

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

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

Subject: Sifton Properties Limited
3480 Morgan Avenue
City File: 39T-22503/OZ-9100 Ward 10
Public Participation Meeting

Date: October 3, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 3480 Morgan Avenue:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Holding Community Shopping Area Special Provision (h*h-11*h-63*h-82*h-95*h-100*h-105*h-135(CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*h-11*h-63*h-82*h-95*h-100*h-105*h-138(CSA5(3)), **TO** a Holding Residential R9 Special Provision (h*R9-4(_)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-54*h-198(R9-7(_))/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h*54*h-198(R9-7(_))-CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h*54*h-198(R9-7(_))/CSA5(3)) Zone; and an Open Space (OS1) **BE REFUSED** for the following reason:
 - i) A couple of additional holding provisions are considered necessary to address a range of planning and servicing issues associated with the proposed development.
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting October 17th, 2023, to amend Zoning By-law No. Z.-1, in conformity with *The London Plan*, to change the zoning of the subject property **FROM** a Holding Community Shopping Area Special Provision (h*h-11*h-63*h-82*h-95*h-100*h-105*h-135(CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*h-11*h-63*h-82*h-95*h-100*h-105*h-138(CSA5(3)), **TO** a Holding Residential R9 Special Provision (h*h-11*h-100*h-105*h-198(R9-4(_)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h*105*h-198(R9-7(_))/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h-105*h-198(R9-7(_))/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h-105*h-198(R9-7(_))/CSA5(3)) Zone; and an Open Space (OS1).
- (c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting;
- (d) The Site Plan Approval Authority **BE REQUESTED** to consider the provision of short-term public bicycle parking in the development of each block through the site plan process,
- (e) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-22503), prepared by Archibald, File No. 8-L-5709-A, March 17th 2022, which

shows a draft plan of subdivision consisting of one (1) Medium Density Residential Blocks, three (3) Mixed-Use Blocks and one (1) Park Block and two new streets (Street A and B) **SUBJECT TO** conditions.

Executive Summary

Summary of Request

Staff recommend a zone change from a Holding Community Shopping Area Special Provisions to a Holding Residential R9 Special Provision and Community Shopping Area Special Provision Zones to facilitate the development of a subdivision comprised of one (1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block.

Staff are refusing the zoning amendment application, as submitted, and recommending that a couple of additional holding provisions be applied to the requested zones to address a range of planning and servicing issues associated with the proposed draft plan development. The Applicant, Sifton Properties Limited, has agreed to the additional holding provisions to advance their development.

This Zoning amendment and Draft Plan of Subdivision will add 738 new dwelling units in the City of London.

Purpose and Effect of the Recommended Action

The purpose and effect of the recommended action is for Municipal Council to approve the Staff recommended Zoning By-law Amendments, as well as recommend that the Approval Authority for the City of London issues Draft Approval of the proposed Plan of Subdivision, subject to conditions, to permit the development of a subdivision comprised of one (1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block.

Rationale of Recommended Action

APPROVAL of the recommended Zoning By-law amendment because:

1. The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Shopping Area Place Type, City Building and Design, Our Tools, and all other applicable *The London Plan* policies.
3. The zoning will permit development that is considered appropriate and compatible with the existing and future land uses surrounding the subject lands.

REFUSAL of the requested Zoning By-law Amendment because:

1. The Application did not include Holding Provisions. A number of holding provisions are considered necessary to address a range of planning and servicing issues associated with the proposed development.

Linkage to the Corporate Strategic Plan

The recommendation supports to 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,
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the City, is committed to reducing and mitigating Climate Change. Please refer to Appendix “F” for further details on the characteristics of the proposed Application relates to the City’s climate action objectives.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

April 25, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

May 9, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

May 30, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

September 12, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

May 6, 2009 – Report to Planning Committee on application from Sifton Properties Limited for Draft Plan of Subdivision Approval, Official Plan Amendment and Zoning By-law Amendment (39T-07510/Z-7457/O-7466)

November 26, 2012 – Report to Planning and Environment Committee regarding special provisions for the Subdivision Agreement for Andover Phase 4 (39T-07510)

January 22, 2013 – Report to the Planning and Environment Committee regarding a one-year Draft Plan Extension (39T-07510)

July 22, 2016 – Report to London Consent Authority regarding a consent application (B.011/16)

November 24, 2022 - Report to London Committee of Adjustment regarding a consent application (B.026/22)

May 1, 2023 - Report to Planning and Environment Committee regarding Zoning By-law Amendment for adjacent lands (Z-9531)

1.2 Planning History

The subject lands comprise part of the Bostwick East Planning Area. In 2003, the City of London and Sifton Properties Limited initiated the Bostwick East Area Plan as a developer-led community plan to guide development for the lands bounded by Southdale Road West, Wharncliffe Road South and Wonderland Road South. City Council adopted Official Plan Amendments in 2005 to implement the Area Plan. The lands are now subject to the *Southwest Area Secondary Plan (SWAP)*, and more specifically the policies for the Central Longwoods Residential Neighbourhood. *SWAP* was approved by the Ontario Municipal Board on April 29, 2014, and is intended to provide a comprehensive land use plan, servicing requirements and servicing strategy for the lands south of Southdale Road, east of the Dingman Creek and north of the Highway 401/402 corridor. The subject lands are designated as Commercial under *SWAP*.

In October of 2007, Sifton Properties Limited submitted applications for a Draft Plan of Subdivision, Official Plan Amendments and Zoning By-law Amendments to facilitate the

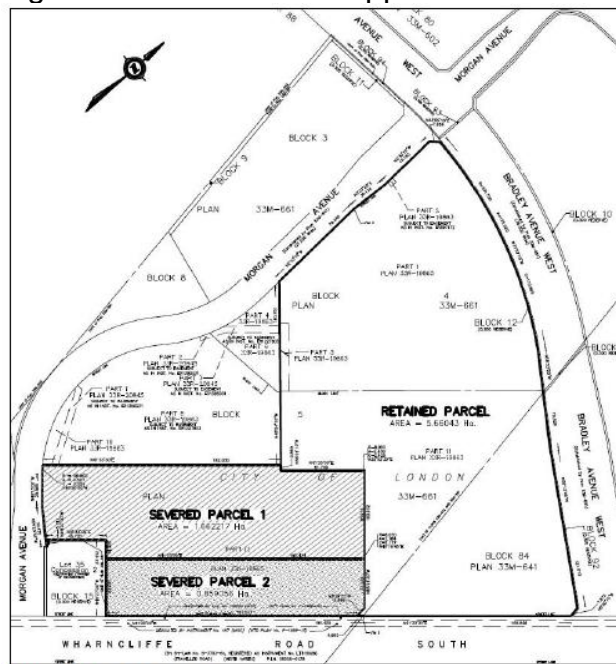
creation of: two multi-family, medium density residential blocks; two multi-family, high density residential blocks; two restricted service commercial blocks; two park blocks; and, a new secondary collector road on the subject lands. Staff recommended approval of the Official Plan Amendment, a revised Zoning By-law Amendment and a red-lined Draft Plan of Subdivision. The Zoning By-law Amendment and Draft Plan of Subdivisions initially submitted by the Applicant were recommended for refusal for the following reasons:

1. Additional road reserve blocks were required to restrict vehicular access to Bradley Avenue. A holding provision would have been necessary for the Applicant to submit an Access Management Plan to serve the commercial and office blocks on Wharncliffe Road South and Bradley avenue West.
2. The Applicant did not request any holding provisions, but a number would have been considered necessary to address a range of planning and servicing issues associated with the proposed development to implement servicing and urban design issues.
3. Special provisions of the Restricted Service Commercial Zone were necessary to prohibit certain industrial type uses from being in proximity to sensitive land uses.

