

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: Parkit Enterprises
568 Second Street, Ward 3
File: Z-9522
Public Participation Meeting on

Date: June 19, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Parkit Enterprises relating to the property located at 568 Second Street:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Light Industrial (LI1) Zone **TO** a Residential R9 Special Provision (R9-7(_)) Zone, **BE REFUSED** for the following reasons:
- i) The requested density cannot be accommodated based on existing servicing constraints;
 - ii) The site plan includes extensive surface parking and lacks amenity space;
 - iii) The request for the temporary zone exceeds the three year maximum time period permitted by Section 39 of the *Planning Act*;
 - iv) The proposed development does not conform to The London Plan, the Official Plan for the City of London including, but not limited to, the Key Directions, City Design policies, Intensity and Form policies of the Rapid Transit and Urban Corridor Place Type, and Zoning to the Upper Maximum policies contained in Our Tools; and,
 - v) The proposed development does not appropriately mitigate impacts of the additional height and density of the 12 storey built form, and the extensive surface parking and lack of on-site amenity and green space.
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 27, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Light Industrial (LI1) Zone **TO** a Holding Residential R9 Special Provision (h*R9-7(_)*H39) Zone **AND** a Holding Residential R9 Special Provision/Temporary (h*R9-7(_)*H39/T- _) Zone.
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
- i) That any required amenity space be constructed as part of Phase 1 of the project;
 - ii) Limit parking between the buildings and Second Street to one row of parking spaces on the subject site;
 - iii) Provide direct and convenient walkway access from the main building entrances to the public sidewalk;
 - iv) Ensure pedestrian connections are included throughout the site to provide for safe, direct and convenient pedestrian connectivity between sidewalks, building entrances and parking and amenity areas;
 - v) Consolidate long-term indoor bicycle storage on the ground floor;
 - vi) Consider the feasibility of providing access to the rear of the neighbouring property;
 - vii) Consider moving the garbage area away from the centralized outdoor amenity area; and,

- viii) Provide all-season landscaping within and surrounding parking areas to screen parking from the public streets as much as possible.

Executive Summary

Summary of Request

The owner has requested to amend the Zoning By-law Z.-1 to facilitate the development of 438 apartment units in two 12-storey buildings with 219 surface parking spaces. The requested Zoning By-law amendment would rezone the subject lands to a Residential R9 Special Provision (R9-7(_)) Zone, with special provisions to permit: reduced minimum interior side yard depth; increased maximum building height; and increased maximum density.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the request to rezone the subject lands to a Residential R9 Special Provision (R9-7(_)) Zone to facilitate the development of two 12-storey apartment buildings with a total of 438 units, and a Temporary (T) Zone for a self-storage facility until December, 2027, which exceeds the legislated three year maximum. The request is for a temporary use for 4.5 years.

The recommended action is an alternative Zoning By-law amendment to Holding Residential R9 Special Provision (h*R9-7(_)) Zones which would facilitate the development of a phased development of two 12-storey apartment buildings with appropriate mitigation measures in place to ensure the development is compatible with the surrounding context, mitigates negative impacts and can be constructed at such a time as servicing capacity is confirmed. A Temporary (T) Zone is also being recommended to allow the use of the south portion of the existing building as a self-storage facility for three years.

Rationale of Recommended Action

It is recommended the requested Zoning By-law amendment be refused for the following reasons:

1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations where municipal services are available; and,
2. The proposed development does not conform to The London Plan including, but not limited to, the Key Directions, City Design policies, Intensity and Form policies of the Rapid Transit Corridor Place Type, and Zoning to the Upper Maximum policies contained in Our Tools.

It is recommended the alternative Zoning By-law amendment be approved for the following reasons:

1. The recommended alternative Zoning By-law amendment is consistent with the Provincial Policy Statement, 2020;
2. The recommended alternative Zoning By-law amendment conforms to the policies of The London Plan, including but not limited to the Key Directions, the Rapid Transit Corridor Place Type, and the Zoning to the Upper Maximum policies contained in Our Tools part of the Plan; and,
3. The recommended alternative Zoning By-law amendment facilitates the development of an underutilized site within the Built-Area Boundary with an appropriate form of infill development and the interim temporary use of the land until servicing capacity can be confirmed.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form; and,

- **Well being and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations within the Urban Growth boundary and avoiding the development of rural lands. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning to facilitate transit-supportive developments and encourage active transportation and sustainable urban design. See more detail in Appendix “C”.

Background Information

1.0 Site Description

Property Description

The property is located on the southeast corner of Oxford Street East and Second Street across from the Fanshawe College main campus. It has frontage on Oxford Street East but no access. A hydroelectric power corridor is located between the subject property and Second Street and all access points to Second Street for the subject property traverse this corridor. The site is currently occupied by an industrial building which contains a call centre (Concentrix).



Figure 1. Image at street view of the subject site

The remainder of the subject lands are primarily comprised of surface parking between the building and hydro corridor, accessed from two full-turn driveways via Second Street through the hydro corridor. A portion of the existing surface parking area is located within the hydro corridor and is subject to a long-term lease agreement with the landowner of the subject lands. There is also a parking area to the rear of 1661 Oxford Street to the east, which appears to provide parking for this use. The industrial use, until recently, leased this rear parking area but the agreement ended March 1, 2022.

Traffic volumes along Oxford Street East in this location are approximately 24,000 vehicles per day and along Second Street approximately 9000 vehicles per day.

Current Planning Information

- The London Plan Place Type – Rapid Transit Corridor – functionally located at intersection of Urban Thoroughfare and Neighbourhood Connector, across the street from the Primary Transit Area.
- Existing Zoning – Light Industrial (LI1) Zone

Site Characteristics

- Current Land Use – Industrial building containing a call centre.
- Frontage – 42.2 metres (Oxford Street)
- Depth – 202.4 metres (along Hydro corridor and Second Street)
- Area – 1.44 hectares (3.55 acres)
- Shape – Irregular

Surrounding Land Uses

- North – Children’s Aid Society, group home
- East – Medland Movers, large surface parking lot leased by the subject site’s users (lease expired in March 2022), construction company
- South – Roosevelt Public School, townhouses and single detached dwellings
- West – Commercial plaza, apartment buildings.

1.5 Intensification

- The proposal represents intensification as it replaces an industrial building with 438 apartment units.



Figure 2. Location Map of subject site and surroundings

Analysis

1.0 Proposal

The applicants are proposing two, 12 storey apartment buildings on the property. The stated intent is to build one 12 storey, 202 unit apartment building at the northern end of the site in the short term, demolishing part of the industrial building and using the remainder of the building on the south portion of the property as a self storage establishment. The applicant's have requested a temporary use zone to permit the self storage use for more than three years.

In future, Phase 2 would be built on the south portion of the site with another 12 storey, 236 unit apartment building (for a total of 438 units). Upon completion, the site would have a density of 314 units per hectare and there would be 219 parking spaces.



Figure 3. Proposal view from the corner of Oxford Street East and Second Street looking south-east (May 2022)

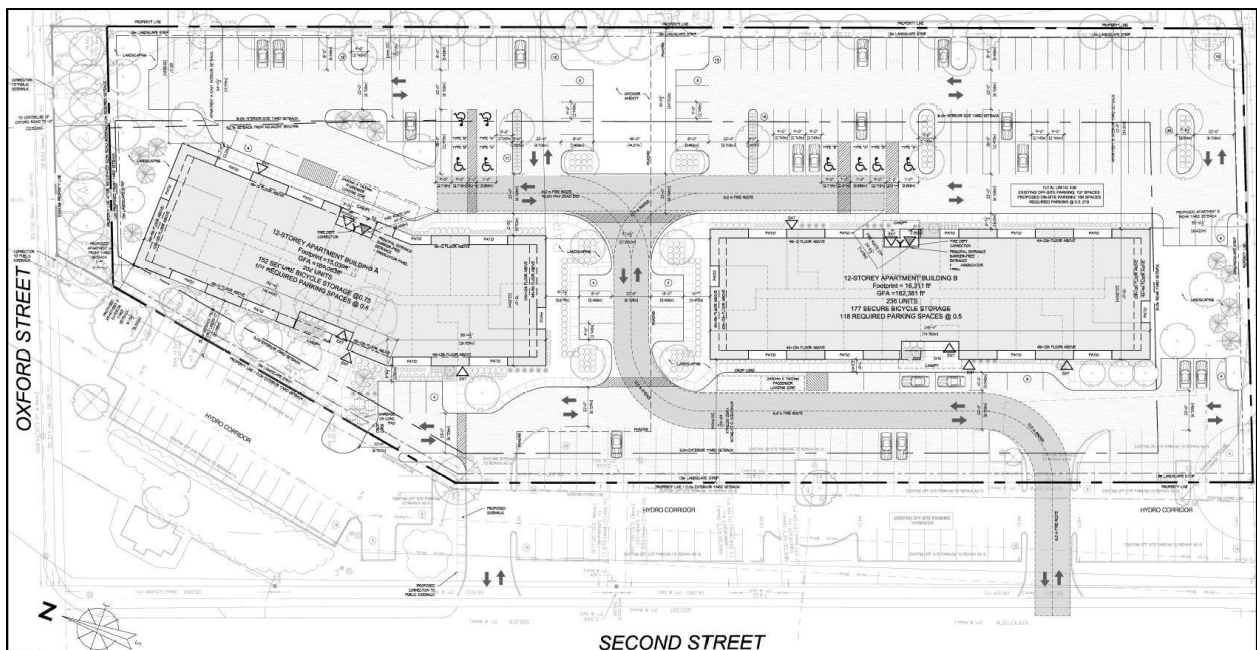


Figure 4. Conceptual Site Plan (May 2022)

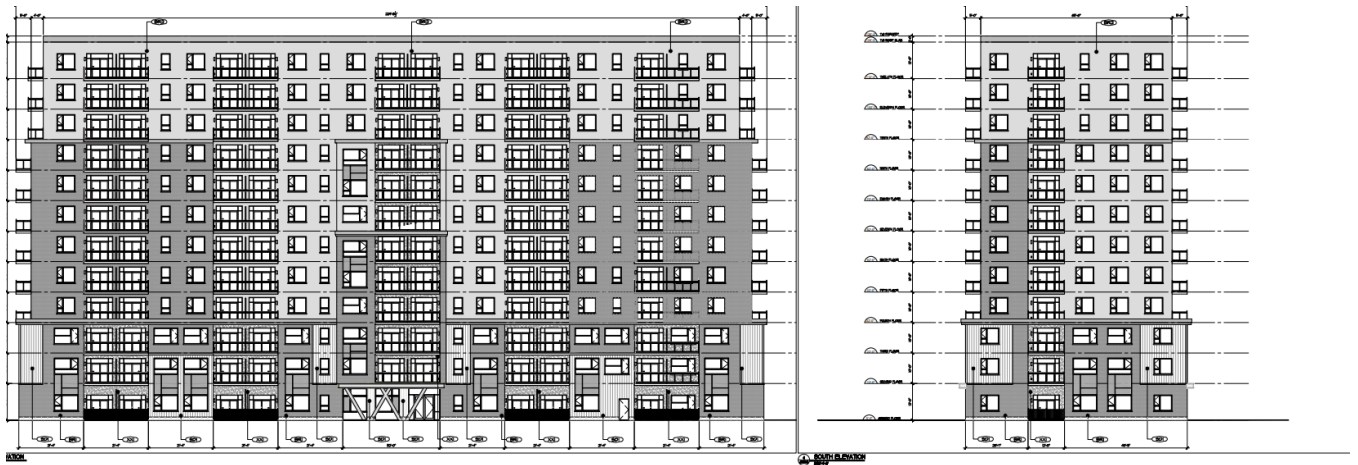


Figure 5. Proposed Building Elevation (May 2022)

The figures above include the original submission from May 4, 2022.

