residents of the site.*
- *The Panel suggests that many organizational issues noted above could be resolved by shifting to a true mixed-use concept with residential apartment units stacked above street-oriented commercial/retail space. Further density is likely achievable on the site in that scenario.*

Concluding comments:

This UDRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Significant modifications are recommended in order to ensure the proposed development contributes to the planned urban Main Street context of the area.

Site Plan Comments– from record of consultation comments provided June 2021

Site Design Comments:

- *Ensure the townhouses function separately from the commercial development, with adequate landscape buffering and separate entrances and parking facilities for each use.*
- *Provide an adequately sized and functional amenity space for the residential units.*
- *Locate the site access wholly on the subject property.*
- *Locate garbage/recycling facilities away from the public street frontage.*

Building Design Comments:

- *Explore opportunities to include a true mixed-use building along the Hyde Park Road frontage with commercial ground floor and residential on the upper levels, this could help resolve other site plan issues such as outdoor common amenity space and parking.*
- *Alternatively, split “Building 2” into two buildings with parking located between the two buildings to allow for better access to the commercial units along the Hyde Park Road frontage from the parking area.*
- *Orient any commercial units adjacent to Hyde Park Road to the street by including the principal building entrance on this elevation with direct access to the individual unit entrances to the public sidewalk.*
- *Rotate “Building 3” and locate along the South Carriage Road frontage to allow for a greater portion of the built form parallel the street, with the surface parking located behind the building and direct access from the individual unit entrances to the public sidewalk.*

- Design “Building 1” to have regard for its corner location. Building massing and articulation should address the intersection of Hyde Park Road and South Carriage Road.
- Design the space within the R.O.W., between the proposed building and the existing public sidewalk on Hyde Park Road, to be consistent with the design that has been implemented for other developments in the Hyde Park area.
- Provide for a store-front design for any ground-floor commercial units proposed on the Hyde Park Road frontage. This should include a higher proportion of vision glass, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance.

Landscape Comments:

The City Landscape Architect provides the following comments consistent with the Official Plan, applicable by-laws, City design requirements and specifications:

- The current site plan shows site ingress across 1369 Hyde Park Rd with the removal of boundary and off-site trees.
- A tree preservation plan of the south property line is required as part of a complete application to:
 - establish the ownership of trees growing along property lines, including the identification of boundary trees that are protected by the province’s Forestry Act 1998, c. 18, Sched. I, s. 21.
 - Identify rare or endangered species that are protected by the province’s Endangered Species Act, 2007, S.O., C.6
 - Identify:
 - offsite trees 3m outside property line
 - “distinctive” trees - 50cm dbh that are protected by the City’s Tree Protection Bylaw, C.P. 1515-228
 - Identify canopy spread of all existing trees; tree symbols to reflect canopy extents
 - Detail tree removals, tree retention, tree fence alignment and construction mitigation measures.

The tree preservation plan must be completed in accordance with the City of London Design Specifications and Requirements Manual Section 12.1.2.1.

No tree removals arising from demolition, construction, or any other activity shall take place on the subject property prior to Site Plan Approval.

Tree protection measures shall be in accordance with Section 12 of the City of London Design Specifications & Requirements Manual and implemented prior to any tree removals, land clearing, demolition, excavation, construction or grading operations. A landscape plan is required as part of a complete application. The plan must be completed in accordance with the City of London Site Plan Control Bylaw Section 1.6.1, Section 9. The base plan should be the same scale as the site plan, superimposed on top of servicing plan. Include:

- cross-sections to show detailed tree and potted shrub planting methods. Planting details and specifications should be in accordance with the City of London Supplemental Standards for Tree Planting and Protection Guidelines <https://www.roadauthority.com/Standards>,
- planted islands within the parking areas a- one planter for every 50 stalls, planter 10sqm or 100 sq ft with 0.9m depth,
- tree planting along site fronting onto a public street in 3m wide landscape strip; 1 tree per 12m.
- tree planting along interior property lines in 1.5 landscape strip; 1 tree per 15m,

- screen drive through lane from Hyde Park
- tree planting along pedestrian paths to fulfill **London Plan Policies 386, 38, 388**
- (stamp) of a landscape architect,
- Consider planting vegetation that supports pollinators fulfills **London Plan Policy 249 and 649,**

Include in landscape notes:

If topsoil is to be stockpiled for use on site development, avoid mixing topsoil with subsoil. Limit height of stockpile to 3 meters to retain soil microorganisms and soil viability and fertility. Indicate on drawing intended stockpile location.

All work in the road allowance shall meet the minimum specifications of the City of London Standard drawing SR-1.0.

Ensure a minimum of 100 mm topsoil is laid in boulevard and protect the City Owned Road Allowance from compaction or soil contamination.

All tree removals must take place between September 1 and April 1st to avoid disturbing nesting migratory birds.

Tree may be removed outside this window only if a qualified bird specialist has been determined there are not nesting birds in the trees. This requirement is in accordance with the Migratory Birds Convention Act, 1994.

Ensure that tree protection fencing is installed around existing trees, do not place demolition or construction materials under tree canopy.

Tree Preservation comments (in response to the circulation of the second submission on December 9, 2022 the Landscape Architect revised her comments as follows)

The applicant has forwarded a Tree Assessment Report prepared by RKLA. There are no concerns about the assessment methods or format of report.

The inventory captured 27 individual trees within the subject site, within 3 meters of the legal property boundary, and within the City ROW adjacent to the site. No endangered species were observed during the tree inventory.

The southern ingress from Hyde Park encroaches onto adjacent property and requires the removal of several boundary trees and trees beyond the subject site.

Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. Every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the land owners is guilty of an offence under this Act. 1998, c. 18, Sched. I, s. 21.

The City will not accept a Tree Preservation Plan at time of Site Plan Application with outstanding consents for the removal of boundary and offsite trees. Site Plan approval will require the letters of consent. Letters of consent for removal of offsite and boundary trees are to be forwarded to City with Site Plan Application Documents.

To remove the requirement for consent letters, move driveway ingress entirely within site and do not proposed the injury or removal of offsite and boundary trees,

Parks comments (December 1, 2021)

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Engineering comments

Sanitary (Dec 6, 2021):

- *Based on the recent submitted ZBA there was an attached servicing report for the above noted, SED notes that York and AGM identified the subject lands as a 1.41 ha area and was allotted an equivalent population of 141 people. As submitted, they are proposing 233 people in a mixed use of stacked townhouse residential, commercial retail and restaurant use on 1407-1427 Hyde Park.*
- *SED has no objection with the proposed population of 233.*
- *The intended outlet is a 450mm diameter on Hyde park Rd. As per record drawings there is an existing PDC stubbed to the 450mm diameter sanitary on Hyde Park for the entire subject lands when it was intended as one commercial development.*
- *As part of a future site plan application the subject lands proposed as a mixed use will need to demonstrate how they can be serviced and connected meeting all applicable standards to the abutting 450mm municipal sanitary sewers. The proposed development will require inspection MH's for the non residential uses. Further comments may be forthcoming with future development applications.*

Transportation (December 15, 2021)

- *No further widening requirements.*
- *Detailed comments regarding access design and location already provided at the site plan pre consultation in June/2021. (South access should be along projected frontage of 1407-1427 Hyde Park, joint access with 1369 Hyde Park not supported as the neighbouring property is already serviced by another access to the South and does not require an additional access.)*

Stormwater (December 21, 2021):

SWED staff have no new or additional comments for the subject site beyond those previously provided for pre-application consultation (dated March 5, 2021). Additional SWM related comments may be provided upon future review of this site.

The Stormwater Engineering Division staff have no objection to this pre-application. For the benefit of the project, please ensure the applicant is informed about the following SWM issues/requirements to be considered by the applicant's consultant engineer when preparing the storm servicing strategy for this land during the development application stage:

Specific comment for this site

- *The site is located within the UTRCA regulated area and therefore UTRCA approval/permits may be required, including confirmation as to required setbacks.*
- *As per attached as-constructed 19211 & 26822, the site at C=0.90 is tributary to the existing 525mm storm sewer stub at the western property line. 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.*
- *The number of proposed parking spaces exceed 29 and although the site is tributary to a stormwater management facility, City of London SWMF's are not designed to accommodate/treat oils. The owner shall be required to have a consulting Professional*

Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Bearing in mind the City of London does not support Goss Traps/Catchbasin Hoods as standalone solutions to address water quality and should only be utilized as part of a Treatment Train Design.

- The proposed land uses of a medium density residential and 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.*
- The applicants consulting engineer shall ensure that there is no shared servicing between land uses proposed as part of the site plan application.*
- This site plan may be eligible to qualify for a Stormwater Rate Reduction (up to 50% reduction) as outlined in Section 6.5.2.1 of the Design Specifications and Requirements manual. Interested applicants can find more information and an application form at the following: <http://www.london.ca/residents/Water/water-bill/Pages/Water-and-Wastewater-Rates.aspx>.*
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.*
- An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed LIDs. For examples of such report contents please refer to the following website <https://cvc.ca/low-impact-development/lid-maintenance-monitoring>.*
- As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely convey the 250 year storm event.*

General comments for sites within Stanton Drain Subwatersheds

- The subject lands are located in the Stanton Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stanton Drain Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.*
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.*
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.*

- *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.*

Water (Dec 2, 2021):

- *There is an existing 450mm PVC watermain at Hyde Park Rd, and 300mm PVC on South Carriage Rd*
- *The area is located within the Hyde Park PS High level zone.*
- *The applicant shall identify the ownership for the buildings(one single ownership or multi). Where all buildings will remain within one ownership, a single private watermain could provide municipal water servicing to the site. Where there will be more than one ownership in the future of the buildings proposed, it will be necessary to have separate water servicing provided to each separately owned site and the buildings on that site in order to prevent the creation of a regulated drinking water system.*

3) Agency Comments

Upper Thames River Conservation Authority comments (in response to the circulation of the second submission on December 9, 2022 the UTRCA revised their comments as follows)

In our correspondence dated January 26, 2022, the Upper Thames River Conservation Authority (UTRCA) had advised that the subject lands are regulated due to the presence of a watercourse and the associated flooding hazard. We noted that the feature had not been identified on the concept/site plan.

The presence of the watercourse was to be confirmed and addressed with an appropriate setback of 15 metres being provided from the top of bank. Alternatively, if the intent was to seek approval to enclose the watercourse, proper justification was required. Furthermore, the necessary Section 28 approvals would have to be secured prior to any works being undertaken within the regulated area.

The applicant has submitted 1407 & 1427 Hyde Park Road Proposed Mixed-Use Development Regulated Channel Memo prepared by AGM dated August 2, 2022. The UTRCA is generally satisfied with the submission and we are of the opinion that the necessary approvals to enclose the watercourse can be secured. Our comments on the channel memo are as follows –

- 1. Please provide justification for why the proposed watercourse enclosure is a net environmental benefit. This may include submitting a compensation plan.*
- 2. Please confirm the existing catchment area to the site from external lands to ensure that the watercourse is an appropriate candidate for enclosure.*
- 3. Please provide the following information/confirmation:*

- a) *Engineered designs must confirm that flood conveyance/control/storage are not impacted.*
- b) *Confirmation that there will be no negative impact on SWM facility west of Hyde Park Rd.*

4. The UTRCA has reviewed the September 12, 2022 PEC Report and we concur with the City's Stormwater comments (dated December 21, 2021). Please include the Conservation Authority in the review process of the storm/drainage servicing report.

RECOMMENDATION As indicated, the UTRCA is of the opinion that the outstanding matters with respect to the proposed watercourse enclosure can be resolved through the Site Plan approval process and also that the necessary Section 28 approvals can be secured. We therefore have no objections to this application.