Draft Approval was granted to the Plan of Subdivision on August 19, 2009, with a three-year draft approval period, and no appeals were received. On August 1, 2012, an emergency extension was granted with a lapse date of February 19, 2013. The Applicant also requested an amendment to a condition of Draft Approval, pursuant to Section 51(44) of the *Planning Act*, pertaining to parkland dedication to allow for the required cash-in-lieu payment at the time of issuance of the first permit for each block, as has been standard practice with most plans of subdivision. The Applicant and Parks Planning agreed on the revised wording, and approval was granted on November 14, 2012. An additional request for Draft Plan extension was granted in February of 2013, with a new lapse date of February 19, 2014, and Final Approval was granted in July of 2014.

In 2016, an application was made by Sifton Properties Limited to sever what is now 3400 Morgan Avenue from what is now 3480 Morgan Avenue. Provisional Consent, subject to conditions, was granted on July 28th, 2016, and the conditions were cleared by July 24, 2017. A long-term care facility is now located at 3400 Morgan Avenue. An additional consent application was submitted by Sifton Properties Limited in 2022 to sever two additional properties, one of which is the lands subject to this Application. Figure 1, seen below, shows the lands to be severed and the lands to be retained. Severed Parcel 1 are the lands subject to this Application. Provisional Consent, subject to conditions, was granted on November 24, 2022, with a lapse date of November 24, 2024.

Figure 1: 2022 Consent Application – Lands to be severed and retained.



1.3 Property Description

The subject property is generally located northwest of Wharnccliffe Road South between Bradley Avenue West and Morgan Avenue. The site has a mix of built or proposed low and medium density residential to the north and south, Green Space is located to the west, and Urban Reserve and Commercial Industrial to the northeast. The requested Zoning By-law Amendment and Draft Plan of subdivision would permit the construction of four (4) medium density residential blocks and one open space block. This site is currently vacant and approximately 6.51 hectares (16.08 acres) in size. The site would have access to municipal services and is in an area planned for growth.

1.4 Current Planning Information

- *The London Plan Place Type – Shopping Area*
- *Southwest Area Secondary Plan - Commercial*
- Existing Zoning – h*h-11*h-63*h-82*h-95*h-100*h-105*h-135*CSA5(3) and h*h-11*h-63*h-82*h-95*h-100*h-105*h-138*CSA5(3)

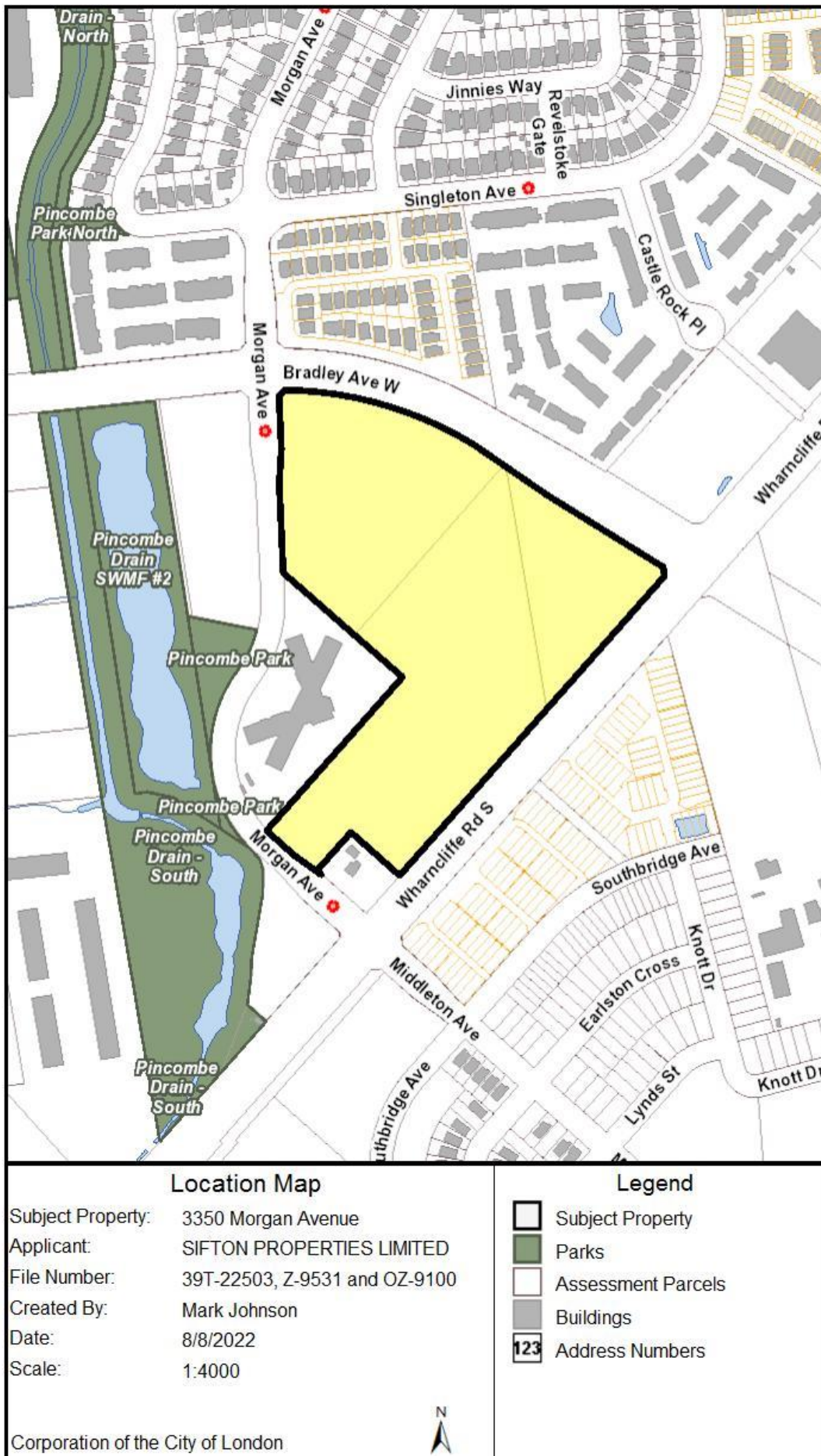
1.5 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 337.4 metres of Bradley Avenue and 355.3 metres on Wharnccliffe Road South
- Depth – Varies
- Area – 6.51 Hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Residential
- East – Residential and Commercial Industrial
- South – Residential
- West – Green Space and Residential

1.7 Location Map



2.0 Discussion and Considerations

2.1 Requested Amendments

The Applicant has requested Zoning By-law Amendments to facilitate the proposed subdivision to develop over 700 new residential units.