In response to City comments, the applicants made minor changes to the proposal in November 2022, March 2023 and finally in May 2023 as indicated below.



Figure 6. Rendering looking East from Second Street (May 2023)

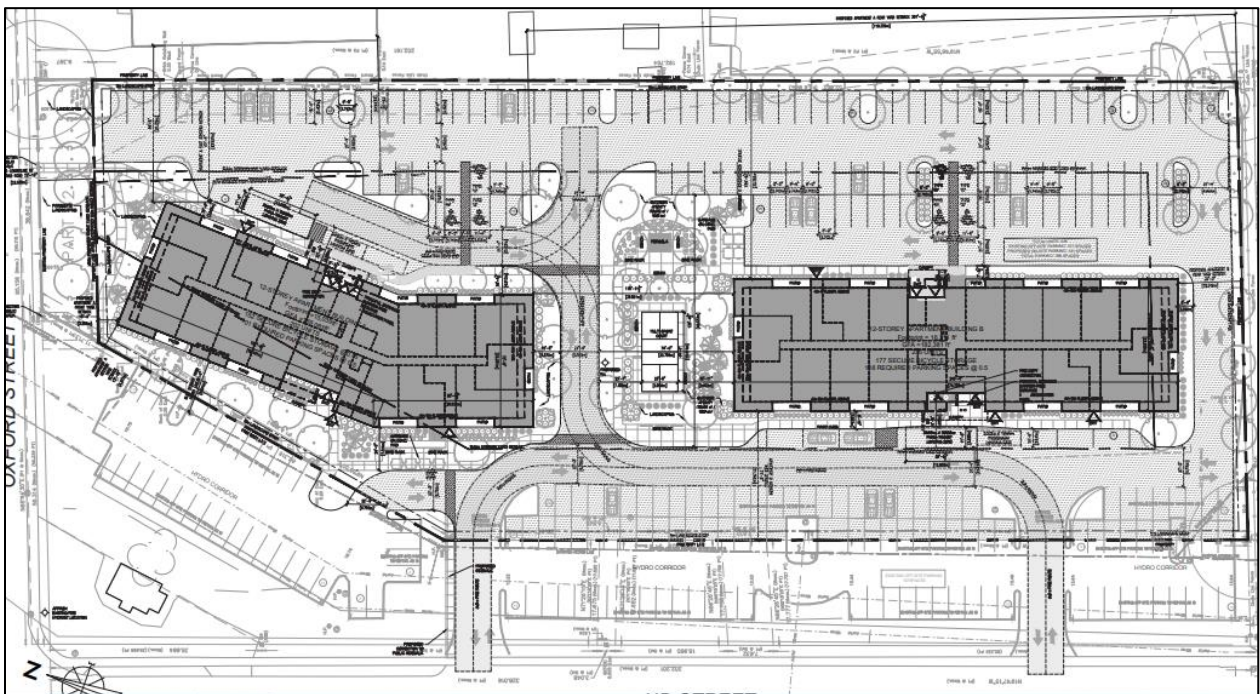


Figure 7. Conceptual Site Plan (May 2023)



Figure 8. Conceptual Landscaping/Site Plan (May 2023)

2.0 Relevant Background

2.1 Planning History

There have been no previous planning applications on this property.

2.2 Requested Amendment

The applicant requested a Residential R9 Special Provision Bonus (R9-7() * B-()) Zone to permit apartment buildings, lodging house class 2, senior citizens apartment building, handicapped person apartment building and continuum-of-care facilities at a density of 314 units per hectare and a height of 38.4 metres (approximately 12 storeys).

Special Provisions were also requested for a reduced parking rate of 0.5 parking spaces per unit, a west interior side yard of 5 metres for building “A” and to allow a self-storage establishment in a portion of the existing building on a temporary basis until the south tower along Second Street is built. While this application was being processed the City initiated amendments to Zoning By-law Z.-1 to reduce the city-wide parking standards which were subsequently approved by Council. As such, a special provision for the reduced parking is no longer needed, as there are no parking requirements within the Rapid Transit Corridor Place Type.

A Bonus Zone was also requested to achieve the upper maximum height of 12 storeys and density of 314 units per hectare, in return for affordable housing, transit-orientated facilities and exceptional site and building design. However, the Province ended the practise of bonusing for additional height and density in September 2022, which eliminated the option to adopt a Bonus Zone bylaw.

City staff subsequently replaced the bonusing framework in The London Plan with a framework that allows for zoning to the upper maximum height through a site-specific Zoning Bylaw amendment.

In May 2022, The London Plan replaced the 1989 Official Plan as the official plan for the City of London and further amendments were unnecessary.

2.3 Community Engagement (see more detail in Appendix B)

On June 22, 2022 the City sent a Notice of Application to 68 landowners within 120 metres of the property boundaries. A notice was published in The Londoner newspaper on June 23, 2022, a City website page was created for the application and a sign was posted on the property.

In response to the public notification there were five (5) responses, two (2) objections and three (3) requests for additional information. The concerns included in the two objections included restricting the use of the neighbouring property to the east, vandalism, garbage, disrupting surrounding businesses and proximity to the public school.

2.4 Policy Context

Provincial Policy Statement, 2020

General Policies

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “*shall be consistent with*” the PPS. Section 1.1 of the PPS *encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. Healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential, and promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimize transit investments, and standards to minimize land consumption and servicing costs (1.1.1. b) and e).*

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 proposal is considered intensification within the Built-Up Area of the City. Although it only includes apartment buildings, and not a mix of housing units, it does meet the intent of the PPS to provide for intensification near transit. Whether affordable units are going to be included is inconclusive at this point.

Use Policies

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 including apartments, affordable housing and housing for older persons to meet long-term needs (1.1.1b).*

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).

As indicated above, this proposal represents intensification and an efficient use of land. However, internal staff comments have indicated that at the current time there may only be services available to accommodate half of the proposed units, or only one building, so future development within the identified site will be limited.

Intensity Policies

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)).

As indicated above, the intensity permitted on site may be limited by the available services and infrastructure. A maximum density has been added as a special provision to the zoning, and a holding provision is also recommended to ensure development cannot proceed until such time as servicing capacity is available.

Form Policies

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)). The PPS supports development patterns that support active transportation and transit usage (1.8.1), development that supports accessibility and public health and safety (1.1.1), and planning and development that maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices (1.6.6).

Concerns have been raised by City staff about the site design of the proposal, including the limited amount of amenity space and landscaped open space, the excessive amount of parking provided, the safety and connectivity of pedestrian circulation on site, and the impacts of the height and mass of the proposed buildings on the site and surrounding area. An alternative recommendation has been provided to ensure the future built form is in keeping with the policies of The London Plan. A special provision is being recommended to restrict the amount of surface parking to a maximum of 0.5 spaces per unit.

Summary

The proposal meets the intent of the PPS policies by introducing a more intense form of residential intensification within the City's built-up area near transit and other services. The City still has concerns about the infrastructure constraints to accommodate two 12 storey buildings, the building design, the lack of on-site amenity space and excessive amount of parking provided.

The London Plan

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

The subject lands are in the Rapid Transit Corridor Place Type in The London Plan, permitting a wide range of uses in mid-rise, mixed-use buildings. Maximum heights of buildings can range from 2 storeys to 12 storeys with 16 storeys (within 100m of a Rapid Transit Station) allowed depending on location. The site is functionally at the intersection of an Urban Thoroughfare and Neighbourhood Connector with frontage on both streets and is across the street from the boundary of the Primary Transit Area. The subject site is not within 100m of a Rapid Transit Station, as such, an upper limit of

12 storeys can only be achieved on this site, subject to the Zoning to the Upper Maximum policies in Our Tools part of The London Plan and discussed below in Section 4.2.

General Policies

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. Relevant Key Directions are outlined below.

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

- *Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within the Primary Transit Area;*
- *Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;*
- *Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,*
- *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).*

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

- *Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).*

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

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

Although the proposal is not a mixed-use development it does provide an alternative form of housing to the area, in proximity to existing commercial offerings and increases the intensity of development along a transit corridor which is limited by available services. The inclusion of affordable housing is inconclusive at this point.

Use Policies

The subject site is in the Rapid Transit Corridor Place Type on Oxford Street East (Urban Thoroughfare) in proximity to the intersection, and having direct access to Second Street (Neighbourhood Connector), as identified on *Map 1 – Place Types and Map 3 – Street Classifications. The permitted uses within the Rapid Transit Corridor Place Type at this location include a range of residential, retail, service, office, recreational and institutional uses (Policy 837). Mixed-use buildings will be encouraged and retail and service uses will be encouraged to front the street at grade. The full range of uses will not necessarily be permitted on all sites.

It is clear from The London Plan policies that the direction is to promote intensification along corridors. Specifically, Table 9 - Maximum Height in the Rapid Transit and Urban Corridor Place Types and Policy 837 state that to the range of uses and intensity permitted will be related to the classification of the street. Properties fronting onto major streets may allow for a broader range of uses and more intense forms of development than those fronting onto minor streets.