London Hydro comments (December 6, 2021)

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

Canadian Pacific Railway comments (December 2, 2021)

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Appendix C – Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

Infill and Intensification

Located within the Built Area Boundary: No
Located within the Primary Transit Area: **No**
Net density change: **65 units per hectare (72 units)**
Net change in affordable housing units: **N/A**

Complete Communities

New use added to the local community: **Residential and Commercial**
Proximity to the nearest public open space: **across Hyde Park Road to the west – approximately 60 metres**
Proximity to the nearest commercial area/use: on site and to the north
Proximity to the nearest food store: **N/A**
Proximity to nearest primary school: **approximately 400metres**
Proximity to nearest community/recreation amenity: **N/A**
Net change in functional on-site outdoor amenity areas: **landscaped open space of 35 percent from zero.**

Reduce Auto-dependence

Proximity to the nearest London Transit stop: **On Hyde Park Road**
Completes gaps in the public sidewalk network: **Yes**
Connection from the site to a public sidewalk: **Yes**
Connection from the site to a multi-use pathway: No
Site layout contributes to a walkable environment: No
Proximity to nearest dedicated cycling infrastructure: **N/A**
Secured bike parking spaces: **36**
Secured bike parking ratio: Unknown
New electric vehicles charging stations: **Unknown**
Vehicle parking ratio: **177 spaces, plus visitor parking is proposed-exceeding requirement**

Environmental Impacts

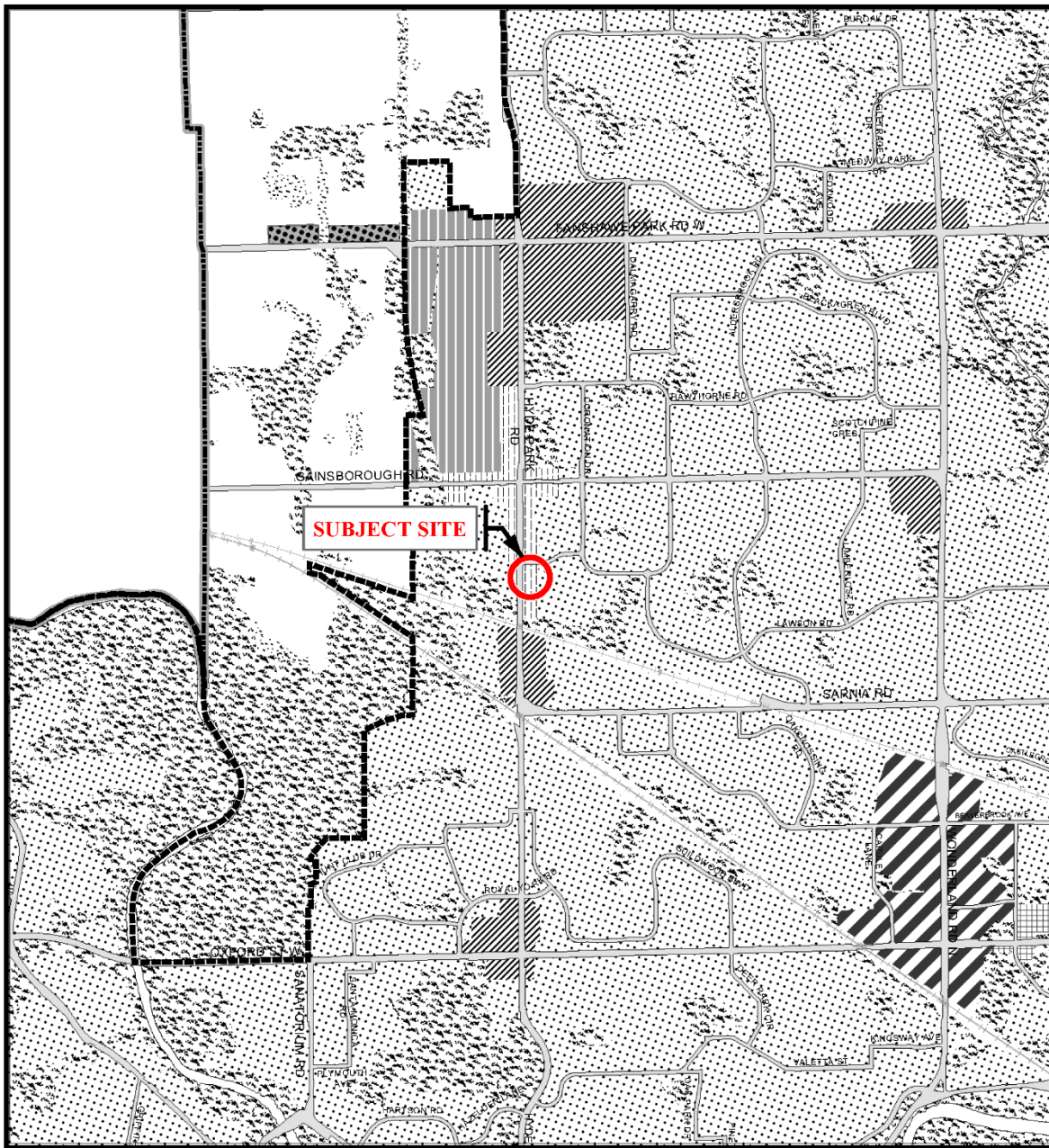
Net change in permeable surfaces: **Increased through application**
Net change in the number of trees: **Increased through application**
Tree Protection Area: **No**
Landscape Plan considers and includes native and pollinator species: **N/A**
Loss of natural heritage features: **Proposed covering of stream corridor**
Species at Risk Habitat loss: **No**
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): **N/A**

Construction

Existing structures on site: No
Existing structures repurposed/adaptively reused: **N/A**
Green building features: **Unknown**
District energy system connection: Unknown

Appendix C – Relevant Background

Additional Maps



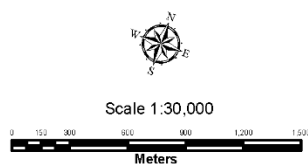
Legend

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

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

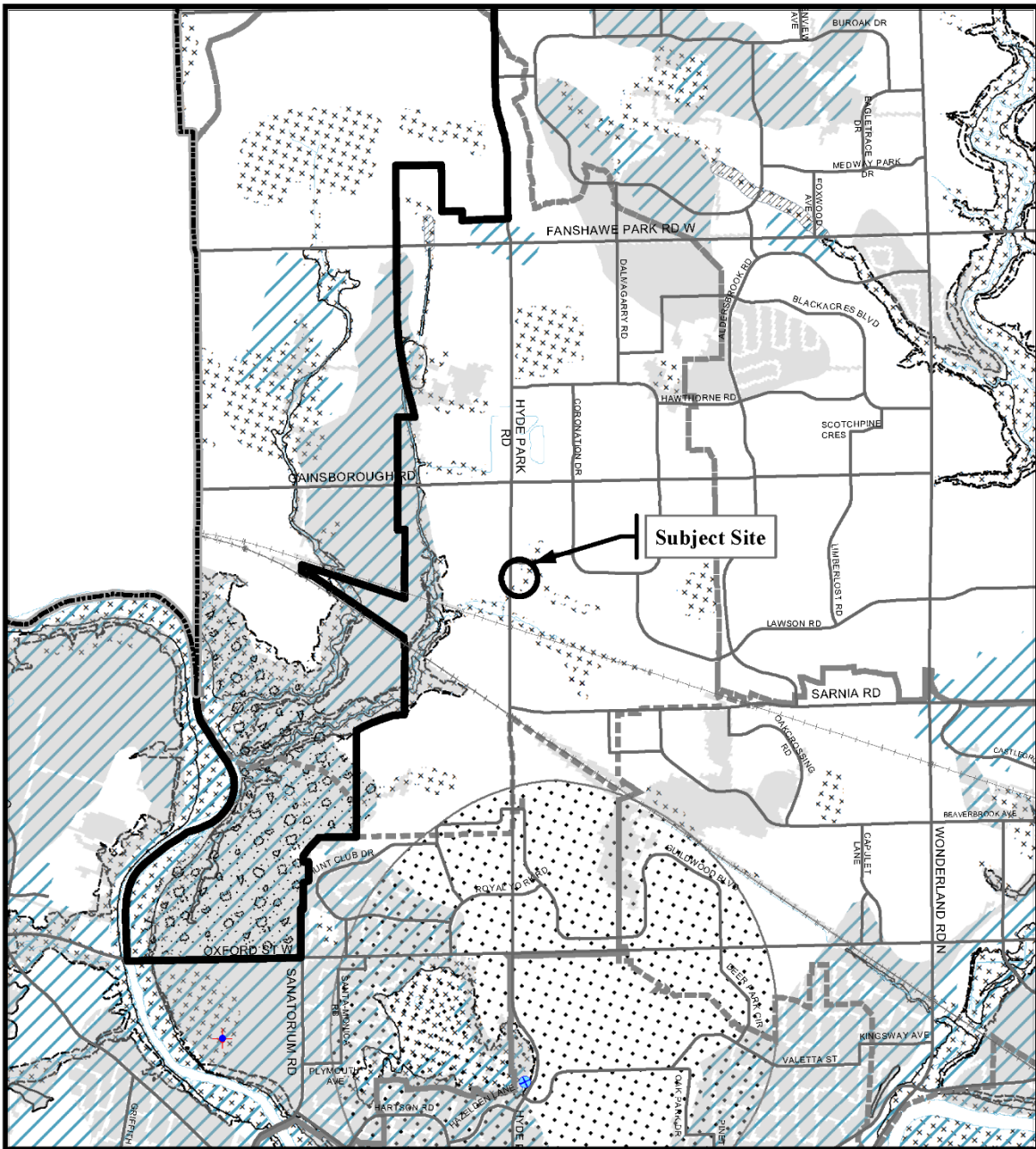
CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning & Development



File Number: OZ-9438
Planner: CP
Technician: RC
Date: 2022/08/05

Project Location: E:\Planning\Projects\p_officialplan\workconsol\00\excerpts_LondonPlan\mxds\OZ-9438-Map1-PlaceTypes.mxd



HAZARDS

- Regulatory Flood Line
NOTE 1: Flood Lines shown on this map are approximate. The precise delineation of flood plain mapping is available from the Conservation Authority having jurisdiction.
NOTE 2: Flood Fringe mapping for certain areas of the City is available from the Upper Thames Conservation Authority.
- Special Policy Areas
- Potential Special Policy Areas
- Riverine Erosion Hazard Limit for Confined Systems
NOTE: Steep Slopes Outside the Riverine Erosion Hazard Limit on the map are approximate. Precise delineation is available from the Conservation Authority having jurisdiction.
- Riverine Erosion Hazard Limit for Unconfined Systems
- Maximum Hazard Line

- Conservation Authority Regulation Limit
- Abandoned Oil/Gas Wells
- NATURAL RESOURCES**
- Aggregate Resource Areas
- Extractive Industrial Areas
- Wellhead Protection Area
- Emergency Municipal Water Wells
- Significant Groundwater Recharge Areas
- Highly Vulnerable Aquifers

BASE MAP FEATURES

- Streets (see Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds
- Conservation Authority Boundary
- Subwatershed Boundary

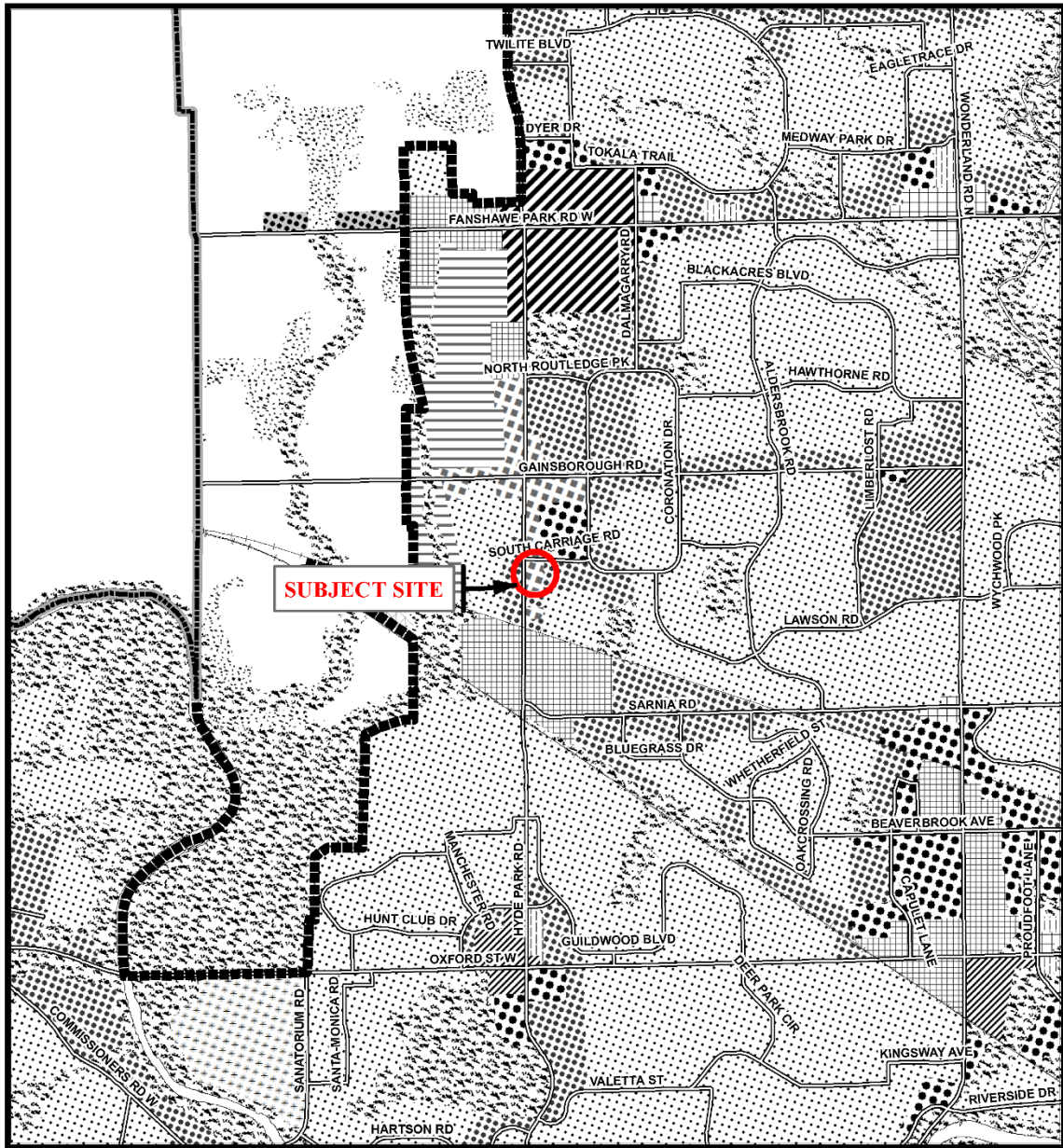
This is an excerpt from Planning & Development's working consolidation of Map 6 - Hazards and Natural Resources of the London Plan, with added notations.