The subject lands are currently zoned Holding Community Shopping Area Special Provision (h*h-11*h-63*h-82*h-95*h-100*h-105*h-135*CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*h-11*h-63*h-82*h-95*h-100*h-105*h-138*CSA5(3)). Current permitted uses are a wide range of community-scale retail and personal services uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the community, or a number of neighbourhoods located within convenient walking and/or driving distance.

The Applicant has requested the following zones: Holding Residential R9 Special Provision (h*h-11*h-100*h-198*R9-4(_)) Zone; Holding Residential R9 Special Provision (h*h-11*h-54*h-100*h*105*h-198(R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*h-11*h*54*h-100*h-105*h-198*R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*h-11*h*54*h-100*h-105*h-198*R9-7(_)/CSA5(3)) Zone; and an Open Space (OS1). These zones have been requested to facilitate the development of a mixed-use residential and commercial subdivision with a park block. The Residential R9 Zone provides and regulates a range of medium and higher density residential developments in the form of apartment buildings. Additional permitted uses have been requested as special provisions, to contribute to a mix of residential housing forms. The requested Special Provision Zones are listed as follows:

Block 1: (Phase 4 as per Figure 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40% for townhouses and stacked townhouses;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

Block 2: (Phase 5 as per Figure 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Maximum landscape open space for townhouses and stacked townhouses of 25%;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,
- Maximum density of 200 units per hectare.

Block 5: (Phase 3 as per Figure 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,

- Maximum density of 200 units per hectare.

Block 6: (Phase 2 as per Figure 3)

- Additional permitted uses of stacked townhouses and townhouses;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 2.2 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

At the time the Application was submitted and accepted, the off-street parking requirements outlined in the Z.-1 Zoning By-law were under review and the Applicant requested a special provision for a parking reduction of 1 space per unit. Since then, the review has completed, and the parking requirements revised to 1 space per townhouse unit, 0.5 spaces per stacked townhouse unit and 0.5 spaces per apartment unit. The special provision is no longer required.

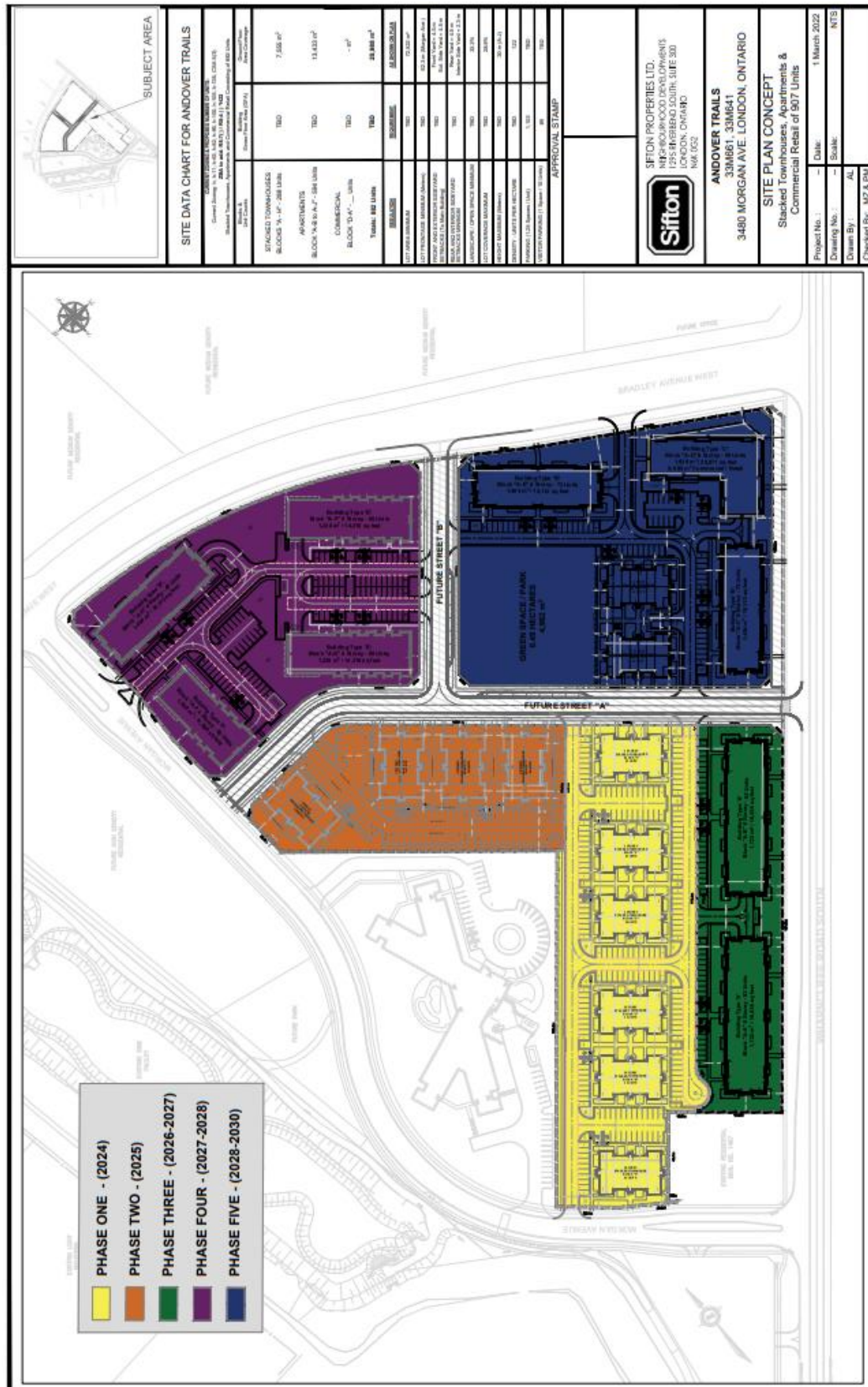
2.2 Development Proposal

The Draft Plan of Subdivision provides for one (1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block. A mix of residential housing forms are proposed to be built in four (4) phases, and the subdivision would yield approximately 738 new units. Mixed-use residential and commercial uses are proposed for Blocks 1, 2 and 5, which front onto Wharnccliffe Road South and Bradley Avenue. The proposed Draft Plan will be served by two new roads, shown as Street A and Street B on the Draft Plan. Please note that the Draft Plan of Subdivision, seen below, may be further refined and reviewed prior to Draft Approval.