Intensity Policies

The London Plan uses height, instead of density, as a measure of intensity. The maximum permitted height is 12 storeys in a Rapid Transit Corridor at the intersection of an Urban Thoroughfare and a Neighbourhood Connector, with the potential to increase to 16 storeys if located within 100 metres of a transit station (Table 9 - Maximum Height in the Rapid Transit and Urban Corridor Place Types). Map 10 also indicates the subject site is within a Protected Major Transit Station Area (LPA 30) which protects included

lands for long term intensive development. A Transit Station is proposed across from Fanshawe College but it is more than 100 metres from the subject site.

Policies 840_8, 840_9 and 1638_ indicate that intensity may be limited by the zoning by-law and the full extent of the intensity will not necessarily be permitted on all sites. The City engineering staff in Environment and Infrastructure, in their comments on this application, have indicated that there may not be enough sanitary sewer capacity at this location to accommodate two new residential towers, at a 12 storey height with a total of 438 units. Their previous comments include;

“The current use as industrial will be acceptable. Any intensification to the proposed land would not be acceptable as there are constraints downstream on a 250mm diameter pipe on Second street. As per design sheet and area plan, there is 2 L/s remaining capacity within the system. (capacity analysis required as part of the re-zoning application). In order for this application to move forward, the applicant will required to update/upsized the sanitary system where the constraints occur, at no cost to the City”. (April 2022)

“We have reviewed the submitted sanitary capacity analysis and are not satisfied that the consultant has demonstrated adequate capacity in the downstream sanitary sewer system. We would recommend a holding provision be placed on the site until adequate capacity can be demonstrated and the City is satisfied.” (July 2022)

To address these comments the City is recommending an “h” holding provision be applied until the adequacy of municipal services can be determined.

Form Policies

The London Plan Rapid Transit Corridor form policies are included under Policy 841. Based on these policies City staff have commented (detailed comments in Appendix B);

As a development within the outer bounds of the Rapid Transit Corridor Place Type, Urban Design does not support the proposed built-form due to its intensity above the 8th floor and the amount of surface parking exposed to Second Street....

...Urban Design recommends that the applicant adjust the floor plate size of the proposed built forms above the 8th floor and screen the parking from Second Street (LP, 841.12). The trees planted to screen the surface parking along Oxford Street East are acknowledged. The development should also incorporate transit-oriented design principles (i.e., mixed-uses, transit and pedestrian amenities, enhanced streetscaping, transition in height of the proposed built-form from the intersection) (LP, 841.4 & 841.5).

Policy 835_4 is also relevant to this application by stating;

“If the site is located on a corner, the proposed front face of the building shall be orientated to the ...or Urban Thoroughfare and shall not be orientated to the more minor side street.”

The proposed apartments are oriented to the side street, Second Street, and not Oxford Street East which has a smaller frontage.

To address these building design considerations, the staff recommendation is to add a maximum height of 39m (12 storeys) and to limit the floorplate above the 8th storey (floors 9 through 12) to a maximum of 1000m². Consideration of the Site Plan authority to increase landscape open space and screening of surface parking is also being recommended, along with a special provision to restrict the amount of surface parking to 0.5 spaces per unit.

Policy 1638 (Zoning to the Upper Maximum Height) indicates that applications to exceed the standard maximum height (10 storeys) will be reviewed on a site-by-site

basis. An Upper Maximum Height of 12 storeys can be achieved without an Official Plan amendment but still requires an amendment to the Z.-1 Zoning By-law, which provides justification as to why the increased height is appropriate. The subject site is at the intersection in a Rapid Transit Corridor and is across from a major City institution (Fanshawe College) a height of 12 storeys is considered appropriate provided the recommended building design changes are made and there is sufficient services available.

Near Campus Neighbourhoods Policies

The subject site is in close proximity to Fanshawe College and within the Near Campus Neighbourhood specific policy area, which supplements the Rapid Transit Corridor Place Type policies (Policy 962). The Near Campus Neighbourhood policies direct intensification to strategic locations which have strong transit connections to link to campuses (965_2), concentrate development in high rise forms instead of low rise forms (965_7), direct intensification to transportation nodes (965_8), incorporate good urban design practices (965_10) and direct intensification in Near Campus Neighbourhoods to Place Types which allow high-rise residential development such as Rapid Transit Corridor (967).

The subject site meets the intent of these policies as a good location for residential intensification within the Near Campus Neighbourhoods, as it is located in close proximity to a future Rapid Transit station, within the Rapid Transit Corridor Place Type.

Summary

The proposal meets the intent of The London Plan policies by introducing a new, more intense housing form along a major transportation corridor. As indicated above alternative design measures are required to ensure the development meets the relevant policies of The London Plan. The built form in its current layout should be reduced to a lower height (8 storeys), or through alternative design measures which would reduce the building floor plate to 1000m² above the 8th floor. Matters identified in the City Design and Place Type policies that direct transit-supportive development, and safe, accessible and walkable environments will be further refined and addressed through the subsequent Site Plan application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Lack of Municipal Services

In response to the submission of a Sanitary Capacity Analysis (MTE Consultants, March 2022) and circulation of the three submissions which included two, 12 storey apartment buildings containing 438 residential units, the City Engineering Division have commented:

“The current use as industrial will be acceptable. Any intensification to the proposed land would not be acceptable as there are constraints downstream on a 250mm diameter on Second street. As per design sheet and area plan, there is 2 L/s remaining capacity within the system. (capacity analysis required as part of the re-zoning application). In order for this application to move forward, The applicant will required to update/upsized the sanitary system where the constraints occur, at no cost to the City”. (April 2022)

“We have reviewed the submitted sanitary capacity analysis and are not satisfied that the consultant has demonstrated adequate capacity in the downstream sanitary sewer system. We would recommend a holding provision be placed on the site until adequate capacity can be demonstrated and the City is satisfied.” (July 2022).

In response to these comments Planning staff are recommending a “h” holding provision be applied until servicing capacity issues can be addressed.

4.2 Issue and Consideration # 2 – Height and Intensity

The applicant has requested a maximum height of 12 storeys, which is the upper maximum permitted in the Rapid Transit Corridor Place Type in The London Plan at this location.

The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (83_, 937_, 939_2 and 5, and 953_1). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The London Plan includes a framework of heights that includes standard maximum and upper maximum heights (TLP Table 8 and Table 9). Our Tools includes policies for zoning to the upper maximum height (TLP 1638-1641).

To provide certainty and to ensure that impacts of the additional height and density are mitigated, a site-specific zoning by-law amendment is required to exceed the standard maximum height. This will provide assurance that measures, such as special provisions and Site Plan considerations, will be implemented to address public and Council concerns.

Staff are of the opinion that the requested zoning provisions do not sufficiently mitigate the impacts of the additional height and density, and are recommending additional special provisions, as well as a holding provision to ensure the development sufficiently mitigates and addresses impacts. A special provision is being recommend limiting the floor plate area above the 8th storey to a maximum of 1000m². This will help to mitigate shadow, wind and sky view impacts. The applicant has also proposed a modest step back above the 3rd storey, which will be included as a special provision to create a comfortable pedestrian environment.

4.3 Issue and Consideration # 3 – Building and Site Design

The applicant's have made three submissions in response to Urban Design Peer Review Panel (July 20, 2022) and internal staff comments (July 21, 2022, December 22, 2022 and April 4, 2023) (see detailed comments in Appendix B). Few changes have been made since the application was first submitted in May 2022. The latest Urban Design comments say;

As a development within the outer bounds of the Rapid Transit Corridor Place Type, Urban Design does not support the proposed built-form due to its intensity above the 8th floor and the amount of surface parking exposed to Second Street. 568 Second Street abuts lower intensity uses: Oxford Street East, an Urban Thoroughfare, to the North, that intersects with Second Street, a Neighbourhood Connector Street, to the West; the Light Industrial Place Type to the East; and the Neighbourhood Place Type to the South.

Urban Design recommends that the applicant adjust the floor plate size of the proposed built forms above the 8th floor and screen the parking from Second Street (LP, 841.12). The trees planted to screen the surface parking along Oxford Street East are acknowledged. The development should also incorporate transit-oriented design principles (i.e., mixed-uses, transit and pedestrian amenities, enhanced streetscaping, transition in height of the proposed built-form from the intersection) (LP, 841.4 & 841.5).

Planning and Development staff also identified that the following urban design items be addressed at the site plan approval stage.

Items to be Addressed at Site Plan

- *Incorporate patios or forecourt spaces that spill 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 (from the exterior and interior) swing 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.*
- *Consider moving the outdoor garbage storage area away from the centralized outdoor amenity area.*
- *The garbage room should exit towards the eastern property boundary rather than the western property boundary abutting Second Street.*
- *Clarify that the indoor “bike” unit on each floor is intended as communal bicycle storage. Consider consolidating the bicycle storage into a single ground-floor unit so that residents will not have to bring their bicycles into the elevator. If the elevator breaks down, residents will have to bring their bikes up or down the stairs. Provide temporary outdoor bicycle parking near each Buildings entrance.*
- *Include pedestrian connections throughout the site in order to provide for safe, direct and convenient pedestrian connectivity between sidewalks, building entrances and parking and amenity areas.*
- *Ensure that the development is “future ready” (LP, 729).*
- *Include charging stations for e-bikes and electric vehicles.*

To address the City concerns, Planning staff are providing an alternative recommendation for the application. A special provision is being recommended to address concerns with the overall height and mass of the buildings. Relevant considerations to the Site Plan Authority have also been included in the recommendations.

4.4 Issue and Consideration # 4 - Request for Temporary Use

The Applicant has requested a temporary zone as part of the application to permit a self storage establishment in a portion of the existing industrial building until the second apartment building was constructed. They requested that it be allowed until December 31, 2027 however Section 39 (2) of the *Planning Act* specifies that a maximum of three (3) years be allowed (subsection 2) with opportunities for extensions (subsection 3) (see below)

Temporary use provisions

39 (1) *The council of a local municipality may, in a by-law passed under section 34, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the by-law. R.S.O. 1990, c. P.13, s. 39 (1).*

Area and time in effect

(2) *A by-law authorizing a temporary use under subsection (1) shall define the area to which it applies and specify the period of time for which the authorization shall be in effect, which shall not exceed three years from the day of the passing of the by-law. 2002, c. 17, Sched. B, s. 11 (2).*

Extension

(3) *Despite subsection (2), the council may by by-law grant further periods of not more than three years each during which the temporary use is authorized. R.S.O. 1990, c. P.13, s. 39 (3).*

As a result, the City is recommending that a temporary zone only be granted for a maximum of three years, not the 4.5 years requested. As self-storage is not a use permitted within the Rapid Transit Corridor in The London Plan staff are not seeking to continue the use for an extended period of time. As such, upon the end of the three year period, Staff would anticipate building permits being received for the construction

of the second apartment, if servicing capacity has been confirmed, or an alternative development proposal being explored. If no progress on the development is being achieved, Staff would not be supportive of any future extension of the Temporary Zone.