CITY OF LONDON
Official Plan
 LONDON PLAN MAP 6
 - NATURAL HAZARDS AND NATURAL RESOURCES -
 PREPARED BY: Planning & Development

Scale 1:30,000

 Meters

FILE NUMBER: OZ-9438
 PLANNER: CP
 TECHNICIAN: RC
 DATE: 8/8/2022

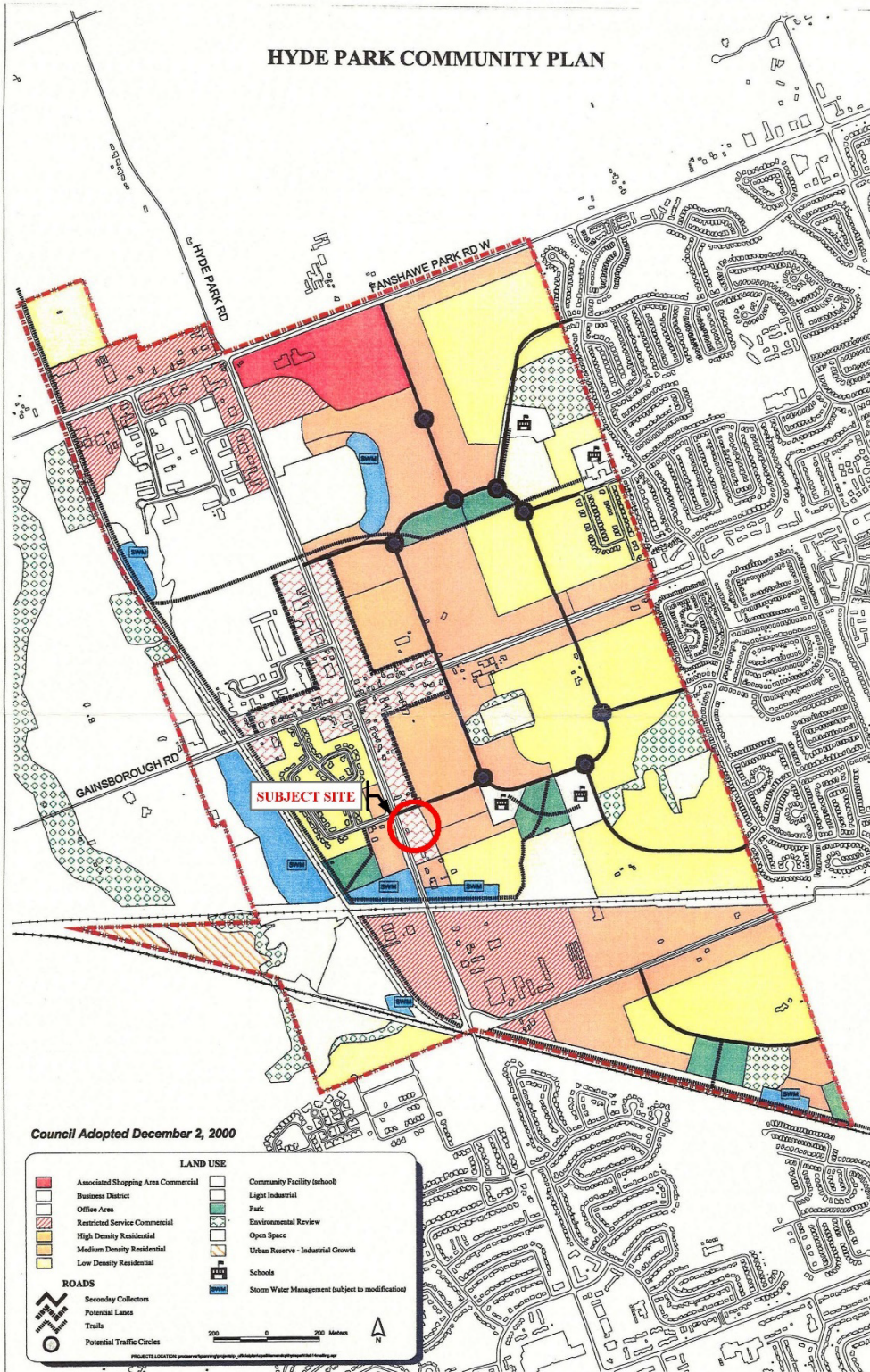


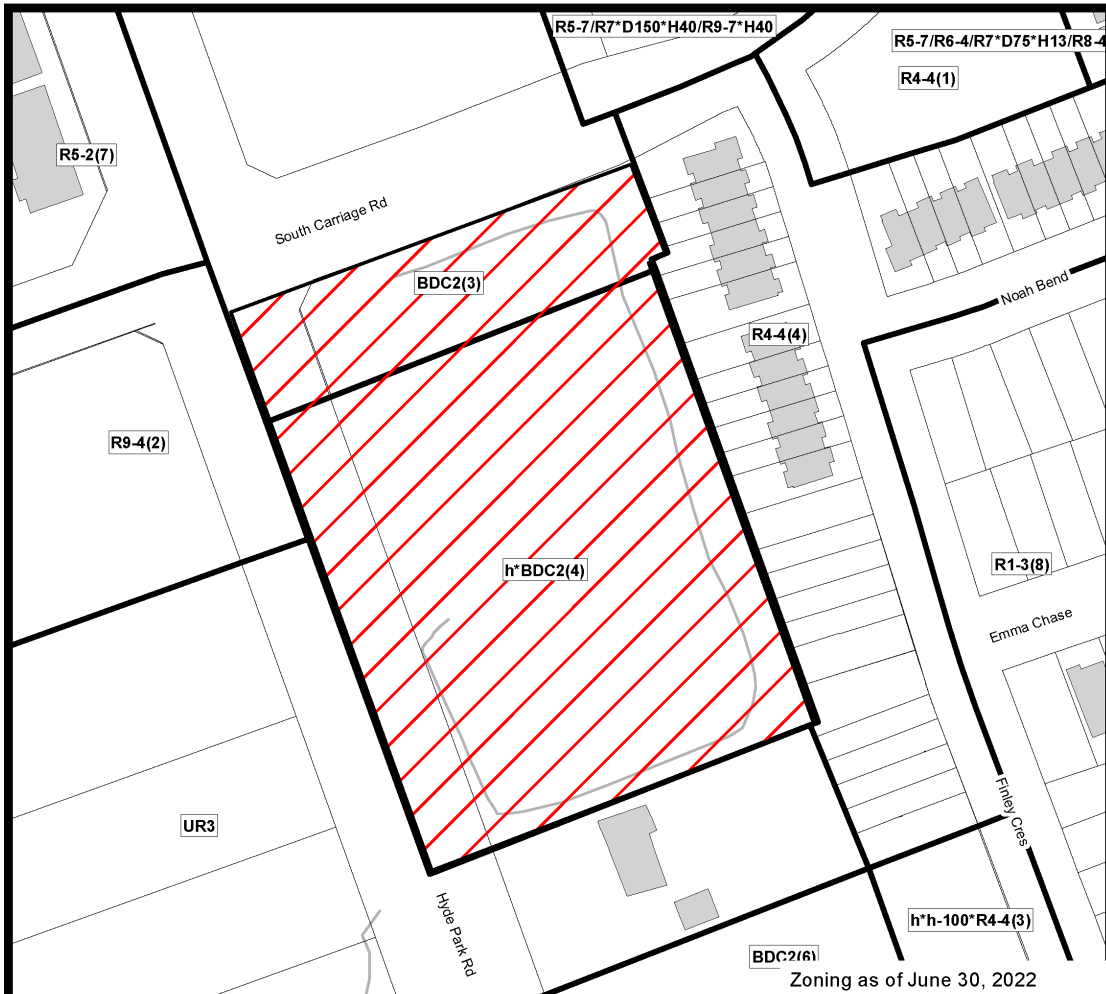
| Legend | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New 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>0 150 310 620 930 1240 1550</p> <p>Meters</p> | <p>FILE NUMBER: OZ-9438</p> <p>PLANNER: CP</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/08/05</p> |
|--|--|--|

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

HYDE PARK COMMUNITY PLAN





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:
OZ-9438 CP

MAP PREPARED:
2022/08/05 RC

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



London
CANADA

1407-1427 Hyde Park Road



OZ-9438/York Developments
Planning and Environment Committee –
March 27, 2023

Location (Slide 1)



- located at the southeast corner of Hyde Park Road and South Carriage Road
- 1.4 hectares in size
- Current Use: Vacant
- Surrounding uses:
 - North: retail/service commercial and residential
 - East: Low Density Residential
 - South: Single detached dwelling and commercial
 - West: Vacant



Current Policy and Regulation Framework (Slide 2)

- Main Street Commercial Corridor (1989 Official Plan)
- Business District (Hyde Park Community Plan)
- Holding Business District Commercial Special Provision (h.BDC2(4) and BDC2(3)) Zones (Zoning By-law Z-1)
- Main Street Place Type (London Plan)
- Since the approval of the Hyde Park Community Plan by Council in the late 1990's, the policy approach to this area with regard to form has been consistent; street-orientated development, more than one storey in height and rear yard parking.

Requested Amendments (Slide 3)

- Specific Area Policy to Main Street Place Type in London Plan to allow a one storey building (minimum 2 storeys required)
- Zoning By-law amendment to;
 - Permit stacked townhouses;
 - Maintain the existing special provision exempting the site from the maximum 3.0 m front yard setback;
 - Permit a maximum density of 65 units per hectare;
 - Permit a maximum height of 14.5 m in place of 12 m;
 - Allow front yard parking.

Proposed Site Plan- 2nd Submission (Slide 4)



Proposed Building Elevations- 2nd Submission (Slide 5)





Major Public/Department/Agency Comments (Slide 6)

- Public- increased traffic and reduction in pedestrian safety especially due to the drive-through and mix of residential and commercial, need for another restaurant, impact on climate change. (drive-through has been removed)
- City Department – Site Plan, Urban Design and Urban Design Peer Review Panel all had concerns about the design of the two proposals.
- UTRCA – presence of a municipal drain through the site and the proposal to enclose it.

Rationale for Recommendation (Slide 7)

- **Recommendation to refuse all of the requested amendments.**
- **Rationale**
 - Not consistent with 2020 Provincial Policy Statement because of the form of development, is an underutilization of site and may create safety concerns for pedestrians and residents;
 - Not in conformity with Main Street Place Type in The London Plan with regard to intensity and form;
 - Form of development not consistent with Main Street Commercial policies in the 1989 Official Plan and the Business District policies in the Hyde Park Community Plan; and,
 - Proposed site layout and functioning, how the uses are mixed and lack of amenity space for residential.
 - A tall, one storey commercial building does not meet the intent of previous and current policies.

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: 614 Westmount Crescent
City File: Z-9553 Ward 10
Public Participation Meeting
Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of LA-Rosa Community Ltd. relating to the property located at 614 Westmount Crescent:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting April 4, 2023 to amend Zoning By-law No. Z.-1, in conformity with The London Plan for the City of London, to change the zoning of the subject property **FROM** a Residential (R1-9) Zone **TO** a Residential R5 Special Provision (R5-5(_)) Zone;
- (b) **IT BEING NOTED** that the following urban design and site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:
 - i) Provide 2-storey townhouses south of the access along Westmount Crescent to provide an appropriate height transition from abutting low-density residential as per the site plan dated February 21, 2023;
 - ii) Provide lockable front doors and habitable living space on street-facing facades, including direct connections from the front doors to a walkway or sidewalk connection along the frontage of the property;
 - iii) No fencing be provided between the buildings and the public street;
 - iv) Clarify how the disposable recycling and waste is stored and collected on the site plan;
 - v) Confirm the gross floor area of each dwelling unit and confirm basement ceiling height is 1.8 metres or more;
 - vi) Provide shared amenity space on site, and consider adding purposeful features to this space for amenity;
 - vii) Protect and retain as many of the City trees on the adjacent boulevard as possible. No tree removals shall happen until a permit has been issued by Forestry Operations in compliance with the City of London Boulevard Tree Protection By-law. Replacement trees shall be provided in appropriate locations;
 - viii) Consider offsetting any tree removals with plantings;
 - ix) Update the tree preservation plan to ensure all required information outlined by the Landscaped Architect has been included;
 - x) Ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist; and
 - xi) Identify the location of fire route signage and provide a standard detail on the site plan.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site to a Residential R5 Special Provision (R5-5(_)) Zone to permit 18 cluster townhouses and a density of 39 units per hectare. The following special provisions have also been applied:

- a minimum front yard setback of 1.5 metres, whereas 6.0 metres is required.
- a maximum height of two storeys for the south portion of the site.
- The provision of front doors and habitable living space on the front façade of buildings.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to rezone the subject site to permit the development of five, 2-storey cluster townhouses and thirteen, 3-storey cluster townhouses for a total of 18 units, which is equivalent to a density of 39 units per hectare.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS), which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future.
2. The recommended amendment conforms to the policies of The London Plan including but not limited to, Our City, Key Directions, City Building, Neighbourhoods Place Type and will facilitate a built form that contributes to achieving a compact, mixed-use city.
3. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood.
4. The recommended amendment facilitates the development of an underutilized property within the Built-Area Boundary through an appropriate form of infill development.
5. The recommended amendment facilitates a type of residential development that will help to address the growing need for affordable types of housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Refer to Appendix C for further details on the characteristics of the proposed application related to the City's climate action objectives.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

None.