The Draft Plan incorporates the following key features:

- Medium density, multiple-attached residential dwellings that will provide a more intensive scale of development that supports a compact urban form, area commercial uses to the west, and transit services, as well as serving as a transition between low density residential to the south and east;
- A mix of land uses and new park space, providing for amenities within walking distance;
- Residential development on a vacant lot that is within the Urban Growth Boundary and adjacent to existing development within the Built Area Boundary; and,
- Two new Neighbourhood Streets, improving pedestrian and vehicle connectivity within the subdivision and to the adjacent lands.

Figure 3: Anticipated Phasing Plan



2.3 Internal and Agency Comments

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

2.4 Public Engagement

On August 4, 2022, Notice of Application was sent to 242 property owners and residents in the surrounding area. Notice of Application was also published in the *Public*

Notices and Bidding Opportunities section of *The Londoner* on August 4, 2022. A “Planning Application” sign was also placed on the site.

There were two responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Setbacks being inconsistent with surrounding development;
- Reduction in parking;
- Capacity within existing schools to accommodate development;
- Building design appeal and sustainability, and
- Use of paper associated with letter mailed notices.

Detailed public comments are included in Appendix “C” of this report.

2.5 Policy Context

2.5.1 Provincial Legislation

Planning Act

The *Ontario Planning Act* delegates and assigns much of the authority and responsibility to municipalities to undertake land use planning within their jurisdiction, as well as establishing the rules and legislation that municipalities must conform to, or be consistent with, when making planning decisions. The *Act* identifies twenty (20) matters of Provincial Interest in Section 2, that all planning authorities shall have regard for when carrying out their responsibilities. Section 51, Subsections 24 and 25 set out further criteria and conditions when considering draft plans of subdivision. Planning and Development Staff have reviewed this criterion, and the proposed draft plan of subdivision has regard for the health, safety, convenience, and welfare of the present and future inhabitants of the Municipality.

Provincial Policy Statement (PPS), 2020

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest as identified in Section 2 of the *Planning Act*. In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies:

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

Important policy objectives to highlight are those within Sections 1.1, 1.4 and 1.6. These policies require land use within settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. The requested amendment has been reviewed for consistency with the *PPS*. Staff are of the opinion that the zoning amendment and draft plan of subdivision are consistent with the *PPS*.

2.5.2 The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal (LPAT)* (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and

effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT).

The London Plan includes criteria for evaluating plans of subdivision through policy 1688 and require consideration of the following sections:

- Our Strategy
- Our City
- City Building policies
- Applicable Place Type policies
- Our Tools
- Relevant Secondary Plans and Specific Policies.

The subject lands are located within the Shopping Area Place Type, which is intended to provide a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods. An excerpt from *The London Plan* Map 1 – Place Types is found in Appendix E. Over the long-term these areas will become more pedestrian, cycling and, transit-oriented, and less automobile-dominated. The proposal to permit residential land uses on the subject lands is consistent with the permitted uses and the Applicant has incorporated building design and streetscape orientation to ensure there is a positive interface with adjacent lands in the Neighbourhoods Place Type.

The requested amendment has been reviewed with the applicable policies of *The London Plan*, including Our Strategy, City Building and Design, Neighbourhoods Place Type and the Our Tools part of the *Plan*. Staff are of the opinion that the zoning amendment and draft plan of subdivision are consistent with *The London Plan*.

2.5.3 Southwest Area Secondary Plan (SWAP)

This site forms part of the *Southwest Area Secondary Plan* and is subject to the development vision and detailed policies of the Secondary Plan. Additionally, the site forms part of the 'Central Longwoods Neighbourhood' within the greater *Plan*. This *Secondary Plan* sets out policy and guidance to create neighbourhoods that have the following features: a mix of uses and diverse mix of residential housing; an emphasis on design parameters with placemaking features; walkability within and between neighbourhoods; an integration of the Natural Heritage System as an opportunity for residents to enjoy; and, Neighbourhood Central Activity Nodes as destination places in the neighbourhood.

The proposal will contribute to a range of dwelling types in the area and could contribute to creating opportunities for affordable housing, as required in section 50.5.3.1 Housing, in a compact form of development, which could contribute to a reduction of land and energy, as set out in section 20.5.3.2 Sustainable/Green Development.

The requested amendment has been reviewed with the applicable policies contained in the *SWAP*. Staff are of the opinion that the zoning amendment and draft plan of subdivision are consistent with the *policies in SWAP*.

2.5.4 Z-1 Zoning By-law

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

The subject lands are currently zoned Holding Community Shopping Area Special Provision (h-h-11-h-63-h-82-h-95-h-100-h-105-h-135-CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h-h-11-h-63-h-82-h-95-h-100-h-105-h-138-CSA5(3)). Current permitted uses are a wide range of community-scale retail and personal services uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the

community, or a number of neighbourhoods located within convenient walking and/or driving distance.

Not all of the holding provisions included in the current zoning are applicable to the proposed development, and they are not included in Staff's recommended zoning. They include:

- h-63 - Ensure there are no land use conflicts between commercial and residential land uses through the implementation of all noise attenuation and design mitigation measures as recommended in a noise study, acceptable to the City. This Holding Provision was removed as the proposed zoning would no longer permit commercial development that would conflict with adjacent residential uses.
- h-82 - Ensure that there is a consistent lotting pattern in this area and the part block has been consolidated with the adjacent lands. This Holding Provision has been removed as consent applications have severed the lands and a Plan of Subdivision is being processed on the adjacent lands to ensure a consistent lot pattern.
- h-95 - ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which incorporates these concepts and addresses identified Urban design issues.
- h-135 - Ensure that commercial development does not exceed a maximum interim floor area threshold of 15, 243 metres squared in draft plan 39T-07510, the symbol shall not be removed until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes. This Holding Provision was removed because commercial land uses, as the primary use, are no longer proposed and would not be permitted under the recommended zoning.
- h-138 - Ensure that commercial development in draft plan 39T-05509 does not exceed a maximum interim floor area threshold of 12,868 m², the h-138 symbol shall not be deleted until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes. Permitted Interim Uses: Permitted uses up to a maximum total floor area of 12,868 m² on the commercial & office lands in draft plan 39T-05509. This Holding Provision was removed because commercial land uses, as the primary use, are no longer proposed and would not be permitted under the recommended zoning.