4.5 Issue and Consideration # 5 – Other Issues Raised

Other issues raised through the public liaison include:

Medland Movers to the east expressed the following concerns:

“would unduly restrict the use of our property, restrict the expansion of our building and restrict the uses of the rear two acres of our property used by the applicant”

“Would not permit us to build on the open property within 15 m of the property line”

“Rash of vandalism and theft”

“Future of other properties on Second Street and Oxford Street”

“Disruption to existing businesses”

“Danger to children at neighbouring school”

“Site plan items including fencing”

Fletcher expressed the following concern:

“target of garbage”

Through evaluation of the site and policy framework, staff are of the opinion that mitigative measures are being incorporated into the zoning to reduce impacts on the adjacent property. Site Plan approval will address matters of site layout and functionality.

Conclusion

The proposed application is not consistent with The London Plan, including, but not limited to, the Key Directions, City Design policies, Intensity and Form policies of the Rapid Transit Corridor Place Type, and Zoning to the Upper Maximum policies contained in Our Tools. As such, it is recommended the requested amendment be refused.

Alternatively, staff recommend approval of a Zoning By-law amendment to permit phased development of two 12-storey apartment buildings with appropriate setbacks, stepbacks, tower floor plates, buffering, and maximum surface parking requirements to ensure appropriate mitigation measures are in place to address shadow, wind and sky view impacts and to avoid causing adverse impacts on adjacent properties and residents. The recommended amendment provides for the same number of units (438) as requested. 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, City Design policies, and the Rapid Transit Corridor Place Type. The recommended amendment would facilitate the development of an underutilized site within the Built Area Boundary with a use, intensity, and form that is appropriate for the lands and surrounding context, as well as the interim use of the property until such time as servicing capacity can be confirmed.

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

Z:\Shared\DEVELOPMENT SERVICES\11 - Current Planning\DEVELOPMENT APPS\2022 Applications 9472 to\Applications\Second Street 568 (CP)- Z-9522\08-PEC\Report\DRAFT PEC Report-original (CP)-June 19 2023.docx

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

Appendix A – Recommended Zoning By-law Amendments

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 568 Second Street (at Oxford Street East).

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 the northern portion of lands located at 568 Second Street, as shown on the attached map, comprising part of Key Map No. A108, from a Light Industrial (LI1) Zone to a Holding Residential R9 Special Provision (h*R9-7()*H39) Zone;
- 2) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the southern portion of lands located at 568 Second Street, as shown on the attached map, comprising part of Key Map No. A108, from a Light Industrial (LI1) Zone to a Holding Residential R9 Special Provision Temporary (h*R9-7()*H26/ T-) Zone.
- 3) Section 13.4 of the Residential R9 Zone is amended by adding the following Special Provision:

R9-7 () 568 Second Street

a) Regulation

- i) Density (maximum): 314 units per hectare
- ii) Height (maximum): 39 metres
- iii) Surface parking (maximum): 0.5 spaces per unit
- iv) Interior side yard setback – west and northwest (minimum): 5 metres
- v) Floor plate above the 8th storey (maximum): 1000 square metres
- vi) Step back at the 4th storey (minimum): 1.5 metres

- 4) Section 50.2 of the Temporary (T) Zone is amended by adding the following:

) T - _ 568 Second Street (Southerly portion)

Lands may be used as a self-storage establishment for a period not exceeding three (3) years beginning June 27, 2023.

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.

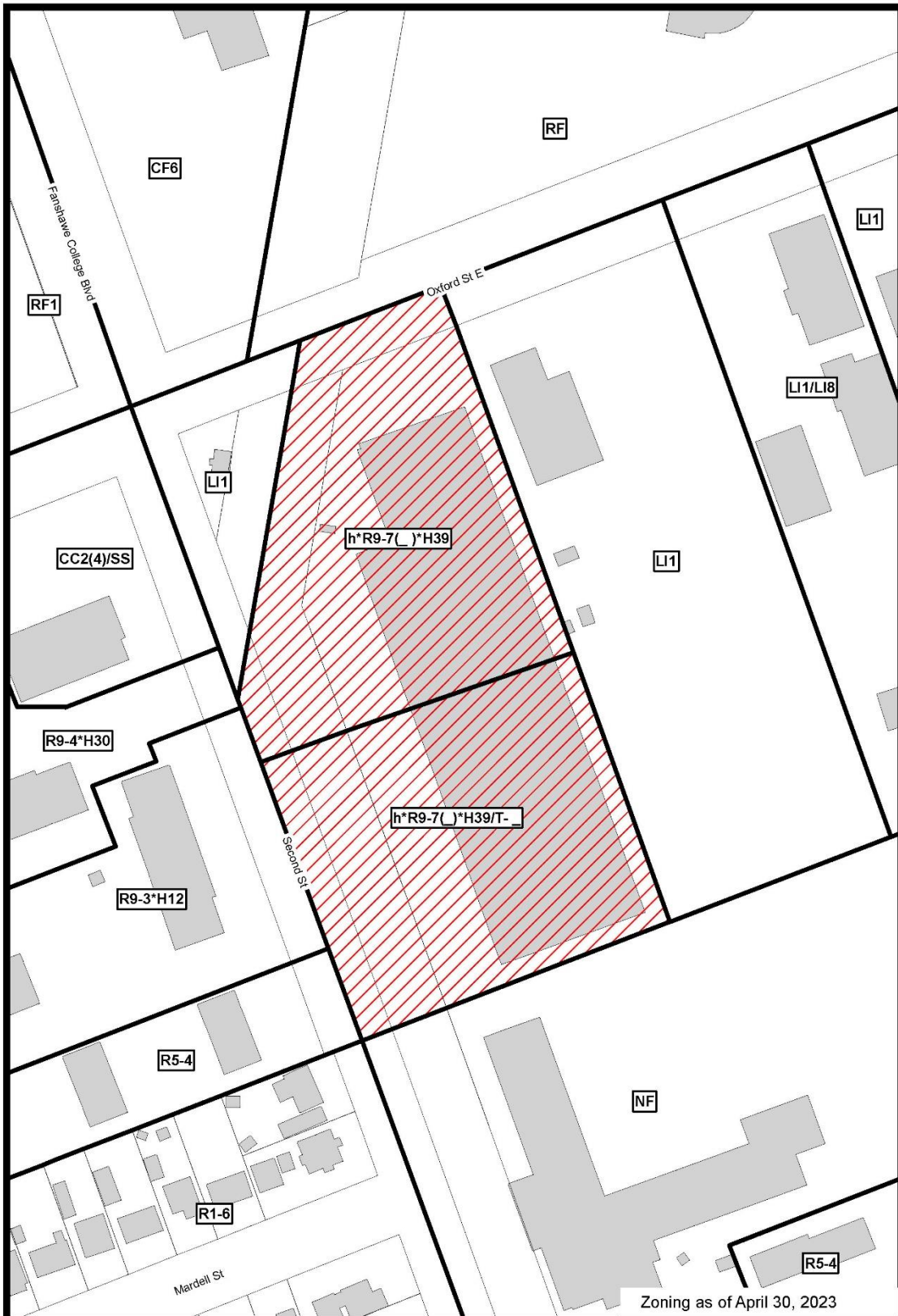
PASSED in Open Council on June 27, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – June 27, 2023
Second Reading – June 27, 2023
Third Reading – June 27, 2023

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



File Number: Z-9522
Planner: CP
Date Prepared: 2023/05/15
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40 Meters 



Appendix B – Public, Department and Agency Comments

Public Engagement

Public liaison: On June 22, 2022, Notice of Application was sent to 68 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 23, 2022. A “Planning Application” sign was also posted on the site.

5 replies were received.

Nature of Liaison: Zoning by-law amendment to allow:

- Two, 12 storey apartment buildings at a density of 314 units per hectare
- 438 apartment units
- 219 parking spaces
- Special provisions to allow a reduced parking rate of 0.5 parking spaces per unit, a west interior side yard of 5 metres and allow a self storage establishment in a portion of the existing building temporarily until the second tower is built.
- Bonusing for additional density and height has been requested in return for affordable housing, transit-orientated facilities and exceptional site and building design.

In September 2022 the Province ended the practise of bonusing so the last request was not considered.

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

Telephone	Written/E-mail
	John Fletcher
	Tom and David Medland

PUBLIC COMMENTS

Tom and David Medland – June 30, 2022

“We object to the zoning Amendment for the following reasons:

- *Rezoning the Proposed site to Residential from Light Industrial would unduly restrict the use of our property. The rezoning would restrict the expansion of our building. It would also restrict the uses of the rear two acres of our property presently used by the Applicant.*
- *The zoning change would not permit us to build on the open property within 15 metres of the property line.*
- *Our additional objection is based on the recent rash of vandalism and theft to adjoining properties. We have been informed by the applicant that when this was reported to the Police “who wasn’t very helpful”...*
- *Lack of specifics and details casts concerns and doubts as to the future of properties on both Oxford and Second Streets.*
- *There can be no assurance to the neighboring businesses that they will continue to operate without disruption.*
- *Several businesses in this area are deemed as essential and may be endangered if disrupted.*
- *With the elementary school next door to the proposed site, this proposal and increased density puts the students at risk...*

We also object too many items in the proposed site plan including but not limited to fencing.”

John Fletcher – July 18, 2022

“I have known the Medland family for nearly 60 years and the possibility and probability of Mr. Medlands equipment and property becoming the target of garbage is simply appalling.

We are all aware of the actions of irresponsible people when they no longer want to see an irritant in the apartment and lack the energy to take it to the garbage area, it is thrown over the balcony. This is even more frequent after indulging in alcohol and drugs.

I am not a fear mongerer but a realist.”

DEPARTMENT COMMENTS (ordered latest to oldest)

First Submission – Original Application – May 4, 2022

Second Submission – December 9, 2022

Third Submission – March 6, 2023

Fourth Submission – May 2023 (no further comments received)

Engineering Comments

August 23, 2022 (First Submission)

There is limited available capacity remaining in that existing 250mm sewer on Second St. Definitely not ideal and definitely can not support multiple high density sites or big intensifications. There may have been some confusion in that we are not holding capacity for a refused application, but SED would be interested to know if any conversations were had between November and now with the other applicant. We are of the understanding that P&D will be requiring a new application for Ayreswood’ site.