1.3 Property Description

The subject site is located on the east side of Westmount Crescent, south of the Commissioners Road West intersection and west of the Wonderland Road South corridor. The subject lands have an irregular shape, measure approximately 0.47 ha in area and have approximately 116 m of frontage on Westmount Crescent. A single detached dwelling is currently located on these lands.



Figure 1: 614 Westmount Crescent facing east (Google image, June 2021)

1.4 Current Planning Information

- The London Plan Place Type – Neighbourhoods fronting a Neighbourhood Street (Westmount Crescent)
- Existing Zoning – Residential R1 (R1-9) Zone

1.5 Site Characteristics

- Current Land Use – One single detached dwelling
- Frontage – 116 metres
- Depth – Irregular
- Area – 0.47 hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Low density residential, Commissioners Rd W, proposed cluster townhouses
- East – Low density residential, cluster townhouses, commercial, Wonderland Road N
- South – Low density residential
- West – Westmount Crescent, low density residential, proposed mid-rise apartment

1.7 Location Map



1.8 Intensification

The proposed 18 residential units represent intensification just outside of the Primary Transit Area but within the Built-Area Boundary.

2.0 Description of Proposal

2.1 Original Development Proposal

On October 4, 2022, the City accepted a complete application that proposed a 3-storey, cluster townhouse development, containing 20 dwelling units, equating to 43 units per hectare. Vehicular access to the site was proposed to be provided by a single right-in, right-out driveway from Westmount Crescent and will be located near the south property line. Common outdoor amenity area and landscaping was proposed on 4 portions of the property. Each unit was proposed to have parking with a garage and 2 accessible parking spaces were also provided. The original site concept plan and elevation are shown in Figure 2 and Figure 3 below.

Figure 2: Original Site Concept Plan



Figure 2: Original Site Concept Plan

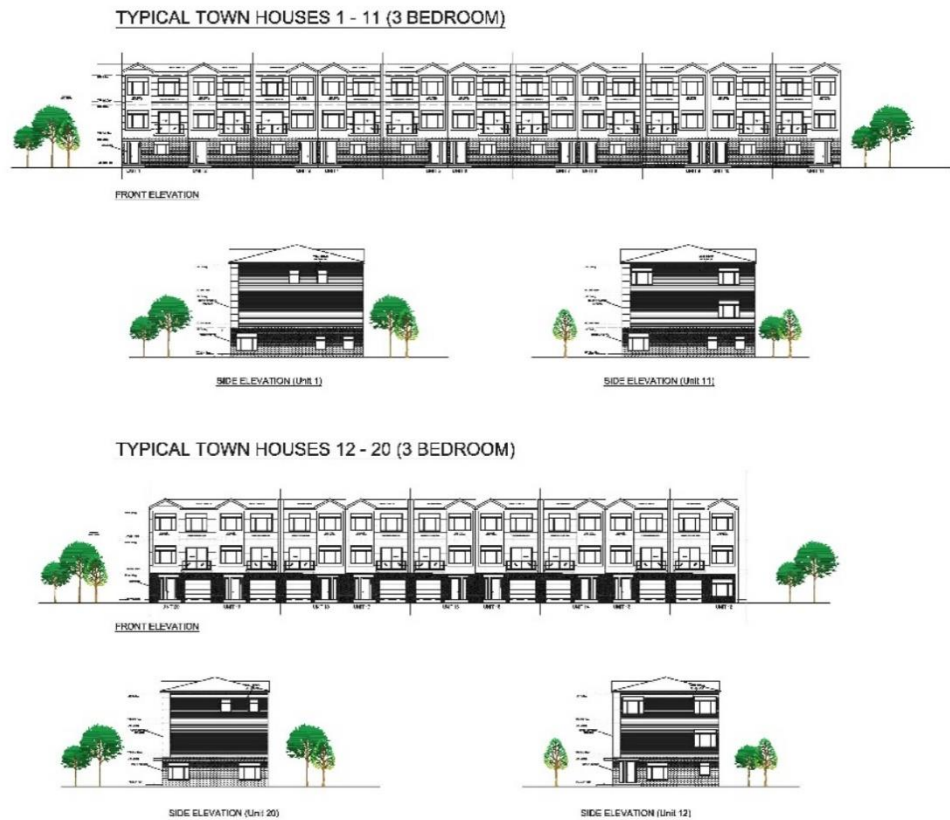


Figure 3: Original Building Elevations

2.2 Revised Development Proposal

Recently, the applicant has made some changes to the design and layout of the proposal as part of a response to staff comments, and public concerns. A revised application was submitted which include the following changes:

- Reduction in the number of units from 20 to 18;
- A mix of 2 and 3-storey heights have been provided in place of all 3-storey buildings;
- All driveways to unit parking spaces and garages are internal.
- All units are now fronting onto Westmount Crescent and the internal access with driveways only from the internal access.
- The proposed development now complies with all the required setbacks of the proposed zone with the exception of the front yard setback;
- More functional outdoor amenity areas with landscaping have been provided;
- A sufficient width for landscaping has been provided along the perimeter of the site.

The revised site concept plan and elevations are shown in Figures 4 to 8, inclusive, below.



Figure 5: Revised Site Concept Plan

TYPICAL TOWN HOUSES 1 - 7 (3 STOREYS - 3 BEDROOM)



Figure 6: Revised Elevation(Units 1-7)

TYPICAL TOWN HOUSES 8 - 12 (2 STOREYS - 3 BEDROOM)



Figure 7: Revised Elevation(Units 8-12)

TYPICAL TOWN HOUSES 13 - 18 (3 STOREYS - 3 BEDROOM)



Figure 8: Revised Elevation(Units 13-18)

2.3 Requested Amendment

The applicant is requesting a Residential R5 Special Provision (R5-5()) Zone, which permits cluster townhouse dwellings. Requested special provisions include a minimum front yard setback of 1.5 metres, whereas 6.0 metres is required.

2.4 Community Engagement (see more detail in Appendix B)

Through the community engagement process, eight written responses were received from members of the public.

The public concerns that have been raised with respect to the development proposal relate to the following matters:

- Density
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value
- More development in the area

2.5 Internal and Agency Comments (see more detail in Appendix B)

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

3.0 Financial Impacts

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 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 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 encourages areas inside the urban growth boundary (i.e. “settlement areas” per s. 1.1.3 Settlement Areas) to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s.1.1.3.2).

Analysis

Consistent with the PPS, the recommended townhouse development will contribute to the existing range and mix of housing types in the area, which consists primarily of low density residential. Although the proposed development has a greater intensity and built form as compared to the existing surrounding neighbourhood context, with exception to a proposed townhouse development to the north that fronts onto Commissioners Road West, it provides appropriate setbacks and incorporate transitioning height, landscaping and design elements to adjacent uses.

The subject lands are of a size and configuration capable of accommodating a more

intensive redevelopment on an underutilized site. With exception to a decreased front yard setback, no additional special provisions are required in terms of setbacks, which are typically signs of potential over intensification of a property. The increased intensity of development on the site will make use of existing transit services, nearby active and passive recreation opportunities, and commercial uses.

The recommended intensification of the subject property will provide choice and diversity in housing options for both current and future residents, and will optimize the use of land and public investment in infrastructure in the area. Surrounded by a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth that is consistent with the PPS.

4.2 Issue and Consideration #2: Use

The London Plan

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix of unit types and should avoid the broad segregation of different housing types, intensities, and forms.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting a Neighbourhood Street (Westmount Crescent). Table 10 - Range of Permitted uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed based on the fronting street classification (921). At this location, Table 10 would permit a range of low-rise residential dwelling types, including low-rise townhouses (Table 10-Range of Permitted Uses in Neighbourhoods Place Type).

Analysis:

Under The London Plan Neighbourhoods Place Type policies (916_3), the expectation is that townhouses are anticipated to be developed within neighbourhoods at appropriate locations. These policies provide guidance to situating of various residential types relative to the street classification. As noted, the subject site fronts onto a Neighbourhood Street which permits townhouses. The development of the proposed 2 and 3-storey townhouses with 18 units, would contribute to a mix of housing types and provides a more attainable affordable housing option in the community. Adjacent surrounding uses include low density residential with higher density residential uses generally along Commissioners Road West and Wonderland Road South. In this context, a townhouse development is not out of place the neighbourhood and its impact would be mitigable. Consistent with this surrounding context as well as the list of uses permitted in the policies, the recommended development is in keeping with the policies at this location.

Furthermore, the analysis of intensity and form below will demonstrate that the proposed development can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

4.3 Issue and Consideration #3: Intensity

The London Plan

The London Plan contemplates residential intensification in appropriate locations and in a way that is sensitive to and a good fit within existing neighbourhoods (Policy 83_). 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 (Policy 937_). Additionally, The London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 1 storey and a maximum height of 3-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). The intensity of development must be appropriate for the size of the lot (953_3.).

Analysis

The subject site is of a size and configuration capable of accommodating a more intense development than the existing single detached dwelling that is currently permitted. Further, the subject lands have access to four London Transit bus routes and is surrounded by a mix of low and medium residential uses. Also, the site is located within walking distance to some commercial and institutional uses at a significant commercial node including a grocery store, retailers, personal service establishments, restaurants/cafes, and a pharmacy to the east at the Commissioners Road West and Wonderland Road South intersection. Further to the south there are a broad range of uses including Westmount Mall, two places of worship, mid to high-rise apartment buildings, Saunders Secondary School, and additional commercial range of uses further to the south. There are several open space areas within approximately 5–10 minute walking distances such as Rosecliffe Park, Westmount Lions Park, Mitchell Park, Lyngate Grove Park and Viscount Woods.

Given this site is currently developed with a single detached dwelling, the proposed development represents an appropriate form of intensification through infill development. The current single detached dwelling represents an underutilization of an existing 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 The London Plan directs and support residential intensification and redevelopment. The proposal is considered in keeping with the intensity policies set out by The London Plan. As such, staff is satisfied the proposed intensity and scale of development is in conformity with The London Plan.

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). The London Plan also provides guidance on compatibility and fit with regards to form (Policy 953_).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood, considering such things as 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 appropriate to the scale of the surrounding neighbourhood (953_2.a. to f.). The Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_)

Analysis

The applicant has provided a development concept (Figure 4) as part of a complete application to support and justify the form of development and its relationship to the neighbourhood.

Consistent with The London Plan, the recommended intensification of the subject properly would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands for townhouses would contribute to achieving a more compact form of growth and development than the single detached dwelling that currently occupies the site.

The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses, and that the location and massing of the proposed townhouses is consistent with urban design goals of The London Plan. The buildings are proposed to be situated close Westmount Crescent in order to define the street edge creating a street presence that is appropriate with the surrounding context. The building design, including front door orientation will be refined at the site plan stage, to create an animated and vibrant street frontage that interacts well with the existing boulevard, creating a strong street presence and providing an interactive realm along the street. Staff is recommending a special provision to ensure front doors are oriented to face Westmount Crescent and habitable living space is provided along these front facades to activate the streetscape, which is consistent with other existing dwellings that face Westmount Crescent.

Adequate parking is provided for the proposed development, as required by the Zoning By-law and Site Plan Control By-Law. Access is aligned appropriately with the driveway at 615 Westmount Crescent. Adequate space is provided around the edges of the property to provide for appropriate screening of the adjacent to abutting properties. This mitigation will include trees, landscaping and fencing that would screen the proposed development that serves to provide privacy for both residents and neighbours.

The 2 and 3-storey heights of the proposed buildings are somewhat higher than the low density residential in the area; however, as noted, the 3-storey townhouses are located closer to the higher order street being Commissioners Road West and also back onto a site that fronts Commissioners Road West that was recently rezoned for a townhouse development. The development proposal transitions down to the 2-storey townhouses, which is more in keeping with the internal low rise character of the surrounding neighbourhood. Additionally, there is an existing single detached dwelling being used as a group home at 590 Commissioners Road West, the southeast corner of Commissioners Rd W and Westmount Crescent. The proposed development does not preclude development opportunities for 590 Commissioners Road W, and as mentioned, also serves to support the transition into the neighbourhood.