3.0 Financial Impact

Through the completion of the works associated with this application, fees, development charges and taxes will be collected. There will be increased operating and maintenance costs for works being assumed by the City.

4.0 Key Issues and Considerations

Zoning Amendment applications to the City of London Zoning By-law are subject to the applicable policies in *The London Plan*. *The London Plan* requires the applications demonstrate that the proposal is sensitive to, and compatible with, its context and consider the Use, Intensity and Form of proposed amendments.

4.1 Use

The Applicant has requested the Zoning By-law Amendment to facilitate the development of a mixed-use residential and commercial subdivision with a park block. The Residential R9 Zone provides and regulates a range of medium and higher density residential developments in the form of apartment buildings. Additional permitted uses of townhouses, stacked townhouses and hotels/motels have been requested as special provisions to contribute to a mix of residential housing forms. Community Shopping

Area permits a wide range of community-scale retail and personal services uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the community, or a number of neighbourhoods located within convenient walking and/or driving distance. The Open Space OS1 Zone applies to City or privately owned parks with no or few structures.

The recommended zoning would permit medium density residential development in the form of townhouses and apartment buildings, which is a permitted use. Residential land uses are permitted in the Shopping Area Place Type of *The London Plan* to encourage mixed-use development and allow for more efficient use of these lands. The proposed development would provide a mix of housing choices in compact form that is street oriented, which contributes to a safe pedestrian environment that promotes connectivity to adjacent lands within the Shopping Area and Commercial Industrial Place Types. Lands within the Neighbourhoods Place Type are located directly to the north, south and west, and there are additional lands further east within the Neighbourhoods Place Type. The recommended zoning and holding provisions are considered an appropriate use that is generally consistent with the policies of *The London Plan*, the Z.-1 Zoning By-law and surrounding existing and planned residential and commercial development.

4.2 Intensity

The subject lands are sufficient in size and configuration to accommodate the development of four (4) mixed-use, medium density residential blocks and one (1) park block. The Residential R9-4 and R9-7 Zone Variations requires a minimum lot area of 1000 square metres, and the proposed Blocks 1, 2, 5 and 6 all exceed this minimum requirement. Blocks 1 and 2 also meet the minimum requirements for lot frontage on an Arterial Street (100 metres) and lot depth (60 metres) required under the Community Shopping Area CSA5(3) Zone.

Building heights within the Shopping Area Place Type shall not exceed the standard maximum four (4) storeys. Heights above this, to an upper maximum of six (6) storeys, may be permitted in conformity with the Our Tools policies part of *The London Plan* that relates to Zoning to the Upper Maximum Height (878). The Applicant has requested special provisions that would permit heights of five (5) storeys (17 metres) and six (6) storeys (22 metres), which is the upper maximum height. The Residential R9 Zone sets no maximum for height and heights will be included in zones and identified on the Zone Map. *The London Plan* requires applications that exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to the *Plan* (1638). These requests will be reviewed through a site-specific zoning by-law amendment (1640), and will be permitted where the resulting intensity and form represent good planning within its context (1641). Residential development south of Wharncliffe Road South and north of Bradley Avenue consists of townhouses and single-detached dwelling units at a maximum height of two (2) storeys. The lands at the southwest corner of Bradley Avenue and Morgan Avenue are currently being developed for a twelve (12) storey apartment building, a fourteen (14) storey apartment building, and two (2) storey townhouse dwellings. The requested heights are considered an appropriate form that is generally consistent with the existing and proposed future development.

To allow for more intense and efficient use of the land with the Shopping Area Place Type, the redevelopment, expansion and introduction of residential development is considered (878). Appropriate scale, massing, material variation, landscaping and street orientation have all been considered to provide sufficient buffers and ensure compatibility with the adjacent uses (878). A maximum density of 115 units per hectare is permitted under the R9-4 Zone, and the R9-7 Zone Variation permits 150 units per hectare. *The London Plan* does not identify a maximum limit for residential density. It is anticipated that the overall density of the site would be approximately 110 to 120 units per hectare, and special provisions have been requested for Blocks 2 and 5 to permit a maximum density of 200 units per hectare. Lands on the opposite, south side of Wharncliffe Road South permit a maximum density of 75 units per hectare and lands to the northwest permit a maximum density of 100 units per hectare through a density provision. Blocks 1 and 6 align with the regulations of their respective zoning. The

recommended zoning and density are considered appropriate for the lands and in keeping with densities permitted on adjacent lands.

The street and cluster townhomes proposed for Blocks 1 and 6 will serve as a transition in densities, buffering the existing townhouses and single-detached dwellings to the north and northeast.

4.3 Form

As previously noted, the recommended zoning would permit medium density residential development in the form of stacked townhouses, townhouses and apartment buildings. This is a permitted building form under the R9 Zone, and it can be accommodated on the identified lands. Residential land uses are permitted in the Shopping Area Place Type of *The London Plan* to encourage mixed-use development and allow for more efficient use of these lands. Policy 876_5, notes that mid-rise residential development should be introduced into the Shopping Area Place Type to intensify their use, promote activity on these sites outside of shopping hours, and strengthen their role as neighbourhood centers. The recommended zoning would facilitate the development of mid-rise development, which aligns with the form identified as appropriate in *The London Plan* and is designed with street and pedestrian orientation in mind to promote connectivity. This connectivity could contribute to walkability to support adjacent lands comprising of the Shopping Area and Commercial Industrial Place Types. Residential development south of Wharnccliffe Road South and north of Bradley Avenue consists of townhouses and single-detached dwelling units at a maximum height of two (2) storeys. The lands at the southwest corner of Bradley Avenue and Morgan Avenue are currently being development for a twelve (12) storey apartment building, a fourteen (14) storey apartment building, and two (2) storey townhouse dwellings. The recommended zoning, special provisions and holding provisions are considered an appropriate form that is generally consistent with the existing and proposed future development surrounding.

4.4 Zoning

Staff are recommending the following zones: Holding Residential R9 Special Provision (h*11*100*198*R-4()) Zone; Holding Residential R9 Special Provision (h*11*54*100*105*198(R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*11*h*54*100*105*198*R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*11*h*54*100*105*198*R9-7()/CSA5(3)) Zone; and an Open Space (OS1). These zones have been requested to facilitate the development of a mixed-use residential and commercial subdivision with a park block. The Residential R9 Zone provides and regulates a range of medium and higher density residential developments in the form of apartment buildings. Additional permitted uses have been requested as special provisions, to contribute to a mix of residential housing forms.

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

- orderly development and adequate provision of municipal services through an approved Development Agreement (h);
- orderly development and adequate provision of municipal services through a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council (h-11);
- the owner agrees to implement all noise attenuation measures recommended in noise assessment reports acceptable to the City of London to ensure there are no land use conflicts between arterial roads and the proposal residential uses (h-54);
- there is adequate water services and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer (h-100);
- a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within

the subject plan and external lands where a private permanent on-site drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility (h-105); and,

- street-oriented development and discouragement of noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan (h-198).