And to hopefully answer your question as far as what is remaining in the pipe is 5 l/s based on accepted record drawings.

At present there have been no significant infrastructure improvements here aside from some proposed upstream work on Oxford as part of the BRT project. And even if we recognize the constraint there is no City planned projects or growth money currently allocated and no dialog if there are possible developer lead upgrades.

As mentioned previously SED has no objection to using current DM per capita rates for the just the subject site.

Holding provisions will be recommended.

July 26, 2022 (First Submission)

We have reviewed the submitted sanitary capacity analysis and are not satisfied that the consultant has demonstrated adequate capacity in the downstream sanitary sewer system. We would recommend a holding provision be placed on the site until adequate capacity can be demonstrated and the City is satisfied. Please have the applicant/consultant reach out to Marcus Schaum to discuss revisions to the capacity report.

As for the other engineering areas, there are no further comments related to the TIA and zoning application.

April 19, 2022 (First Submission)

A Servicing and Lot Grading Plan will be required for the subject property. Attached are notes and commentary to assist the applicant in providing the necessary Site Servicing and Grading Plan and engineering reports to progress this development.

- *The site servicing and grading plans are to show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, watermains, utilities, etc.*
- *Should a private drain connection(s), or other works be installed on a City street to service this site, then details of these works including restoration of the City street are to be shown on the site servicing plan or a separate drawing to City standards.*
- *The Owner is required to obtain all other necessary and relevant permits and approvals such as MECP Approvals, Permits for Approved Works (PAWS) etc.*

TRANSPORTATION:

- *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;*
- *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;*
- *TIA to be completed as part of the re-zoning application;*
- *Shared access agreement is required with Hydro One to continue to use those access and parking area;*
- *As per City's Access Management Guideline revise access radii to 6.0m;*
- *It has identified that draft reference plan has been already submitted and accepted by Geomatics. No further comment on road widening.*

SANITARY

- *The current use as industrial will be acceptable. Any intensification to the proposed land would not be acceptable as there are constraints downstream on a 250mm diameter on Second street. As per design sheet and area plan, there is 2 L/s remaining capacity within the system. (capacity analysis required as part of the re-zoning application).*
- *In order for this application to move forward, The applicant will required to update/upsized the sanitary system where the constraints occur, at no cost to the City.*

WATER

- *Water is available via the municipal 400mm PVC watermain on Oxford Street.*
- *A water servicing report will be required addressing domestic demands, fire flows, water quality and future ownership of the development.*
- *Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.*
- *Further comments will be provided during site plan consultation/application for the proposed development.*

STORMWATER MANAGEMENT:

- *As per as-constructed drawing 4666S2, the site at C=0.70 is tributary to the existing 975 mm storm sewer on Oxford Street East, and not to the storm sewers on Second Street. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but*

not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.

- *As per the Drainage By-law, the consultant would be required to provide for a storm pdc ensuring existing peak flows from the 2 through 100 year return period storms are maintained pre to post development with any increase in flow being managed onsite. The servicing report should also confirm capacity in the existing sewers.*
- *The proposed land use of a high density residential will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. 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 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.*
- *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 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>.*
- *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 is required to provide a lot grading plan for stormwater flows and major overland flows on site, ensuring that stormwater flows are self-contained and that grading can safely convey up to the 250 year storm event, all to be designed by a Professional Engineer for review.*
- *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.

- Additional SWM related comments will be provided upon future review of this site.

Urban Design Comments

March 31, 2023 (Third Submission)

Comments for Zoning

As a development within the outer bounds of the Rapid Transit Corridor Place Type, Urban Design does not support the proposed built-form due to its intensity above the 8th floor and the amount of surface parking exposed to Second Street. 568 Second Street abuts lower intensity uses: Oxford Street East, an Urban Thoroughfare, to the North, that intersects with Second Street, a Neighbourhood Connector Street, to the West; the Light Industrial Place Type to the East; and the Neighbourhood Place Type to the South. Urban Design recommends that the applicant adjust the floor plate size of the proposed built forms above the 8th floor and screen the parking from Second Street (LP, 841.12). The trees planted to screen the surface parking along Oxford Street East are acknowledged. The development should also incorporate transit-oriented design principles (i.e., mixed-uses, transit and pedestrian amenities, enhanced streetscaping, transition in height of the proposed built-form from the intersection) (LP, 841.4 & 841.5).

If the intensity and form is deemed to be appropriate, the following matters should be addressed through zoning:

- Zoning provisions for the setbacks, & step back should be provided to mitigate negative impacts on the existing neighbourhood and planned vision for the Rapid Transit Corridor.
 - Provide a minimum 3m step-back above the 3rd storey of both Buildings to provide a human-scale environment along the public streets. The existing step-back above the 3rd storey for both Building A & B is 1.5m/5'.
 - Provide a step-back above the 8th floor and above, to achieve a slender tower (maximum floor plate size of up to 1,000 square meters and a length to width ratio of 1:1.5). The additional step-back will reduce the "slab-like" appearance of the tower. Which will mitigate impacts on the neighbouring properties and the abutting public school. The floor plate size proposed above 8 storeys is large and elongated (Building A: 1,397sqm footprint and Building B: 1,515sqm footprint). Clarify how footprint is being defined.
 - An adequate landscape buffers of 3m shall be provided between the eastern side yard and the parking area, to allow adequate space for trees (LP, 224).
 - Provide a parking setback from the front and western side yard property boundary, to ensure that parking is setback and screened from Oxford Street East and Second Street.
- The tower should be designed with a distinct podium, middle, and top.
 - Rooftop utilities & mechanical equipment should be outlined in the elevations. Design the top or "cap" of the building so it integrates the mechanical and elevator penthouses into an architectural feature (LP, 289.3 & 296).
- The primary entrance of Building A should be oriented to Oxford Street East and be differentiated (i.e., signage, double doors, canopies, awnings) from any private ground floor residential and commercial unit entrances (LP, 290).
- The primary entrance of Building B should be oriented to Second Street and be differentiated (i.e., signage, double doors, canopies, awnings) from any private ground floor residential and commercial unit entrances (LP, 290).

Items to be Addressed at Site Plan

- *Incorporate patios or forecourt spaces that spill 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 (from the exterior and interior) swing 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.*
- *Urban Design acknowledges that the applicant has relocated the outdoor garbage storage area next to the centralized outdoor amenity area. Consider moving the garbage area away from the centralized outdoor amenity area.*
 - *The garbage room should exit towards the eastern property boundary rather than the western property boundary abutting Second Street.*
- *Clarify that the indoor “bike” unit on each floor is intended as communal bicycle storage. Consider consolidating the bicycle storage into a single ground-floor unit so that residents will not have to bring their bicycles into the elevator. If the elevator breaks down, residents will have to bring their bikes up or down the stairs.*
 - *Provide temporary outdoor bicycle parking near each Buildings entrance.*
- *Ensure pedestrian connections are included throughout the site in order to provide for safe, direct and convenient pedestrian connectivity between sidewalks, building entrances and parking and amenity areas.*
- *Ensure that the development is “future ready” (LP, 729).*
 - *As a Rapid Transit Corridor Place Type, 568 Second Street, is exempt from minimum parking standards. Include charging stations for ebikes and electric vehicles.*

December 22, 2022 (2nd Submission)

In response to the circulation of the second submission on December 9, 2022 Urban Design provided the following additional comments on December 22, 2022;

The applicant attended the UDPRP Panel in July 2022 and here are their comments;

The applicant is to submit a completed “Urban Design Peer Review Panel Comments – Applicant Response” form that was forwarded following the UDPRP meeting. The plans and elevations should also be updated to reflect changes that were made to address the UDPRP comments.

Building design:

- *Redesign the layout of the site and buildings to reduce the impacts from large, long and elongated floor plates and the wide expanse of paved areas including driveways and surface parking*
 - *Reduce the overall mass of the proposed buildings by breaking up the large, elongated floor plate, providing step backs/variation in height and/or incorporating additional diverse forms such as townhouses.*
 - *Direct the height of the building towards Oxford Street E and maximize the built form along that frontage.*
 - *Consider more mid-rise (up to 8 stories) built form to follow the property edge along hydro corridor and Second Street.*
 - *Provide for a step-back of minimum 3m above the 4th or 5th storeys along both street edges in order to provide for a more comfortable environment along the street and minimize wind and shadow impacts.*
- *Articulate facades by including balconies or terraces along the street frontages to have ‘eyes on street’ and to provide depth and variation in the built form to enhance the pedestrian environment.*

Tower Design

- *Design high-rise buildings (above 8 stories) as slender towers (maximum floor plate size of up to 1000 square meters within a 1.5:1 length: width ratio) in order*

to reduce "slab-like" appearance of the towers, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces [TLP 293].

- Reduce the proposed floor plate to be less than 1000 sqm above the 8th storey.
- Reduce the slab like appearance of the tower portion by optimizing the length and width within a 1.5:1 ratio.
- Design and distinguish the top of the buildings (i.e.. top 4-5 floors) through an articulated roof form, step-backs, cornices, material change and/or other architectural details and screen/integrate the mechanical and elevator penthouses into the architecture of the building. [TLP 289_3, 296].
- Design the tower to include a high degree of fenestration in order to add interest and break-up the massing of the buildings.
 - Increase the size & scale of proposed windows and use material change, balconies, and articulation to break up the facades.
 - Include a high proportion of glazing and modulation such as projections/recesses which use material differentiation in order to break up the consistent vertical plane and massing of the tower.

Ground Floor Design and Uses

- Active building façade should be directed to public streets as a priority. Additional active uses may line the internal streets / drive aisles and priority should be given to highly visible areas from key entry points. Explore opportunities to increase the ground floor presence on the site to accommodate active uses street facing facades and incorporate the parking within the building. [TLP 285, 291].
 - Locate the principal building entrance on Oxford Street-facing elevation, or in a convenient and prominent location on the Second Street frontage and differentiate it from the individual residential unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.
 - Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, commercial units, and residential units with direct access to the sidewalk along both street-facing elevations in order to activate the street edge.
 - For any ground-floor street facing residential, include individual ground floor unit entrances with courtyards or "front porches" with access directly to the City sidewalk along the street frontage they face in order to activate the street edge. Raise units slightly above grade to provide privacy and reduce impacts of vehicle headlights.