Through the review of the initial proposal submission, Planning and Development staff and the Urban Design Peer Review Panel identified various considerations regarding the design of the development proposal. The applicant has taken these considerations into account along with other staff concerns and public concerns, and has revised the proposal as outlined in section 2.2 above in this report. The applicant is commended for revising the proposal and providing a site and building design that incorporates an active-low rise built form along Westmount Crescent that provides outdoor amenity space, and provides height transitions and large setbacks for a transition to the abutting low rise character of the surrounding residential neighbourhood. Additional building and site design considerations will be implemented as part of the subsequent site plan application. Staff are satisfied that the Evaluation Criteria for Planning and Development Applications in the Our Tools part of The London Plan have been met through the recommended Zoning By-law amendment and can be further addressed through the site plan control review process.

The refinements illustrated on the revised site plan, and elevations provide certainty with respect to appropriate building location and height, amenity space, buffering, and design in order to establish suitable zoning regulations.

At the site plan control review stage, City staff will continue to refine these building and site design features with the applicant for implementation in the final approved drawings and development agreement, including:

- i) Provide 2-storey townhouses south of the access along Westmount Crescent to provide an appropriate height transition from abutting low-density residential as per the site plan dated February 21, 2023;
- ii) Provide lockable front doors and habitable living space on street-facing facades, including direct connections from the front doors to a walkway or sidewalk connection along the frontage of the property;
- iii) No fencing be provided between the buildings and the public street;
- iv) Clarify how the disposable recycling and waste is stored and collected on the site plan;
- v) Confirm the gross floor area of each dwelling unit and confirm basement ceiling height is 1.8 metres or more;
- vi) Provide shared amenity space on site, and consider adding purposeful features to this space for amenity;
- vii) Protect and retain as many of the City trees on the adjacent boulevard as possible. No tree removals shall happen until a permit has been issued by Forestry Operations in compliance with the City of London Boulevard Tree Protection By-law. Replacement trees shall be provided in appropriate locations;
- viii) Consider offsetting any tree removals with plantings;
- ix) Update the tree preservation plan to ensure all required information outlined by the Landscaped Architect has been included;
- x) Ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist; and
- xi) Identify the location of fire route signage and provide a standard detail on the site plan.

These are the detailed matters summarized under clause c) of the staff recommendation for the Site Plan Approval Authority to consider through the site plan review process.

4.5 Issue and Consideration #5: Zoning

The original proposal required a few setback special provisions to facilitate the development. However, the revised development made sufficient changes to ensure this was reduced to a single special provision in an effort to respect the scale and privacy of the surrounding land uses. As a result, only one special provision is required which includes a front yard setback reduction from 6.0 to 1.5 metres. Given there is an existing substantial boulevard and the development creates a strong street presence, staff support this proposed special provision as the proposed use, intensity and form is considered appropriate for the site and surrounding area and meets the intent of the urban design policies of The London Plan.

The proposed development is intended to make efficient use of the property and existing services while the associated density is appropriate given that the site can accommodate the development, adequate parking, landscaped space, outdoor amenity space, private amenity space and provide spatial separation with abutting uses.

4.6 Issue and Consideration #6: Public Concerns

Although many issues have been raised by the residents, many of the concerns can be generally grouped under several key headings - Traffic Impacts and Parking, Privacy and Overlook, Sufficiency of Servicing Infrastructure, Buffering/Tree Removal, and Type of Tenancy.

Comments related to height, form, intensity and compatibility have been addressed in sections 4.1 through 4.5. of this report. Additional planning impact analysis has been provided under Appendix D of this report.

Traffic

Concerns were raised about the amount of traffic that would be generated by this development. Residents in the area are concerned about negative impacts on the neighbourhood in terms of increased traffic and safety.

As mentioned, Transportation did not have concerns with the proposed increase in traffic from the proposed development.

Additionally, Westmount Crescent is a neighbourhood street that serves a small number of dwelling units in the area, thus its traffic volumes are low. Neighbourhood streets are typically intended to accommodate traffic volumes up to approximately 1000 vehicles per day; however, this threshold varies by location, length of road, types of developments etc.

The City has developed a Traffic Calming and Procedures manual to assess when traffic calming measures are required. As per the point assessment table, volumes on local roads may become an issue when volumes reach 1500 vehicles a day. Based on the evaluation tools, the proposed development will not significantly affect the capacity of the local roads.

Privacy and Overlook

Members of the public expressed concerns about loss of privacy. The development proposes the buildings to be placed closer to the Westmount Crescent frontage with the intent to reduce height impacts on the abutting lands, which also supports urban design principles, as well as design flexibility.

With respect to the privacy of yards to the south and east, the buildings are proposed to be set back approximately 12 metres from the east property line and 6.0 metres from the north and south property lines which creates an appropriate separation between the proposed and existing buildings. In addition, the proposed plan provides for a buffer area that can accommodate enhanced, robust landscaping that will provide screening for the adjacent residential uses.

Buffering/Tree Removal

The use of landscaping, fencing and separation distances are helpful to screen development and soften the impacts of new construction. As identified above, the proposed buildings are meeting and exceeding the minimum required setbacks for the north, south and east property boundaries adjacent to existing residential uses, which in addition to providing physical distance separation, also provides space for buffering treatment. The east, north and south property boundaries are intended to have privacy fencing (ie- board on board) installed and plantings are also proposed along these property boundaries to provide for additional buffering above the fence height. Also, existing plantings along the perimeter are recommended to remain, be replaced, or a combination of both that serve to enhance the existing vegetation.

A Tree Inventory was prepared to identify the general type, health and/or significance of trees on site. Site Plan Control review process will allow for further discussion and refinement of the fencing treatment, and retention or enhanced plantings.

Type of Tenancy/Tenure

Several comments were made with respect to who will be living in the proposed development, and questions on whether or not this will be student housing. It's important to note that planning considerations cannot be made based on residential tenure. Type of tenancy and tenure (owner vs. rental) are not planning considerations when analyzing planning applications.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type. The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary with a land use, intensity, and form that is appropriate for the site.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner, Development Services

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

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

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

Copy:
Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 614 Westmount Crescent.

WHEREAS La-Rosa Community Ltd. has applied to rezone an area of land located at 614 Westmount Crescent, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 614 Westmount Crescent, as shown on the attached map comprising part of Key Map No.(A106), from a Residential R1 (R1-9) Zone **TO** a Residential R5 Special Provision (R5-5(_)) Zone.
- 2) Section Number 9.4 of the Residential (R5-5) Zone is amended by adding the following Special Provision:

R5-5(_) 614 Westmount Crescent

a) Regulations

- i) Maximum height of 12 metres (3 storeys) within 125 metres from the centerline of Commissioners Road West.
 - ii) Maximum height of 8 metres (2 storeys) beyond 125 metres from the centerline of Commissioners Road West.
 - iii) Maximum density of 18 units per hectare
 - iv) Front Yard Setback 1.5 metres
(Minimum)
- v) Primary building entrances and a minimum of 2 metres of habitable floor area along building facades fronting Westmount Crescent.

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.

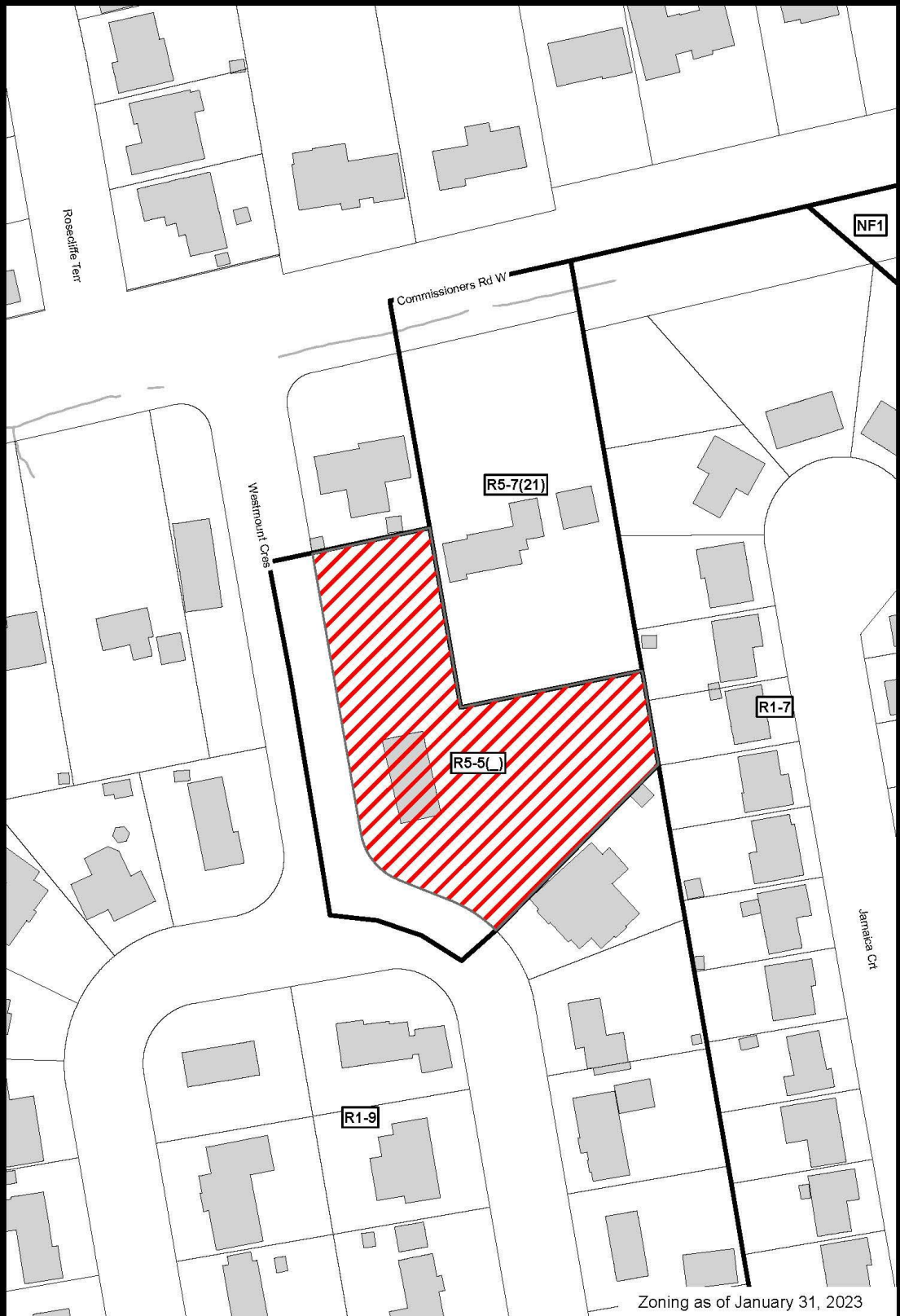
PASSED in Open Council on April 4, 2023.


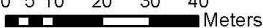

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 4, 2023.
Second Reading – April 4, 2023.
Third Reading – April 4, 2023.

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



| | |
|---|--|
| <p>File Number: Z-9553 Planner: AR Date Prepared: 2023/2/24 Technician: JI By-Law No: Z-1-</p> | <p>SUBJECT SITE </p> <p>1:1,200</p> <p>0 5 10 20 30 40 Meters </p> <p></p> |
|---|--|

Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application:

On October 13, 2022, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 13, 2022. A “Planning Application” sign was posted on the site. On March 2, 2023, A Revised Notice of Application was sent to property owners in the surrounding area. A Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 2, 2023.

Responses:

13 replies were received

Nature of Liaison:

Original Notice

The purpose and effect of this zoning change is to permit a cluster townhouse development comprised of two, three storey buildings containing a total of 20 residential units (equating to a residential density of 43 units/ha). Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-9) Zone **TO** a Residential R5 Special Provision R5-5() Zone. Special provisions would permit a minimum front yard setback of 3.0 metres whereas 6.0metres is required; and to permit a minimum rear yard setback of 4.5 metres, whereas 6.0 metres is required.

Revised Notice

The purpose and effect of this zoning change is to permit a cluster townhouse development comprised of two, three storey buildings containing a total of 20 residential units (equating to a residential density of 43 units/ha). Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-9) Zone **TO** a Residential R5 Special Provision R5-5() Zone. Special provisions would permit a minimum front yard setback of 3.0 metres whereas 6.0metres is required; and to permit a minimum rear yard setback of 4.5 metres, whereas 6.0 metres is required. The City may also consider the use of additional special provisions, or additional zoning amendments as part of this application.

Letter and Publication in “The Londoner”

| Written | Telephone |
|-------------------------|-----------|
| Alan & June Burrell | |
| Murray Mackey | |
| Hey Orłowski | |
| Jamie Robertson | |
| James & Sally Lee | |
| Simon Thuss | |
| Frank and Rose Margella | |
| Nada Turudic | |
| Dr. Amanda Moehring | |
| David and Karen Peak | |

Alan & June Burrell – October 31, 2022

We are writing to object to the above development on our quiet neighbourhood street. Once again in our experience, the developer is attempting to cram too much housing on the site, and as a consequence, reducing the front yard setback from 6 metres to 3 metres and the rear yard setback from 6 metres to 4.5 metres. With the buildings, driveways, roadways and sidewalks, there's not much room for any landscaping. We're

not provided this information in the application but it appears as though hard surface covers at least 80% of the site which is not good for anyone's environment. According to The London Plan, intensification projects have to fit with the neighbourhood and we don't believe this development does fit into our single family residential neighbourhood.