Not all of the holding provisions included in the current zoning are applicable to the proposed development, and they are not included in Staff's recommended zoning. The holding provisions that have been removed include h-63, h-82, h-95, h-135, and h-138 as outlined above.

A number of Special Provision Zone has been requested; they are as follows:

Additional Permitted Uses

The Applicant has requested additional permitted uses for Block 1 (stacked townhouses, townhouses and hotels/motels), Block 2 (stacked townhouses, townhouses and hotels/motels), Block 5 (stacked townhouses, townhouses and hotels/motels, and Block 6 (stacked townhouses and townhouses). These requests have been made to simplify future interpretation of the permitted uses and special provisions, while providing the needed flexibility for development of individual phases in the future to allow adaptation to market demands.

Residential land uses are permitted in the Shopping Area Place Type of *The London Plan* to encourage mixed-use development and allow for more efficient use of these lands. The proposed development would provide a mix of housing choices in compact form that is street oriented, which contributes to a safe pedestrian environment that promotes connectivity to adjacent lands within the Shopping Area and Commercial Industrial Place Types.

Reduced Lot Frontage 20 metres (Minimum) – Blocks 5 and 6

Lot frontage is defined in the Z.-1 Zoning By-law as the horizontal distance between the side lot lines measured along the front lot line but where the front lot line is not a straight line, or where the side lot lines are not parallel, the frontage is to be measured by a line 6 m (19.7 ft.) back from and parallel to the chord of the frontage and for the purpose of this paragraph, the chord of the frontage is a straight line joining the two points where the side lot lines intersect the front lot line. The requested reduction is minor and there is still sufficient frontage for these blocks.

Reduced Front Yard Setback of 4.5 metres (Minimum) – Blocks 1, 2, 5 and 6

Front yard setbacks are intended to ensure adequate space between buildings and lot lines to ensure there are adequate sight lines, landscaping, and space to accommodate future road-widening, should it be required. The requested reduced front yard setback helps to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping.

Reduced Exterior Side Yard Setback of 4.5 metres (Minimum) – Blocks 1, 2, 5 and 6

Exterior Side Yard Setbacks are intended to ensure there is sufficient separation between new and existing development to potentially mitigate negative impacts, while also providing adequate space between buildings and lot lines to ensure there are adequate sight lines, landscaping, and space to accommodate future road-widening, should it be required. The requested reduced exterior side yard setback helps to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping.

Reduced Interior Side Yard Setback of 2.2 metres (Minimum) for Block 6 and 4.5 Metres (Minimum) for Blocks 1 and 2

Interior Side Yard Setbacks are intended to ensure there is sufficient separation between new and existing development to potentially mitigate negative impacts, while also provided access to the interior yard space. The proposed development locates the buildings on the edges of the blocks to contribute to a street-oriented development with parking on the interior, which would provide sufficient distance between the proposed and any existing development and there is sufficient access to the interior side yard.

Reduced Rear Side Yard Setback of 4.5 metres (Minimum) – Blocks 1, 2 and 6

Rear Yard Setbacks are intended to ensure there is sufficient separation between new and existing development, to potentially mitigate negative impacts while also provided access to the interior yard space. The requested reduced rear yard setback helps to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping, along the future street.

Landscaped Open Space of 25 per cent (Minimum) – Block 2

The Z.-1 Zoning By-law defines Landscaped Open Space as open space which is used for the growth and maintenance of grass, flowers, shrubbery, and other landscaping and includes any surfaced walk, patio, swimming pool or similar area, but does not include any access driveway or ramp, parking area, bus parking area, roof-top area or any open space beneath or within any building or structure. A minimum of 30 per cent is required under the Residential R9-7 Zone Variation. The requested special provision is minor in nature and a similar amount of Landscaped Open Space must be provided on the subject lands.

Minimum Lot Coverage 40 per cent – Blocks 1, 2, 5, and 6

Lot coverage is defined in the Z.-1 zoning By-law as the percentage of a lot covered by the first storey of all buildings and structures on the lot including the principal building or structure, all accessory buildings or structures and all buildings or structures attached to the principal building or structure, excluding balconies, canopies and overhanging eaves which are 2.0 metres (6.6 ft.) or more in height above finished grade. The Applicant has requested an increased minimum lot coverage of 40 per cent, which is a minor change from the 30 per cent required.

Maximum Height

The Applicant has requested the following special provisions for maximum heights:

Block 1: (Phase 4 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

Block 2: (Phase 5 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 22.0 metres (6 Storeys) for all other uses.

Block 5: (Phase 3 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 22.0 metres (6 Storeys) for all other uses.

Block 6: (Phase 2 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

As previously noted, building heights within the Shopping Area Place Type shall not

exceed the standard maximum four (4) storeys. Heights above this, to an upper maximum of six (6) storeys, may be permitted in conformity with the Our Tools policies of this plan relating to Zoning to the Upper Maximum Height (878). *The London Plan* requires applications to exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to the *Plan* (1638). These requests will be reviewed through a site-specific zoning by-law amendment (1640), and will be permitted where the resulting intensity and form represent good planning within its context (1641).

Residential development south of Wharncliffe Road South and north of Bradley Avenue consists of townhouses and single-detached dwelling units at a maximum height of two (2) storeys. The lands at the southwest corner of Bradley Avenue and Morgan Avenue are currently being developed for a twelve (12) storey apartment building, a fourteen (14) storey apartment building, and two (2) storey townhouse dwellings. The requested heights are considered an appropriate form that is generally consistent with the existing and proposed future development.

Maximum Density of 200 Units Per Hectare – Blocks 2 and 5

As noted in Section 5.2 Intensity, Residential R9-4 and R9-7 Zone Variations requires a minimum lot area of 1000 square metres, and the proposed Blocks 1, 2, 5 and 6 all exceed this minimum requirement. Blocks 1 and 2 also meet the minimum requirements for lot frontage on an Arterial Street (100 metres) and lot depth (60 metres) required under the Community Shopping Area CSA5(3) Zone.

To allow for more intense and efficient use of the land with the Shopping Area Place Type, the redevelopment, expansion and introduction of residential development is considered (878). Appropriate scale, massing, material variation, landscaping and street orientation have all been considered to provide sufficient buffers and ensure compatibility with the adjacent uses (878). A maximum density of 115 units per hectare is permitted under the R9-4 Zone, and the R9-7 Zone Variation permits 150 units per hectare. *The London Plan* does not identify a maximum limit for residential density. It is anticipated that the overall density of the site would be approximately 110 to 120 units per hectare. Lands on the opposite, south side of Wharncliffe Road South permit a maximum density of 75 units per hectare and lands to the northwest permit a maximum density of 100 units per hectare through a density provision. Blocks 1 and 6 align with the regulations of their respective zoning. The recommended zoning and density are considered appropriate for the lands and in keeping with densities permitted on adjacent lands.