Site design

- Provide for a more legible and usable public realm to support the proposed intensity and density of the development in terms of outdoor amenity spaces, privately owned public spaces (POPS), transit-oriented amenities, pedestrian connectivity and safety [TLP 255].
- Provide for appropriately sized and located outdoor amenity spaces (including private amenity spaces) and/or privately-owned public spaces (POPS) throughout the site for the number of residents anticipated [TLP 295].
 - The location of the outdoor amenity spaces provided between two rows of parking is undesirable. Remove or relocate the parking adjacent to amenity areas to a different location.
 - Additional amenity spaces could also be provided as roof top amenity areas where possible.
- Parking for high-rise developed should be provided mainly underground, or where that is not possible, located in the podium and wrapped with active uses along street frontages. [TLP 285].
 - Reduce the amount of surface parking and explore opportunities to locate the parking underground or within a parking structure to mitigate the potential heat island effects and provide an efficient use of land and larger amenity areas.

- Consider an addition of a podium floor (4 storey podium) with enlarged podium area along the site to integrate structured parking/underground parking and provide active facades (residential units) along Oxford Street and Second Street.
- Minimize the exposure of the above ground structured parking(if provided) along street frontages. Locate any surface parking away from the street edge and behind the proposed built form.
- Locate any surface parking away from the street edge and behind the building. Screen any surface parking exposed to a public street with a combination of low masonry walls and/or enhanced landscaping.
- Provide sufficient space between any parking/drive aisles and the property lines to accommodate soil volumes that support large tree growth.
- Provide for pedestrian, cycling and transit-oriented amenities including benches and bike racks close to the principal entrance, and in proximity to the closest transit stop(s).
- Ensure pedestrian connections are included throughout the site in order to provide for safe, direct and convenient pedestrian connectivity between sidewalks, building entrances and parking and amenity areas.
 - Provide direct pedestrian connections from ground-floor residential units to the city sidewalk.
- Provide pedestrian connections to the proposed amenity areas.
- 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).

July 21, 2022 (1st Submission)

- Building design:
 - Explore opportunities to reconfigure the layout and reduce the overall mass of the building by breaking up the large, elongated floor plate, providing step backs/variation in height and/or incorporating additional diverse forms such as townhouses.
 - Direct the height of the building towards Oxford Street E and maximize the built form along that frontage.
 - Consider more mid-rise (up to 8 stories) built form to follow the property edge along hydro corridor and Second Street.
 - Provide for a step-back above the 4th or 5th storeys along both street edges in order to provide for a more human-scale environment along the street.
 - Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, commercial units, and residential units with direct access to the sidewalk along both street-facing elevations in order to activate the street edge.
 - Locate the principal building entrance on Oxford Street-facing elevation, or in a convenient and prominent location on the Second Street frontage and differentiate it from the individual residential unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.
 - For ground-floor street facing residential, include individual ground floor unit entrances with courtyards or “front porches” with access directly to the City sidewalk along the street frontage they face in order to activate the street edge. Raise units slightly above grade to provide privacy and reduce impacts of vehicle headlights.
 - Articulate facades by including balconies or terraces along the street frontages to have ‘eyes on street’ and to provide depth and variation in the built form to enhance the pedestrian environment.
 - Incorporate a variety of materials and textures to highlight different architectural elements and provide interest and rhythm, along the building (i.e., trim, framing, decorative masonry details, fenestration rhythm).
 - Design and distinguish the top of the building through an articulated roof form, step-backs, cornices, material change and/or other architectural details

- and explore opportunities to screen/integrate the mechanical and elevator penthouses into an architectural feature of the building.*
- Site design:
 - *Reduce the amount of surface parking and explore opportunities to locate the parking underground or within a parking structure to mitigate the potential heat island effects.*
 - *Locate any surface parking away from the street edge and behind the building.*
 - *Provide an adequately sized and located amenity area(s) for the number of units proposed. Roof top amenity space should be considered as well.*
 - *Provide for pedestrian, cycling and transit-oriented amenities including benches and bike racks close to the principal entrance, and in proximity to the closest transit stop(s).*
 - *Ensure pedestrian connections are included throughout the site in order to provide for safe, direct and convenient pedestrian connectivity from the City sidewalk, and between building entrances, parking and amenity areas.*
 - *Screen any surface parking exposed to a public street with a combination of low masonry walls and/or enhanced landscaping.*
 - *Provide sufficient space between any parking/drive aisles and the property lines to accommodate soil volumes that support large tree growth.*

Site Plan Comments;

April 13, 2023 (Third Submission)

“minimal site plan comments this time around. I like the new location of their amenity space.”

June 6, 2022 (First Submission)

Site Design

- *Provide for a more legible and usable public realm to support the proposed intensity and density of the development in terms of outdoor amenity spaces, privately owned public spaces (POPS), transit oriented amenities, pedestrian connectivity and safety[TLP 255].*
 1. *Provide for pedestrian, cycling and transit-oriented amenities including benches and bike racks close to the principal entrance, and in proximity to the closest transit stop(s).*
 2. *Ensure pedestrian connections are included throughout the site in order to provide for safe, direct and convenient pedestrian connectivity between sidewalks, building entrances and parking and amenity areas.*
- *Reduce the amount of surface parking and locate the parking underground or within a parking structure to mitigate the potential heat island effects.*
 1. *Parking for high-rise developed should be provided mainly underground, or where that is not possible, located in the podium and wrapped with active uses along street frontages.*
- *Provide for appropriately sized and located outdoor amenity spaces(including private amenity spaces) and/or privately-owned public spaces (POPS) throughout the site for the number of residents anticipated [TLP 295].*
 1. *The location of the outdoor amenity spaces provided between two rows of parking is undesirable. Remove or relocate the parking adjacent to amenity areas to a different location.*
 2. *Provide pedestrian connections to the proposed amenity areas.*
 3. *Additional amenity spaces could also be provided as roof top amenity areas where possible.*
- *Locate any surface parking away from the street edge and behind the building. Screen any surface parking exposed to a public street with a combination of low masonry walls and/or enhanced landscaping.*
- *Relocate the garbage and recycling pick up location to ensure it is accessible by collection vehicles.*

- Provide a layby dimensioned at least 3.5m x 12m within 15m of the main entrance for each building.
- Ensure all parking areas are a minimum of 3m from windows to habitable rooms.

Building Design Comments:

Redesign the layout of the site and buildings to reduce the impacts from large, long and elongated floor plates and the wide expanse of paved areas including driveways and surface parking

Incorporate underground/structured parking to reduce the vast expanse of paved areas and mitigate the potential heat island effects. This will also aid in providing more at grade outdoor amenity areas and landscaped open spaces for the number of units proposed.

Reduce the overall mass of the proposed buildings by breaking up the large, elongated floor plate, providing step backs/variation in height and/or incorporating additional diverse forms such as townhouses.

Direct the height of the building towards Oxford Street E and maximize the built form along that frontage.

Consider more mid-rise (up to 8 stories) built form to follow the property edge along hydro corridor and Second Street.

Provide for a step-back of minimum 5m above the 4th or 5th storeys along both street edges in order to provide for a more human-scale environment along the street.

Ground Floor Design and Uses

Active building façade should be directed to public streets as a priority. Additional active uses may line the internal streets / drive aisles and priority should be given to highly visible areas from key entry points. Explore opportunities to increase the ground floor presence on the site to accommodate active uses street facing facades and incorporate the parking within the building. [TLP 285, 291].

Locate the principal building entrance on Oxford Street-facing elevation, or in a convenient and prominent location on the Second Street frontage and differentiate it from the individual residential unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.

Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, commercial units, and residential units with direct access to the sidewalk along both street-facing elevations in order to activate the street edge.

For any ground-floor street facing residential, include individual ground floor unit entrances with courtyards or "front porches" with access directly to the City sidewalk along the street frontage they face in order to activate the street edge. Raise units slightly above grade to provide privacy and reduce impacts of vehicle headlights.

Articulate facades by including balconies or terraces along the street frontages to have 'eyes on street' and to provide depth and variation in the built form to enhance the pedestrian environment.

Podium Design

Parking for high-rise developed should be provided mainly underground, or where that is not possible, located in the podium and wrapped with active uses along street frontages. [TLP 285].

Reduce the amount of surface parking and explore opportunities to locate the parking underground or within a parking structure to mitigate the potential heat island effects.

Consider an addition of a podium floor(4 storey podium) with enlarged podium area along the site to integrate structured parking/underground parking and provide active facades(residential units) along Oxford Street and Second Street.

Minimize the exposure of the above ground structured parking(if provided) along street frontages by providing residential units and other amenity spaces.

Tower Design

Design high-rise buildings (above 8 stories) as slender towers (maximum floor plate size of up to 1000 square meters within a 1.5:1 length: width ratio) in order to reduce "slab-like" appearance of the towers, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces[TLP 293].

Reduce the proposed floor plate to be less than 1000 sqm.

Reduce the slab like appearance of the tower portion by optimizing the length and width within a 1.5:1 ratio.

Design the tower to include a high degree of fenestration in order to add interest and break-up the massing of the buildings.

Increase the size & scale of proposed windows and use material change, balconies and articulation to break up the facades.

Include a high proportion of glazing and modulation such as projections/recesses which use material differentiation in order to break up the consistent vertical plane and massing of the tower.

Design and distinguish the top of the buildings (i.e.. top 4-5 floors) through an articulated roof form, step-backs, cornices, material change and/or other architectural details and screen/integrate the mechanical and elevator penthouses into an architecture of the building. [TLP 289_3, 296].