When it comes to the traffic aspect, this development has the potential for us to have 40 more vehicles from residents, plus any deliveries and services to the site, coming and going on that corner of Westmount Crescent into our traffic-calmed quiet neighbourhood, in addition to any related parking on the street. It surprises us that this development could even be considered from the traffic aspect in view of the much larger development being considered just across the road at 608 Commissioners, which is also exiting onto Westmount Crescent.

While we're more in favour of this form of housing (as opposed to the proposal for 608 Commissioners Road), there are just too many units. We hope that this development can be scaled down to be more suitable for the area, so we can continue to live peacefully in our homes. Our long established neighbourhood has been stable for many years and now we're facing the prospect of **four intensification developments** within a short distance of our home.

We hope that city planners and the Planning and Environment Committee give this application their close consideration.

Murray Mackey – November 1, 2022

I wish to submit the following comments and concerns in regards to file: Z-9553 (614 Westmount Crescent):

- I have previously written in response to File: Z-9553
- My concern, in general, is there will be too many developments added in a small area
- Developments referenced as Z-9516, Z-9553, Z-9357, Z-9541, plus one more on Commissioners Road
- Please see my earlier comments from July 13, 2022
- In addition to those comments, we will see significant increases in traffic flow and street parking

Hey Orłowski – October 17, 2022

I vehemently oppose this application, as this will disrupt our neighbourhood with much increased traffic! As a result of increased traffic, there will be safety concerns for both children and seniors.

There is already a proposal to have a six-storey apartment building on the corner of Commissioners and Westmount Cres and now this proposal. The character of this neighbourhood will be totally obliterated!

Jamie Robertson

In my previous email, I listed several reasons this re-zoning of 608 Commissioners and the adjacent property on Westmount Cres should not be approved. As Paul mentioned in his re-election statements of accomplishments, you can't put a 6 story building as infill in a residential subdivision. A subdivision dominated by single story homes in which most are seniors. Now you have an additional application for re-zoning across the road at 614 Westmount Cres (Z-9553) of 43 units. Not to mention 584 Commissioners road that backs on to 614 Westmount Cres application for townhomes.

With most of the properties owned by seniors in this area, with lots being twice the size of a standard lot, would it be safe to say, that if sold to the developers that the city of London cow tails to, this area could become the next Cherry hill? Yes, this is cynical of me, but I've lived in Westmount since 1971, and believe in the community, and how it was originally planned. West on Commissioners, the city approved two developments from properties that were re-zoned from single family. Both those properties are single story dwellings, that fit into the original plan of Westmount. The properties mentioned above, should be approved and built in a similar fashion as those. In my opinion.

James & Sally Lee – October 31, 2022

We are opposed to the application by La-Rosa Community Ltd.

Since acquiring ownership, the owner has done nothing to be a good neighbour. The property has not been maintained - construction material in the front yard, along with downed branches from 2021-2022 winter, yard waste bags in the yard since spring and furniture piled on the front porch. The grass has been cut once this growing season. Despite what City Planners might hope, a majority of the people who will reside in this development will not be taking public transit or riding bicycles. Traffic westbound on Commissioners Road is now backed up during rush hour from the top of Snake Hill to the main corner in Byron. Wonderland is wall to wall traffic at all times of the day from Southdale to Fanshawe.

We are not naïve and realize the property will be developed. Some good quality condominiums or one or two story townhomes would be more in line with the aesthetics of the neighbourhood and welcomed.

There are the issues of an increase in street traffic, on-street parking, loss of privacy, reduction of property value, noise, loss of trees and hedges. We also note the driveway to this proposed development is right on the northeast curve of the Crescent. That is an accident waiting to happen.

The 'Site Concept Plan' is too small to properly visualize the proposal and the size of the parking area. The entire development is too big, too close to the Crescent and to neighbouring properties.

Under 'Planning Policies', what exactly does the second paragraph mean?

Is this careful planning? How can the City Planning Department even consider allowing TWO developments that add significantly to the population of the Crescent and provide vehicular access off a small, traffic calmed Crescent without sidewalks and comprising 20 single family homes? Has anyone from the Planning Department physically visited the Crescent? What about traffic studies? Looking good on paper does not apply in this instance. There are currently four development applications with the City on or within two blocks of our Crescent. The City seems determined to ruin a perfectly nice neighbourhood of single family homes.

No matter how this proceeds, the owner should be showing more consideration for the neighbours by ensuring proper care and maintenance of the entire property.

Simon Thuss – October 26, 2022

I am writing this morning to express support for planning applications Z-9553 and Z-9516. I am a resident in the Westmount community and I support increased density along the major corridors in our neighbourhood (e.g. Commissioners, Wonderland and Southdale).

Our city desperately needs more housing, and we can't simply continue building out. Some infill development must continue along our major transportation routes. I think increased density in this area will also help revive commercial properties in the area, such as Westmount mall, which will benefit the overall community.

I am aware that others in the community have concerns about traffic. However, these proposed developments are well placed with access to Commissioners Road. I am aware of other nearby neighbourhoods that have a much higher density and traffic doesn't seem to be an issue (e.g. I used to live on Baseline Road, west of Wharnccliffe. Density in that neighbourhood is much greater than what is proposed here, without direct access to a major road).

I wish to be notified of any developments or public meetings associated with these applications

Frank and Rose Margella – November 7, 2022

Good morning, my husband and i are SICK TO OUR STOMACH in what the CITY is allowing the developer to change the zoning on the property next door to our home. We live at ----- . We built here 7 years ago. it was and is a quite single family neighborhood. 9 of the townhouses would have their backyards backing into our yard!!! Where is our privacy??? WE OBJECT to this chance to the zoning with all our heart!!!!!!

Nada Turudic – October 14, 2022

PLEASE NOTE WE OPPOSE THE APPLICATION AS WE LIVE ACROSS THE STREET AT -----; WITH ALL THE ZONING CHANGES IN OUR AREA WE WANT TO MAINTAIN OUR SERENE NEIGHBOURHOOD.

Dr. Amanda Moehring – November 2, 2022

I have significant concerns about the zoning amendment and development proposed for 614 Westmount Cres. While I am in favour of increased housing density, these shifts need to be done thoughtfully and with consideration for their impact on existing neighbourhoods.

My primary concerns are:

1. The development is directly within our single-family home neighbourhood, but will be taller than any other structure in our neighbourhood. There are no three-story homes within the entire neighbourhood, and this development will stand out like a sore thumb. It will dramatically change the feel of our neighbourhood, and have a serious negative impact on the privacy of the adjoining lots. It should absolutely not be over two storeys tall.
2. The development is too dense for our small, quiet neighbourhood. The development does not exit onto a major road, and so it adds significant traffic to our streets, which are not set up to accommodate increased traffic. This issue is compounded since our neighbourhood does not have sidewalks but has a thriving pedestrian environment, creating a serious safety issue.
3. It appears that the parking is insufficient for the number and size of the units (it is difficult to tell from the copy of the application I received). The developer only planned a single parking spot. This will generate a large number of parked cars on the street. This will compound the negative effect on the safety of the neighbourhood as pedestrians will be forced to walk further into the road.
4. Developments should include significant green space. The existing properties are currently almost entirely green space. The proposed plan appears to replace those lots with almost entirely concrete - the buildings, access road, and parking. This creates problems for runoff, aesthetics, and biodiversity.

Thank you for taking the time to seriously consider my concerns.

David & Karin Peak – December 7, 2022

I am writing once again on behalf of myself and my husband to object in the strongest of terms to the proposal for multi storey housing on Westmount Crescent

This is a quiet, established area where the kind of proposed buildings do not belong. Apart from them being an eye sore the amount of traffic generated would be detrimental and unsafe for the many pensioners and children in the area. This is a neighborhood where people of all ages like to take walks in the street with their loved ones, children and pets. An increase in traffic would take away one of the simplest pleasures we have. One way traffic would not be the answer as one resident has proposed.

Apart from the above is a fact of the reduction to the value of existing properties. Homes in the area are already being unable to sell once potential buyers are made aware of the building plans.

Most home owners on Westmount Crescent and close vicinity have spent many years in their homes, are planning to or are currently retired or have moved to the area because of the friendly and quiet ambience. We have recently spent thousands of dollars on renovating and upgrading our property in the last couple of years. Should the City of London continue to disregard the concerns of its residents it is hoped that compensation would be given to those of us who are forced to sell our homes at reduced prices in order for builders to make profits.

Frank & Rose Marghella – November 9, 2022

I am helping my friends Frank & Rose Marghella, from -----.

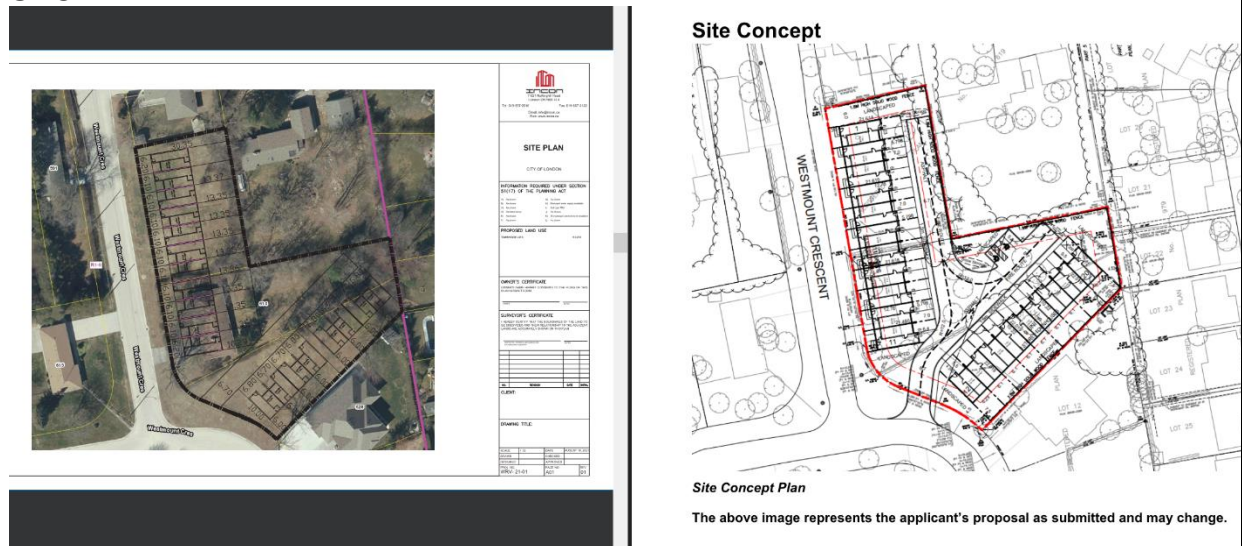
They built a 2,600 sq ft home in a quiet single family subdivision (7 years ago). All the subdivision was zoned single family R1-9 zone. Their neighbour lived in a ranch house with 3 empty lots. She passed away and the property was sold. Now a developer wants to change the zoning to R5-5() for cluster townhouses. From the drawing they

will have "10 townhouses backyards" up against their backyard, 4.5 meters away.. Where is their privacy?? The Marghella's want to object to the re-zoning change. They will have no privacy in the backyard, the property value will go down a lot (now 1.5 million), there will be more traffic, more noise, I can go on and on. This is not right for the City to approve this. Thank you for now.

Agency/Departmental Comments

Site Plan – October 13, 2022

Below is the change from the original PAT but the proposal appears unchanged from SPC:



Z.-1 Table 9.3: To permit Front Yard Setback of 4.5 metres for Unit 12 whereas a minimum of 6.0 metres is permitted.

Z.-1 Table 9.3: To permit Rear Yard Setback of 3.2 metres for Unit 20 whereas a minimum of 6.0 metres is permitted.

Z.-1 Table 9.3: To permit Interior Yard Setback of 5.6 metres for Unit 20 whereas a minimum of 6.0 metres is permitted.