4.5 Public Concerns

Setbacks are inconsistent with surrounding development

As noted in the previous section, setbacks are required to ensure there is adequate space between buildings; sight lines; landscaping; space to accommodate future road-widening; and, access to side yards to help mitigate potential negative impacts on new development. The requested reduced front and rear yard setbacks help to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping.

Reduction in parking

As previously noted, at the time the Application was submitted and accepted, the off-street parking requirements outlined in the Z.-1 Zoning By-law were under review and the Applicant requested a special provision for a parking reduction of 1 space per unit. Since then, the review has completed, and the parking requirements revised to 1 space per townhouse unit, 0.5 spaces per stacked townhouse unit and 0.5 spaces per apartment units. The special provision is no longer required.

Capacity within existing schools to accommodate development

School Blocks have been incorporated and appropriately zoned as part of Plans of Subdivision west of Bostwick Road to accommodate new schools in southwest London. Local School Boards are circulated on Planning and Development Applications and Pre-Application Consultations to provide comments based on their mandate. No comments were received from the School Board for this Zoning By-law Amendment.

Building design and sustainability

Holding provisions are included in the zoning to ensure that new development is designed and approved consistent with the *Southwest Area Secondary Plan* (h-198). The proposed development blocks are also subject to a Site Plan Approval Applications.

Conclusion

The development proposal, as recommended by Staff, provides for a mix of housing affordability that will meet the projected requirements of current and future residents. The application is consistent with *The London Plan*, *the Southwest Area Secondary Plan*, and the *Z.-1 Zoning By-law* to redevelop a vacant and underutilized site with a range of housing options. The recommended zoning and special provisions of the zoning amendment will permit townhouse units and an apartment building that are considered appropriate and compatible with existing and future land uses in the surrounding area. Therefore, staff are satisfied that the proposal represents good planning in the broad public interest and recommends approval.

Staff are recommending refusal of the requested Zoning By-law Amendment, submitted by Sifton Properties Limited, because the application did not include a number of holding provisions that are considered necessary to address a range of planning and servicing issues associated with the proposed development. Noting, the Staff recommended zoning amendment will facilitate the Applicant's proposed development while ensuring there is orderly development, adequate provision of municipal services and adequate access.

Prepared by: Alison Curtis, MA
Planner, Subdivision Planning

Reviewed by: Bruce Page
Manager, Subdivision Planning

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

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

CC: Peter Kavcic, Manager, Subdivision and Development Inspections
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Subdivision Engineering

HM//BP/AC/ac

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2022\Z-9531 - 3350, 3460, 3480 Morgan Ave, 1363 Wharnclyffe Rd S (MJ)

Appendix A: Amendment Schedule

Appendix "A"

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

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

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 3480 Morgan
Avenue.

WHEREAS Sifton Properties has applied to rezone lands located at 3480 Morgan Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3480 Morgan Avenue as shown on the attached map comprising part of Key Map No. A111, **FROM** a Holding Community Shopping Area Special Provision (h*h-11*h-63*h-82*h-95*h-100*h-105*h-135(CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*h-11*h-63*h-82*h-95*h-100*h-105*h-138(CSA5(3))), **TO** a Holding Residential R9 Special Provision (h*h-11*h-100*h-105*h-198*R9-4(_)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h*105*h-198(R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h-105*h-198(R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h-105*h-198(R9-7(_)/CSA5(3)) Zone; and an Open Space (OS1).
- 2) Section Number 13.4 of the Residential R9 Zone is amended by adding the following Special Provisions:
 -) R9-4(_)
 - a) Additional Permitted Uses:
 - i) Stacked Townhouses
 - ii) Townhouses
 - b) Regulations:
 - i) Lot Frontage 20m
(Minimum)
 - ii) Front Yard Depth 4.5m (14.76ft)
(Minimum)
 - iii) Exterior Side Yard Depth 4.5m (14.76ft)
(Minimum)
 - iv) Interior Side Yard Depth 2.2m (7.2ft)
To Northwest property line

- (Minimum)
 - v) Rear Yard Depth 4.5m (14.8ft)
 - (Minimum)
 - vi) Height 14m (45.9ft)
 - For Townhouses and Stacked Townhouses
 - (Maximum)
 - vii) Height 17m (55.77ft) (5 Storeys)
 - All other uses
 - (Maximum)
 - viii) Lot Coverage 40%
 - (Minimum)
-) R9-7(*)
 - a) Additional Permitted Uses:
 - i) Stacked Townhouses
 - ii) Townhouses
 - iii) Hotels/Motels
 - b) Regulations:
 - i) Front Yard Depth 4.5m (14.76ft)
 - (Minimum)
 - ii) Exterior Side Yard Depth 4.5m (14.76ft)
 - (Minimum)
 - iii) Height 14m (45.9ft)
 - For Townhouses and Stacked Townhouses
 - (Maximum)
 - iv) Height 22m (72.17ft) (6 Storeys)
 - All other uses
 - (Maximum)
 - v) Lot Coverage 40%
 - (Minimum)
 - vi) Density 200 unit per hectare
 - (Maximum)
-) R9-7(**)
 - a) Additional Permitted Uses:
 - i) Stacked Townhouses
 - ii) Townhouses

iii) Hotels/Motels

b) Regulations:

- i) Front Yard Depth 4.5m (14.76ft)
(Minimum)
- ii) Exterior Side Yard Depth 4.5m (14.76ft)
(Minimum)
- iii) Interior Side Yard Depth 4.5m (14.76ft)
To Northwest property line
(Minimum)
- iv) Rear Yard Depth 4.5m (14.8ft)
(Minimum)
- v) Height 14m (45.9ft)
For Townhouses and Stacked Townhouses
(Maximum)
- vi) Height 17m (55.77ft) (5 Storeys)
All other uses
(Maximum)
- vii) Lot Coverage 40%
(Minimum)

) R9-7(***)

a) Additional Permitted Uses:

- i) Stacked Townhouses
- ii) Townhouses
- iii) Hotels/Motels

b) Regulations:

- i) Front Yard Depth 4.5m (14.76ft)
(Minimum)
- ii) Exterior Side Yard Depth 4.5m (14.76ft)
(Minimum)
- iii) Interior Side Yard Depth 4.5m (14.76ft)
(Minimum)
- iv) Rear Yard Depth 4.5m (14.8ft)
(Minimum)
- v) Landscape Open Space 25%
For Townhouses and Stacked Townhouses

	(Minimum)	
vi)	Height	14m (45.9ft)
	For Townhouses and Stacked Townhouses	
	(Maximum)	
vii)	Height	22m (72.17ft) (6 Storeys)
	All other uses	
	(Maximum)	
viii)	Lot Coverage	40%
	(Minimum)	
ix)	Density	200 unit per hectare
	(Maximum)	