UDPRP Comments (July 20, 2022-First Submission)

Site Strategy

- The Panel notes that there are concerns with the current site configuration and massing strategy of the proposed development and strongly recommends the applicant revisit the Panel at the Site Plan stage for further design review and comments.*

- The Panel notes that the site design of the current proposal appears parking-oriented, with the site design and layout responding to the incorporation of parking to meet the hydro and industrial setback requirements and i.e. sound urban design residential planning principles. The Panel recommends additional massing and site layout analysis take place to evaluate the feasibility of the following:*

- i. Moving the South building as close as possible to the Second Street setback to provide a more active frontage linked to the public realm along Second Street, and relocate the surface parking, fire route, and layby from the West side of the site to the East parking lot and area along the main driveway;*

- ii. Incorporating two taller buildings with smaller footprints in order to create more open space for outdoor amenities, such as playgrounds and parklands; plazas and patios.*

Open Space

- *The Panel notes that the current site layout is devoid of greenspace and suggests a centrally located and programmed communal greenspace and/or outdoor amenity area be provided for residents on site.*
- *The Panel notes there could be opportunities to utilize the existing hydro corridor running through the site as a redeveloped greenway corridor, connecting the existing greenspace at the intersection of Fanshawe Boulevard and Oxford Street East to the existing greenspace further South running parallel to Second Street. The Panel suggests consulting with London Hydro to negotiate the removal of surface parking to achieve this.*
- *The Panel recommends a provision of a parkette at the N-W corner of the site, between the new development and the existing restaurant at the S-E corner of Oxford Street and Second Street. A parkette or 'forecourt' could also be located between the two buildings with adjacent lobbies/indoor amenities to animate the main driveway and act as a 'gateway' to the site.*
- *The Panel notes that where there are private patios proposed at grade or bordering a sidewalk, an appropriate buffer should be provided. This can be achieved using landscaping, low fences and gates, or elevation changes. Consider connecting these patios directly to the sidewalks.*
- *The Panel recommends relocating surface parking to one level of below grade parking to free up space at grade for additional landscaping and amenity opportunities.*

Architectural Expression

- *The Panel notes that while the elevations are articulated, the overall expression is a little bland. Regarding the architectural treatment of the buildings, consider the following: I. Further articulation of the towers, such as including vertical bays with different cladding material and differentiation of parapet heights to help break up the mass and slab-like appearance of the towers. II. Consider increasing the use of the 'wood' cladding at the podium level by wrapping corners completely, cladding the façade behind the balconies, and carrying the material all the way down to grade.*

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and the noted presentation. It is intended to inform the ongoing planning and design process.

The overall development of this site as proposed could benefit from further analysis and is recommended to return to the Panel at or prior to Site Plan Submission. Consider the panel's recommendations as noted above for future refinements to the project in the interest of enhanced experience of the public realm and for current and future residents. The Panel looks forward to the proponent's response.

Parks Planning and Design Comments (July 22, 2022 1st Submission)

Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Landscape Architect-Trees Comments (July 12, 2022 – 1st Submission)

The City's Landscape Architect has reviewed the Tree Assessment Report prepared by RKLA, March 2022 for 568 Second Street and has no concerns with its accuracy or completeness. The inventory captured 30 individual trees within the subject site and within 3 meters of the legal property boundary. No species classified as endangered,

threatened, or at risk under the Ontario Endangered Species Act, 2007, S.O. 2007, c. 6 were observed during the tree inventory.

- 1. One tree in the Hydro corridor is proposed for removal, #5 Oakleaf Mountain Ash. The applicant will need to forward consent letter from Hydro to Development and Planning at time of Site Plan Application.*
- 2. Off-site trees #27-30 will have approximately 50% of their root mass removed or injured with the proposed development; this will cause significant stress and compromise the structural stability of the trees. Where critical root mass cannot be adequately protected, trees should be recommended for removal.*

Reminder that no trees can be removed until site plan approval is granted or a separate tree removal permit is issued.

Archaeological Comments

No concerns.

AGENCY COMMENTS

UTRCA- no objection (July 14, 2022)

London Hydro (July 22, 2022 – 1st Submission)

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

Note: *Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.*

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

Appendix C - 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, but on the boundary
Net density change: 314 units per hectare
Net change in affordable housing units: Unknown

Complete Communities

New use added to the local community: Yes, apartment buildings
Proximity to the nearest public open space: Farnsborough Park (700m)
Proximity to the nearest commercial area/use: 100m
Proximity to the nearest food store: 1,600m
Proximity to nearest primary school: Roosevelt Public School (100m)
Proximity to nearest community/recreation amenity: Stronach Arena and Community Centre (1,400m)
Net change in functional on-site outdoor amenity areas: Unknown

Reduce Auto-dependence

Proximity to the nearest London Transit stop: 100m
Completes gaps in the public sidewalk network: N/A
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: No, to be addressed at Site Plan
Proximity to nearest dedicated cycling infrastructure: 100m, Fanshawe Collee Boulevard
Bicycle parking spaces: 328 required (0.75 spaces per unit)
Bicycle parking ratio: 0.75 spaces per unit required
New electric vehicles charging stations: Unknown
Vehicle parking ratio: 219 spaces (0.5 spaces per unit)

Environmental Impacts

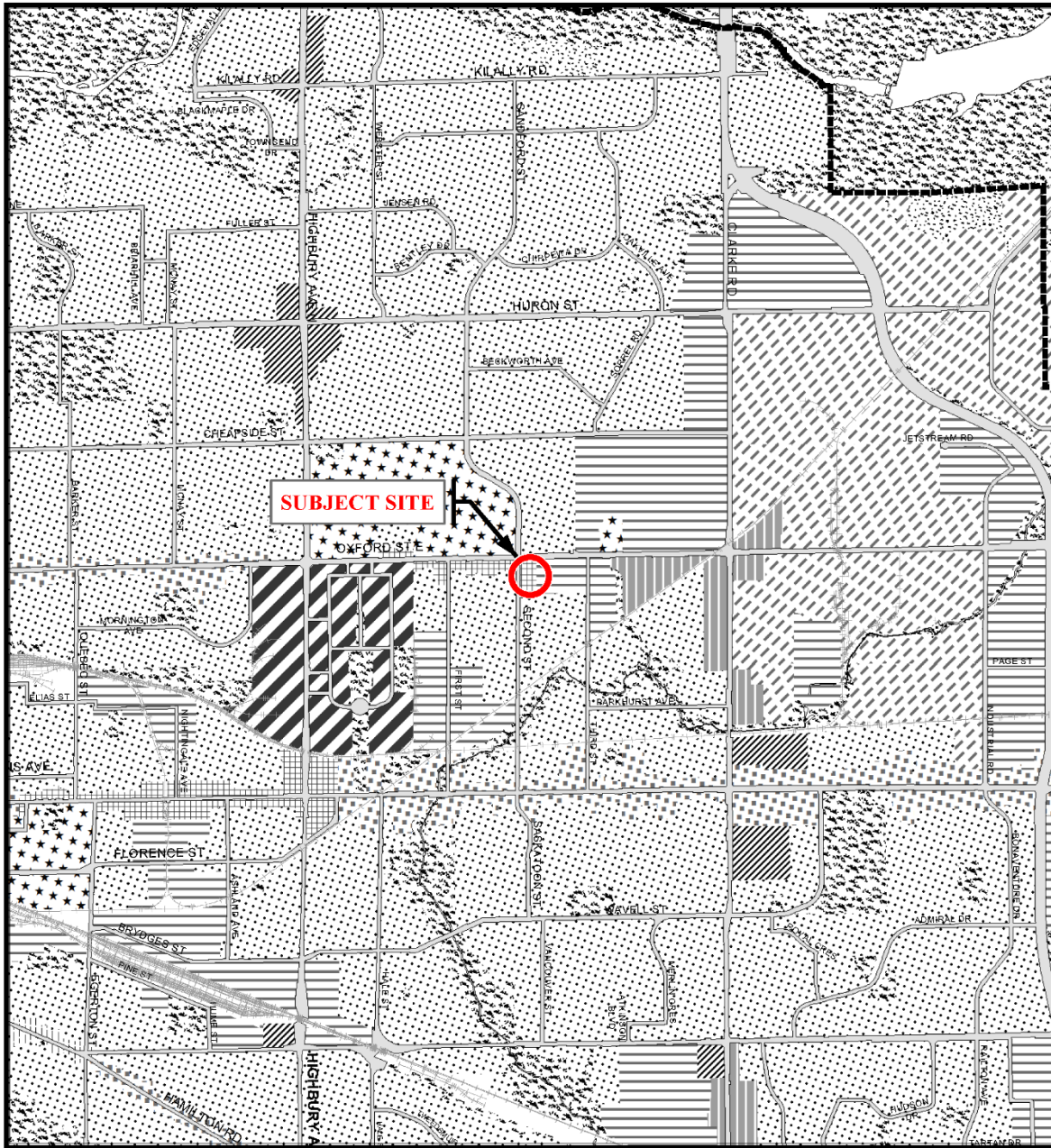
Net change in permeable surfaces: Unknown
Net change in the number of trees: Positive change
Tree Protection Area: No
Loss of natural heritage features: No
Species at Risk Habitat loss: No
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): N/A

Construction

Existing structures on site: Yes
Existing structures repurposed/adaptively reused: Yes, self storage
Green building features: Unknown
District energy system connection: N/A

Appendix D – Relevant Background Information

Additional Maps



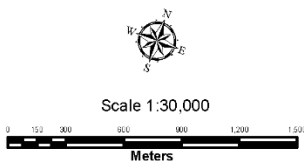
Legend

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

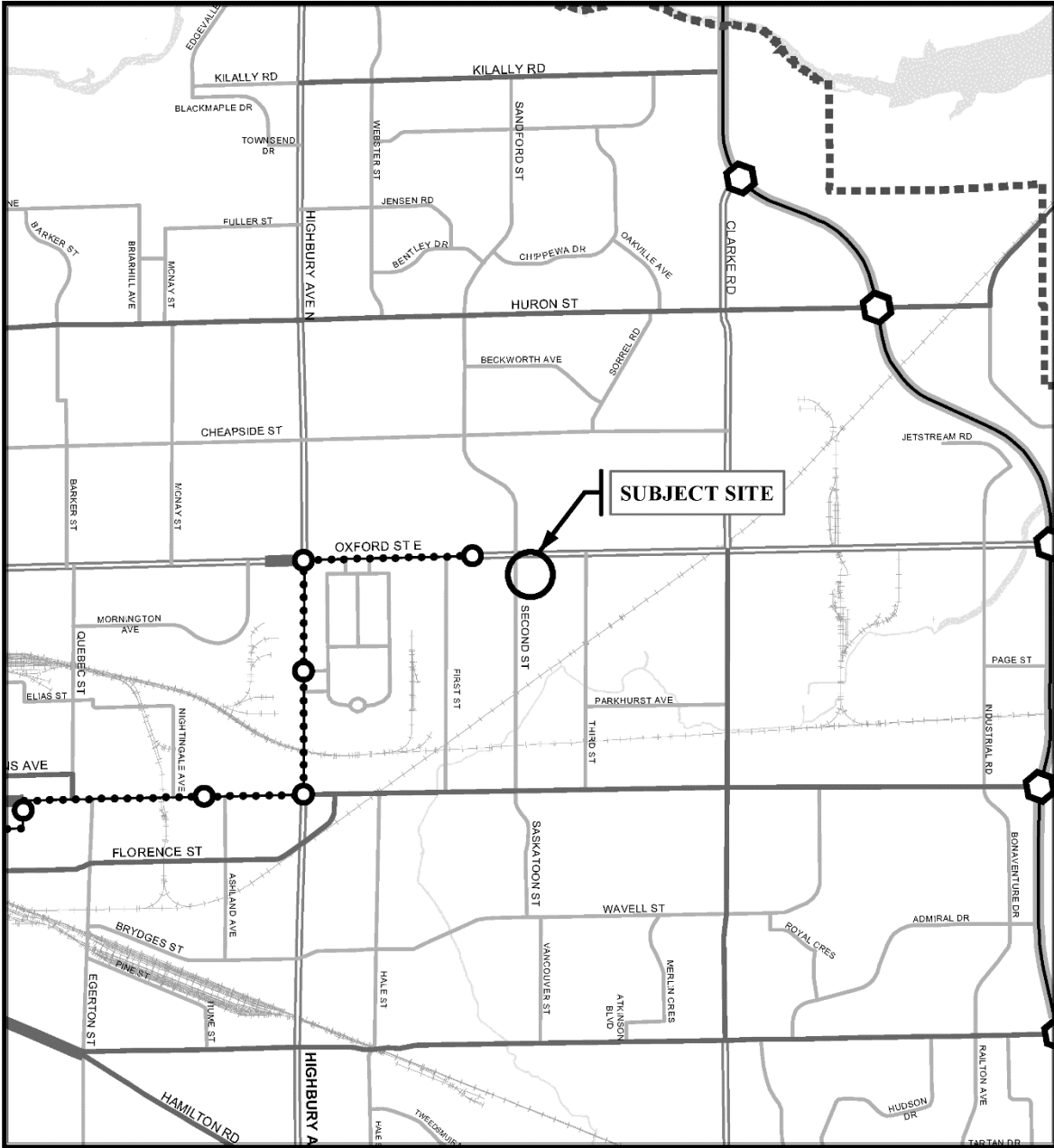
This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