Here are my general and site SPC comments:

General comments:

1. Draft approval for a Draft Plan of Vacant Land Condominium is required prior to Site Plan Approval.

Comments based on current site plan:

1. Clarify how disposable refuse (recycling and waste) is stored and collected on the site plan. Please provide dimensions for the respective areas corresponding to each dwelling. Confirm the Gross Floor Area of each dwelling. Clarify if basement ceiling height is 1.8 metres or more (Z.-1 2). Clarify if the landscaped open space will provide shared amenity space and if so, consider adding purposeful features to this space for amenity. Label any proposed decks, porches, or other galleries/platforms on the site plan with dimensions, setbacks, and height to ensure compliance with the Z.-1 Zoning By-law.
2. Consider ways to avoid side-lotting, such as rotating the façade. Please consider offsetting any tree removals with planting. Provide elevations from all sides in metric.
3. Please illustrate each tree, whether existing or proposed, on the site plan as well as within 3 metres of property lines. Indicate which, if any, trees will be removed. Provide tree protection notes and details for trees to be preserved.
4. Provide at least two visitor parking spaces – 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.
5. Please note that accessible and visitor parking count toward total parking. Include parking setbacks on the site plan in accordance with section 4.19.4.c.a of the Z.-1

Zoning By-law. Dimension the garage interior and garage door(s) to clarify parking capacity. Ensure the dimensions of the garage provide sufficient space for a standard parking space with room for ingress and egress. Show the location and design of the accessible parking signage (C.P.-1455-541 7.3; 7.4; Table 14.1). Connect accessible parking to the building entrance with <15 metres barrier-free path of travel (C.P.-1455-541 Table 14.1.4). Ensure pedestrian circulation and access refinements are done with the Accessibility Review Checklist.

6. Identify the location of fire route signage and provide a standard detail on the site plan. For the design of the fire route, refer to Tables 6.2 and 6.3 of the Site Plan Control By-law. Show turning movements of emergency vehicles (C.P.-1455-541 6.7). Ensure adequate turning movements in and out of the permitted parking spaces. Ensure that provisions for firefighting have been provided to comply with 3.2.5.1-3.2.5.7 of the Ontario Building Code.

Also of emphasis is Waste Management and Urban Design:

For this proposed plan, the lack of proper turnaround is a concern. There are no t-turns at the end of each internal roadway, which is not ideal for our collection crews, for unit-to-unit collection. Please confirm if the wording of “placed curbside” implies from each unit’s driveway.

- Ensure units 1-12 are street oriented with front doors on Westmount Crescent with direct pedestrian connections to the street for each unit. Consider raised front porches with weather protection.
- Ensure that the front yard setback for units 1-11 is designed and used as front yards and allow for additional individual amenity space in the rear yard.
- Provide enhanced side elevations for all units that are visible from Westmount Crescent (Units 1, 11, 12) with architectural details that are similar to the front elevations including but not limited to number and size of windows, materials and articulation and wrapping porches. Unit 12 should have its front door and façade facing the public street.
- Provide sufficient landscape setback along all interior property lines for landscape buffer and tree planting between the internal driveways/parking and neighbouring properties, as well as between the existing single detached dwelling to the south and the proposed southerly building and amenity spaces.
- Provide elevations for all four sides of the buildings with dimensions, materials, and colours labelled. Further urban design comments will be provided with receipt of these elevations.

Urban Design – October 19, 2022

- There are no urban design comments regarding the ZBA for 614 Westmount Crescent.

This site was previously submitted for SPC and the following comments are to further to be addressed at the Site Plan Application stage.

- Ensure units 1-12 are street oriented with front doors on Westmount Crescent with direct pedestrian connections to the street for each unit. Consider raised front porches with weather protection.
- Ensure that the front yard setback for units 1-11 is designed and used as front yards and allow for additional individual amenity space in the rear yard.
- Provide enhanced side elevations for all units that are visible from Westmount Crescent (Units 1, 11, 12) with architectural details that are similar to the front elevations including but not limited to number and size of windows, materials and articulation and wrapping porches. Unit 12 should have its front door and façade facing the public street.
- Provide sufficient landscape setback along all interior property lines for landscape buffer and tree planting between the internal driveways/parking and neighbouring properties, as well as between the existing single detached dwelling to the south and the proposed southerly building and amenity spaces.

- Provide detailed elevations for all four sides of the buildings with dimensions, materials, and colours labelled. Further urban design comments will be provided with receipt of these elevations.
- This application is to be reviewed by the Urban Design Peer Review Panel (UDPRP) and as such, an Urban Design Brief will be required. UDPRP meetings take place on the third Wednesday of every month, once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant's agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs please contact Ryan Nemis at 519.661.CITY (2489) x7901 or by email at rnemis@london.ca.
 - The applicant is to submit a completed "Urban Design Peer Review Panel Comments – Applicant Response" form that will be forwarded following the UDPRP meeting. This completed form will be required to be submitted as part of a complete application.

London Hydro – October 20, 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.

Landscape Architect – October 27, 2022

The City Landscape Architect has reviewed the Tree Protection Plan and report prepared by Natural Resource Solutions for the Application for Zoning By-Law Amendment - 614 Westmount Crescent. We have no concerns with regard to the completeness and accuracy of the overall tree inventory and assessment. However, there are 3 areas of the report that need to be updated.

1. The consulting arborist has included text in the report questioning the validity of the City's request for a TPP. The report highlights text within the Tree Protection Bylaw that exempts protection of onsite trees "the Injuring or Destruction of Trees imposed after December 31, 2002, As a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51 or 53, respectively, of the Planning Act, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections.

This information is incorrect. As per London Plan Policy 1583:

1583_ City Council and its delegated approval authorities may require that a person requesting an amendment to *The London Plan*, applying for an amendment to the *Zoning By-law*, applying for approval of a plan subdivision or condominium, or making an application for a consent to sever, provide any other information or material that Council or its delegated approval authorities consider they may need. Therefore, these broad categories of reports and studies are not intended to preclude Council and its delegated approval authorities from requiring additional reports and studies that may be identified during the planning process if circumstances necessitate the need for such information as part of the decision making process.

Additional information to be captured in a TPP includes:

- establish the ownership of trees growing along property lines [1672 & 1710 Wharncliffe], including the identification of boundary trees that are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes.
- Identify critical root zones of boundary trees and those trees up to 3m outside of property lines. This information is used to determine setbacks required to minimally impact boundary and offsite trees.
- Identify City Owned trees and shrubs that require consent to injure or remove. To request the removal of a city tree or to request consent to damage the root system of a City tree, contact Forestry Dispatcher at trees@london.ca
- Identify rare or endangered species that are protected by the province's Endangered Species Act, 2007, S.O., C.6

2. In section 6.0 Compensation - the report identifies tree replacement requirements as per LP Policy 399.4.b (2021a) trees shall be replaced at a ratio of one replacement tree for every 10cm of tree diameter that is removed. The policy will not be applied to this application as the implementation bylaw for the policy is not in place. No cash in lieu will be collected.

3. To identify applicable legislation, permit requirements and consents required, ownership of trees should be included in report- onsite, offsite address, City of London Boulevard and boundary address.

In summary, the report stated:

In total, 44 trees were inventoried.

- No species that are regionally significant or protected under the Species at Risk Act (2002) or Endangered Species Act (2007) were identified;
- 22 are considered to be boundary trees
- 25 are anticipated to be removed
- 19 are anticipated to be retained
- 12 may require pruning based; 7 of the 12 are considered boundary trees

Comments:

1. All boundary trees are protected by the Provincial Forestry Act. No boundary tree can be removed or injured without all co-owners consent. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Letters of consent must be submitted with Site Plan Application. Trees A, E, F, P will lose a significant portion of their critical root mass, as identified in the Tree Protection Bylaw. 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. Where critical root zones cannot be adequately protected, trees will be recommended for removal. Alternatively, an increase to the excavation setback from the Southeast property line would eliminate damage to the trees. TH could be oriented perpendicular to

2. The development poses some risk of injury to CoL boulevard trees. All trees located on City of London Boulevards (including their root zones) are protected from any activities which may cause damage to them or cause them to be removed. The coordination to request the removal or of applying for consent to injure the roots of the City trees to be executed with Site Plan Application.

Heritage

Ecology – November 1, 2022

Zoning Amendment to allow a cluster townhouse development comprised of two, three storey buildings.

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

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

Parks Planning – October 17, 2022

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

-
- For the residential use, 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.

Engineering – November 10, 2022

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

Wastewater:

- The municipal sanitary sewer available is a 200mm diameter sanitary sewer on Westmount Cres.
- The subject site is currently a single family house in a neighborhood of large lot single family homes.
- The proposed will result in 19 townhouse units of which 11 units have direct frontage to Westmount Cres. All street facing townhouses are to have their PDC's directly connected into the fronting sanitary sewer. Narrow lot servicing is to meet City of London standards for minimum frontages required. As part of future proposals and applications additional comments may be forthcoming.
- *Stormwater:*

Comments Specific to the Site:

- As per attached Westmount Storm Area Plan Drawing No16954, the north portion of the site is tributary to the existing 300mm storm sewer on Westmount Cres (STMH W3 to STMH W4) at a C=0.50. An additional south portion of the site (part of A12) is tributary to the other existing 300mm storm sewer on Westmount Cres (STMH W2 to STMH W1). The applicant is to submit a SWM report to provide the servicing strategies for the entire land. In addition, The applicant should be aware that any peak flow beyond the allocated 2-year pre-development Ax C discharge from this site will have to be accommodated on-site through SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, alternative infiltration devices, bioswales, etc. Note that the applicant should only utilize one the above noted storm sewer as their outlet and control flows as necessary.

- The proposed development indicates dwellings to be serviced from the Westmonunt Cres. Please ensure that the servicing for narrow lots meet the City standards as per recently finalized or draft standard for street facing townhouses.
- The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.
- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, it's 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. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- The proposed land use of a medium residential will trigger(s) the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per 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 submit a servicing report and drawings which should include calculations, recommendations, and details to address these requirements.

- Roof runoff should be direct to the controlled areas within the site, and not included as uncontrolled flow.
- Any proposed changes to setbacks should be noted in future submissions.

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 and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- 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.

Water:

- - Water is available for the subject site via the municipal 200mm watermain on Westmount crescent.
 - Street facing townhouses fronting Westmount Crescent shall have individual services connected into the fronting municipal watermain
- *Transportation:*
 - Detailed comments regarding access design and location will be made through the site plan process

UTRCA – November 1, 2022

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the Conservation Authorities Act, the Planning Act, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

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

WATER SOURCE PROTECTION: Clean Water Act For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION The UTRCA has no objections or requirements for this application. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned.

Urban Design Peer Review Panel Comments and Applicants Responses, October 25, 2022

| Comment No. | Comment | Response By | Response |
|-------------|---|---------------|---|
| 1 | While the Panel generally supports the increased density and proposed land use for the site, the Panel recommends the applicant revisit the Panel at the Site Plan stage for further design review and comments. | MHBC Planning | In the past months, we have been discussing alternatives to find a layout that addresses all the previous comments. We believe we have reached a point with a Layout that can be fully supported by the Panel at the Site Plan stage. |
| 2 | The Panel notes that the location of the main site access requires further study. The current location may not be the most appropriate from a transportation perspective and limits opportunities for urban design. Consider shifting the main site access North so that it is perpendicular to Westmount Crescent. With the driveway relocated away from the S-W corner of the site abutting the crescent, consider extending the townhouse frontages along this edge, or providing and landscaped amenity space at this location. | MHBC Planning | The modified layout addresses this comment. The site access was moved north and is now located perpendicular to Westmount Crescent. The townhouse frontage is along the curve (edge) where the access road used to be, allowing for more landscape amenity space. |

| | | | |
|---|---|---------------|---|
| 3 | The Panel notes that the increased density proposed on this site warrants consideration for a city sidewalk along the East of Westmount Crescent that extends from the South corner of the subject site to Commissioners Road West. | MHBC Planning | The layout and townhouses frontage along Westmount Crescent creates the proper space to accommodate a City sidewalk to Commissioners Road West. |
| 4 | Related to the above, The Panel recommends providing individual sidewalk entrances from the suggested new city sidewalk to the townhouse entrances along Westmount Crescent to activate the street frontage. | MHBC Planning | The units facing Westmount Crescent will have direct and individual sidewalk entrances, connected to the New City sidewalk if approved |
| 5 | The Panel recommends that the walkways on the interior of the site should be flush concrete sidewalks rather than asphalt. Connect all pedestrian paths of travel back to the suggested city sidewalk along Westmount Crescent. | MHBC Planning | Sidewalks will be flush concrete and connected to the suggested City sidewalk. |
| 6 | The Panel recommends a landscape buffer along the West edge of the North portion of the parking lot to assist in screening and buffering the neighbouring property at 584 Commissioners Road West. | MHBC Planning | The modified layout has shifted the parking lot towards the southern area of the lot, and a green buffer was created between the new parking space and property at 628 Westmount Crescent. The property at 584 Commissioners Road West will be facing the backyard of units 13-18, having a 6m setback. |

| | | | |
|---|---|---------------|--|
| 7 | <p>The Panel notes that mirroring the townhouses create relatively blank facades between units. Consider regularizing the units along Westmount Crescent and providing individual sidewalks and entrance will create a more rhythmic and active street frontage.</p> | MHBC Planning | <p>The modified layout addresses this matter, it reduces the blank facades and has individual sidewalks on most of the units.</p> |
| 8 | <p>The Panel recommends articulating the side elevations of the exposed corner units to avoid blank facades. This will provide more 'eyes-on-the street,' articulated frontages, and windows for the townhouse units</p> | MHBC Planning | <p>As mentioned in the last comment, the modified layout and elevations addressed this matter. There are larger windows on the side units.</p> |
| 9 | <p>The Panel recommends additional articulation of the elevations at the ground floor level, particularly along Westmount Crescent. Consider the following:</p> <ul style="list-style-type: none"> i. Larger windows, especially along the front elevation; ii. Projected bays, similar to the 2 and 3rd floor expression; iii. Porches and canopies to articulate the entrances; iv. Additional landscaping to articulate the entrances. | | <p>The new design addresses these comments, The road access relocation broke the large building of 10 units into 2 buildings providing more articulation, as reflected on the conceptual elevations. Additionally, this configuration allows for larger landscaping areas.</p> |

| | | | |
|----|---|--|--|
| 10 | The Panel encourages contemporary architectural expressions that will complement the mid-century residential context. | | We will address this comment at the Detailed Design Stage and intend to bring to the project contemporary architectural expressions. |
|----|---|--|--|