PREPARED BY: Planning & Development



File Number: Z-9522
Planner: CP
Technician: RC
Date: 2022/8/26



Legend

- | | | | | | |
|--|-------------------------|--|-------------------------|--|------------------------|
| | Provincial Highway | | Main Street | | Interchanges |
| | Expressway | | Neighbourhood Connector | | Rapid Transit Stations |
| | Urban Thoroughfare | | Rural Thoroughfare | | Urban Growth Boundary |
| | Rapid Transit Boulevard | | Rural Connector | | |
| | Civic Boulevard | | | | |

This is an excerpt from Planning & Development's working consolidation of Map 3 - Street Classifications of the London Plan, with added notations.

**CITY OF LONDON
Official Plan**

**LONDON PLAN MAP 3
- STREET CLASSIFICATIONS -**

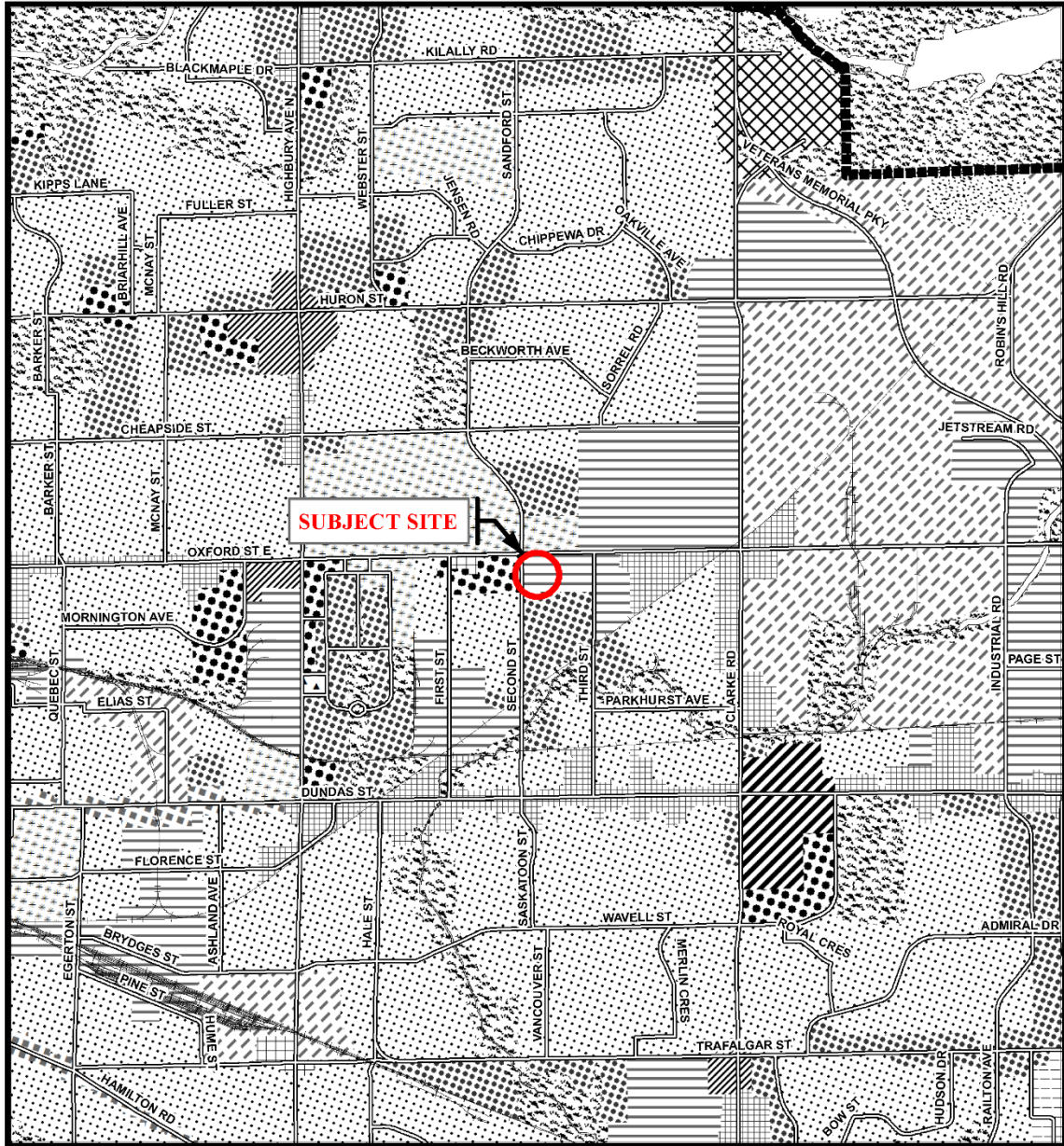
PREPARED BY: Planning & Development



Scale 1:30,000



File Number: Z-9522
Planner: CP
Technician: RC
Date: 8/26/2022



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 |

CITY OF LONDON

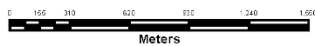
Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000

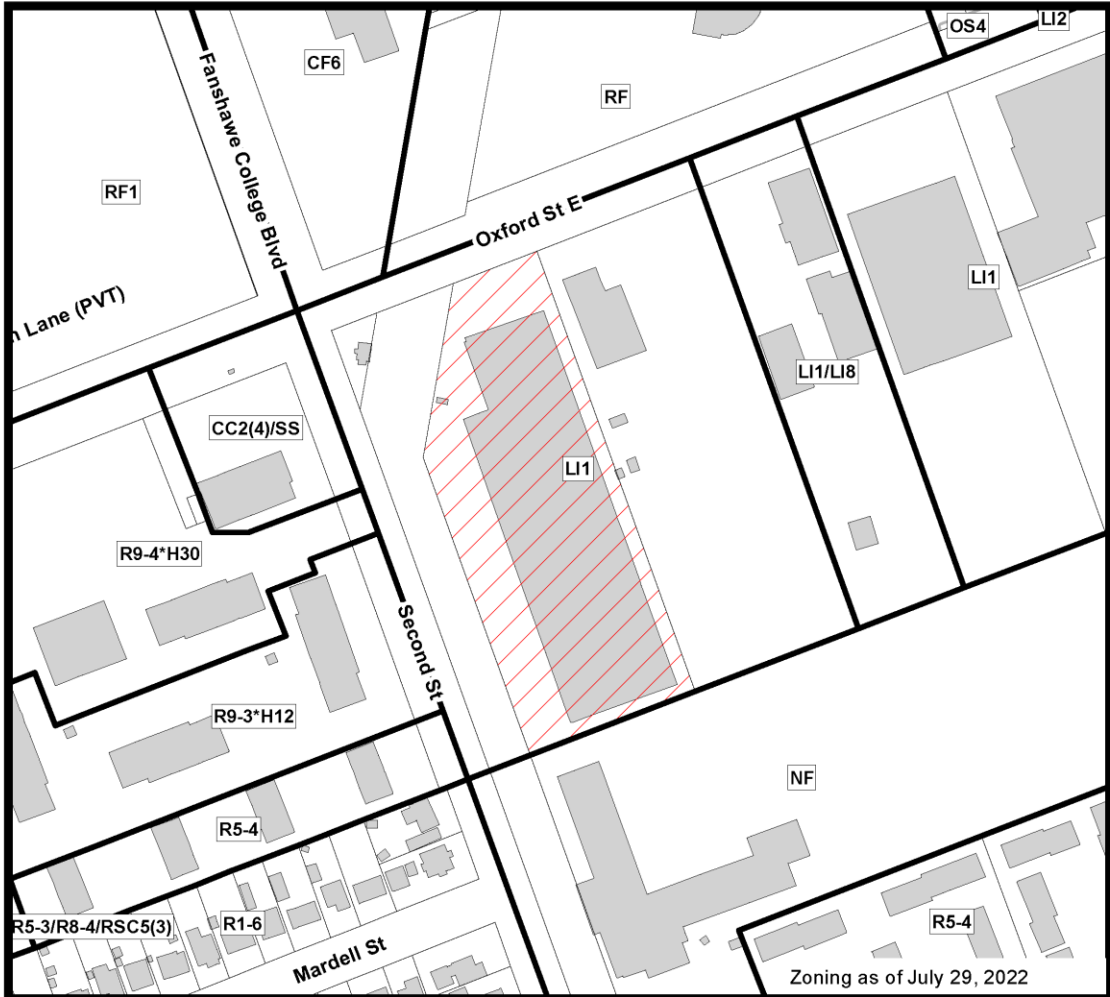


FILE NUMBER: Z-9522

PLANNER: CP

TECHNICIAN: RC

DATE: 2022/08/26



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
Z-9522 CP

MAP PREPARED:
2022/08/26 RC

1:2,500
0 12.525 50 75 100 Meters