Appendix C – Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

Infill and Intensification

Located within the Built Area Boundary: **Yes**
Located within the Primary Transit Area: **No**
Net density change: **+17 units (39 units per hectare)**
Net change in affordable housing units: **N/A**

Complete Communities

New use added to the local community: **No**
Proximity to the nearest public open space: **550 metres**
Proximity to the nearest commercial area/use: **145 metres**
Proximity to the nearest food store: **650 metres**
Proximity to nearest primary school: **691 metres**
Proximity to nearest community/recreation amenity: **700m, Woodcrest Community Pool**
Net change in functional on-site outdoor amenity areas: **50.9% landscaped open space**

Reduce Auto-dependence

Proximity to the nearest London Transit stop: **60 metres**
Completes gaps in the public sidewalk network: **Yes**
Connection from the site to a public sidewalk: **Yes**
Connection from the site to a multi-use pathway: **N/A**
Site layout contributes to a walkable environment: **Yes**
Proximity to nearest dedicated cycling infrastructure: **approximately 60 metres**
Secured bike parking spaces: **N/A**
Secured bike parking ratio: **N/A**
New electric vehicles charging stations: **Unknown**
Vehicle parking ratio: **2.2/unit (39 spaces)**

Environmental Impacts

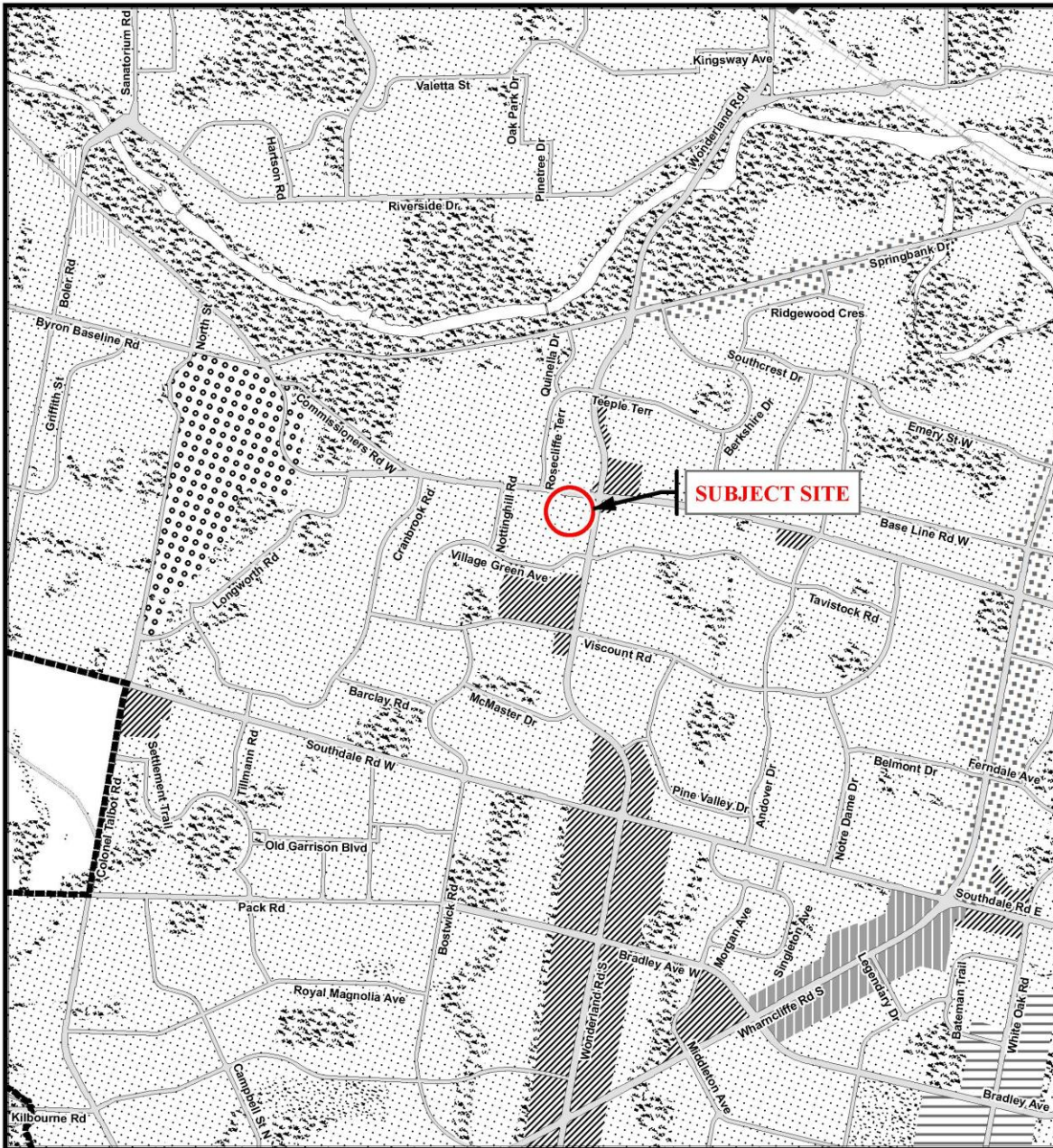
Net change in permeable surfaces: **Increased, 49.1% impermeable surface**
Net change in the number of trees: **Decreased, unknown**
Tree Protection Area: **No**
Landscape Plan considers and includes native and pollinator species: **N/A**
Loss of natural heritage features: **No**
Species at Risk Habitat loss: **No**
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): **N/A**

Construction

Existing structures on site: **Yes**
Existing structures repurposed/adaptively reused: **No**
Green building features: **Unknown**
District energy system connection: **No**

Appendix D – Relevant Background

The London Plan



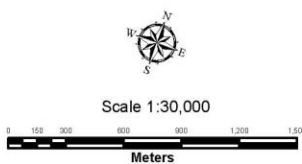
Legend

- | | | |
|------------------------|--------------------------|---|
| 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-9553
Planner: AR
Technician: JI
Date: 2023/2/24

Project Location: \\cfile1\giswork\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9553_Map1_PlaceTypes.mxd

Zoning By-law Z.1- Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-9

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

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

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

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

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9553

AR

MAP PREPARED:

2023/2/24

Jl

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0 5 10 20 30 40 Meters

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 614 Westmount Crescent.

WHEREAS La-Rosa Community Ltd. has applied to rezone an area of land located at 614 Westmount Crescent, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 614 Westmount Crescent, as shown on the attached map comprising part of Key Map No.(A106), from a Residential R1 (R1-9) Zone **TO** a Residential R5 Special Provision (R5-5()) Zone.
- 2) Section Number 9.4 of the Residential (R5-5) Zone is amended by adding the following Special Provision:

R5-5() 614 Westmount Crescent

a) Regulations

- i) Maximum height of 12 metres (3 storeys) within 125 metres from the centerline of Commissioners Road West.
 - ii) Maximum height of 8 metres (2 storeys) beyond 125 metres from the centerline of Commissioners Road West.
 - iii) Maximum density of 39 units per hectare
 - iv) Front Yard Setback 1.5 metres
(Minimum)
- v) Primary building entrances and a habitable floor area along building facades fronting Westmount Crescent.

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 April 4, 2023.

Josh Morgan
Mayor

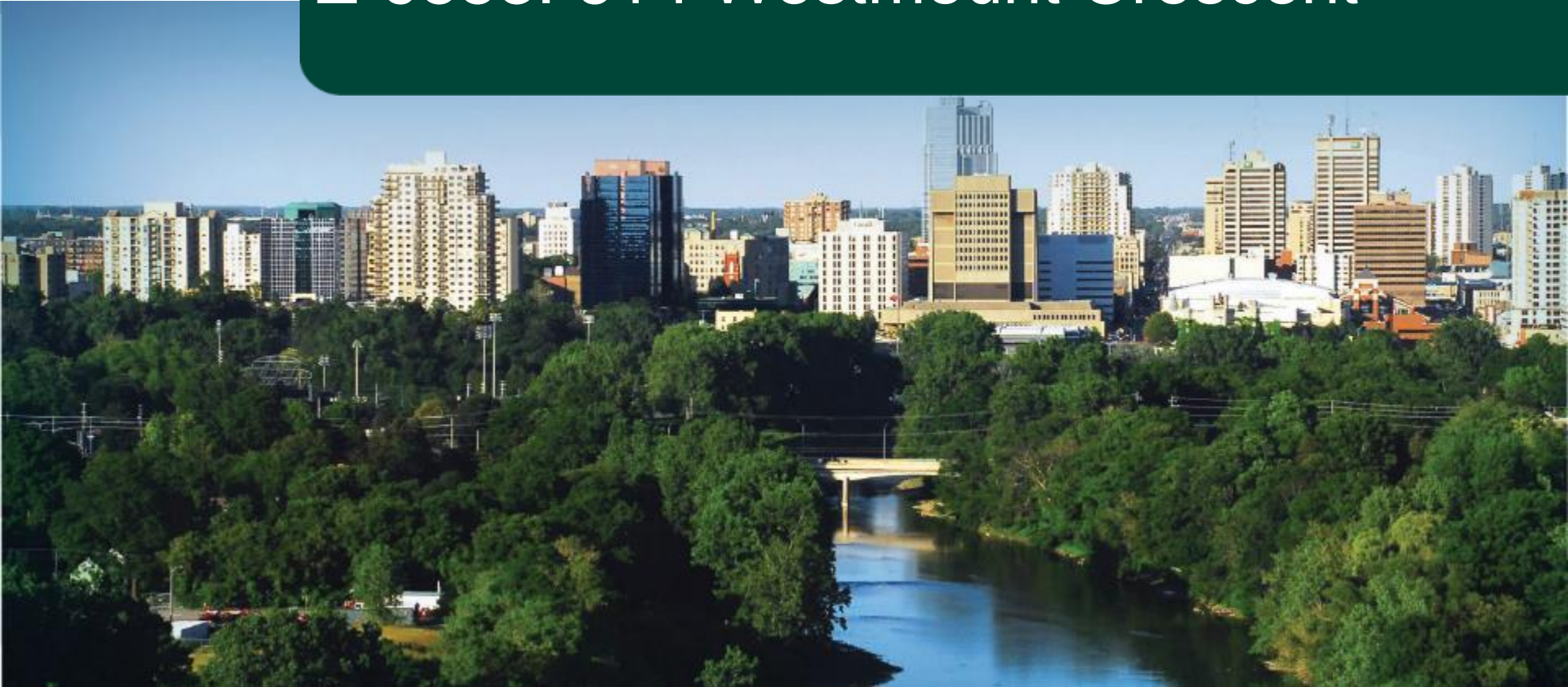
Michael Schulthess
City Clerk

First Reading – April 4, 2023.
Second Reading – April 4, 2023.
Third Reading – April 4, 2023.



London
CANADA

Z-9553: 614 Westmount Crescent



City of London
March 27, 2023

Slide 2 - Subject Site



Slide 3 – Original Proposed Development



Slide 5 – Revised Proposed Development



Slide 7 – Policy Context

The London Plan

- the Neighbourhoods Place Type fronting on a Neighbourhood Connector (Westmount Crescent)
- Permitted uses include a range of low and mid density residential dwelling types, including townhouses, which are permitted to an upper maximum height of 3-storeys
- The London Plan contemplates residential intensification in appropriate locations and in a way that is sensitive to and a good fit within existing neighbourhoods (Policy 83_).



Slide 8 – Neighbourhood Concerns

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

- Density
- Lack of street lighting and sidewalk facilities
- Privacy/Overlook
- Light/Noise impacts
- Traffic
- Parking
- Loss of property value
- More development in the area



Slide 9 – Use, Intensity and Form

- In this context, a townhouse development is not out of place the neighbourhood and its impact would be mitigable. Consistent with this surrounding context as well as the list of uses permitted in the policies, the recommended development is in keeping with the policies at this location.
- Given this site is currently developed with a single detached dwelling, the proposed development represents an appropriate form of intensification through infill development.
- The proposal is considered in keeping with the intensity policies set out by The London Plan
- The proposed form of development has made a strong effort to maintain a scale and rhythm that responds to the surrounding land uses, and that the location and massing of the proposed townhouses is consistent with urban design goals of The London Plan.

Slide 10 - Recommendation