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

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

PASSED in Open Council on October 17th, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17th, 2023
Second Reading – October 17th, 2023
Third Reading – October 17th, 2023

Appendix B: Internal and Agency Comments

Parks Planning and Design

- Required parkland dedication shall be calculated pursuant to section 51 of the *Planning Act* at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of PP&D that the required parkland dedication will be satisfied through the combination of land dedication and payment of cash-in-lieu of parkland.
- Staff are satisfied with the configuration of Block 3 as an Urban Park Block. As previously noted, an urban park in this growth area is currently not included in the current DC Study but is expected to be incorporated into the next study forecasted for 2026 +/- (DC19-PR05013).
- *The London Plan* requires parks to be flat and well drained to accommodate recreational activities.
- The table below summarizes the parkland information as per the concept plan submitted in the FPR. Parkland dedication is required for Blocks 1 and 2 within the draft plan of subdivision. The additional phases shown west of street A are outside of the draft plan of subdivision and parkland dedication will be taken through future site plan processes. The unit counts are based on the number of residential and commercial units proposed on the face of the concept plan. Block 1 is wholly within Block 4 Plan 33M-661 the registered subdivision agreement required Cash in Lieu to satisfy parkland dedication for this block. Block 2 is located partially in Block 5 Plan 33M-661 and 2% table land dedication was dedicated (0.031ha) to be added to total table land dedicated).

Land Use	Area (ha)	Units		Expected Dedication (ha)
Block 1	1.737	239	1/300	0.796
Block 2	1.561	320	1/300	1.066
Total Dedication required				1.862
Provided Parkland Dedication				
Parks (Block 3)				-0.496
2% dedicated lands (33M-661) for Block 2				-0.031
Parkland Provided				-0.527
Outstanding Balance				+1.335

Proposed Conditions

- As part of Focused Design Studies submission, the Owner's Landscape Architect shall prepare and submit a conceptual plan for Block 3, to the satisfaction of the City.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City. Park Blocks and Open Space, shall not be used for stockpiling of any

kind.

- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the approved engineering drawings and City Standard S.P.O.-4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.
- Where Lots or Blocks abut parkland, all grading of the developing Lots or Blocks at the interface with the parkland are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.

Urban Design

As some of the concepts provided in the Final Proposal Report included several sub-concepts, comments have been provided for each, as well as general comments for the subdivision which apply to all blocks and concepts.

General Comments

- The applicant is commended for providing a design with the following elements: a modified grid network of streets and pedestrian linkages; a well-located and adequately-sized park space with adjacent on-street parking spaces; and for providing detailed concepts for each of the blocks.
- Reduce the number of dead-end drive aisles in favour of through aisles to improve the overall connectivity throughout the site.
- Reduce the amount of surface parking across the site in favour of underground parking;
- Provide a minimum 5.0m² per unit of accessible shared outdoor amenity space for all blocks.
- Explore new apartment building forms that are designed in less of a slab-like format.
- Any proposed below-grade units in stacked townhouses shall be designed as through units with one side having finished floor at or above the grade, or as two-storey units. Redesign the proposed sunken units to address this issue.
- Include a zoning provision with a **maximum** of 4.5m and a minimum of 1.0m for the front and exterior side yard setbacks.
- Surface parking lots should be located away from public street frontages, behind the proposed building(s). Screen any surface parking areas exposed to the public street(s) or park space with enhanced landscaping.
- Provide variety in the design and heights of the buildings throughout the development so they appear as unique while still being complimentary to one another in architectural detail and materials to avoid a 'cookie-cutter' style of architecture in like housing forms throughout the subdivision.

Phase Specific Comments:

Phase 1

- Comments for this block have been provided through the SPC process. In conjunction with the comments provided through the SPC process, please address the following:
 - The current layout of the site includes a mass amount of surface parking, resulting in a majority of the buildings being surrounded by impermeable asphalt paved area. Reduce the mass amount of surface parking areas on

the site in favour of more permeable green space. It is suggested the applicant explore the following to reduce the amount of surface parking:

- Explore alternate building forms, such as low-rise apartment buildings with underground parking or street townhouses with rear lane garages.
- Reduce the number of parking spaces provided for each unit.
- Consolidate the parking areas to allow for larger green spaces and to have fewer buildings surrounded by asphalt paving.
- Provide a larger common amenity area that is centrally located and easily accessible from all units.
- Remove the stunted drive aisle between 'Block E' and 'Block F' in favour of a through aisle connecting to the main drive aisle off 'Street A'.
- The edge of the parking area should be located behind the front face of 'Block A' along Morgan Avenue.
- Provide enhanced landscaping to screen where the parking areas are exposed to 'Street A' and Morgan Avenue.

Phase 2

- Urban design staff are more so in favour of an apartment building form on this site as shown in 'Concept B'. Please see below for urban design comments for each concept. Once a final concept is chosen, further urban design comments may apply at the site plan stage:
 - Concept A:
 - Rotate the three buildings (Blocks I, J, K) along 'Street A' 90 degrees so they are front-facing toward the street with direct access to the sidewalk to be in line with 'Block F' in Phase 1.
 - As 'Block L' is located at the corner of two public streets, design the building to have regard for its corner location. Massing and articulation should address the intersection of 'Street A' and Morgan Avenue.
 - Surface parking areas should be located behind a building, not exposed to 'Street A' as currently shown. If a small amount of surface parking is to remain exposed to the street, it must be heavily screened with enhanced landscaping.
 - The side of any unit flanking a public street shall include enhanced architectural features with the same amount of detail as the front face of the building. This includes, but is not limited to, wrap-around porches, doors and windows, canopies, materials, etc. with direct walkway access to the public sidewalk.
 - Concept B:
 - The corner of 'Street A' and Morgan Avenue is not an appropriate location for a surface parking lot. Include built form at the corner with architectural details that addresses the intersection of these two streets with the parking located behind the building.
 - The proposed apartment building must be located along the highest order street (Morgan Avenue). Move the building close to the intersection of Morgan Avenue and 'Street A' and consider designing the building with a modified 'V-shape' that has a wider angle to better address the shape of the block and create a consistent street wall along 'Street A'.
 - Built form should also be located along the portion of 'Street A' along the proposed park space with unit

entrances facing the park to create an 'eyes on the park' condition.

- Include individual unit entrances for ground floor units facing the street with direct access walkway access to the public sidewalk along 'Street A' and Morgan Avenue. The ground floor units should appear as individual units with lockable 'front doors'.
- Include a principal building entrance on Morgan Avenue and/or 'Street A' and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
- Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
- Reduce the amount of surface parking in lieu of amenity area/additional landscaping.

○ Concept C:

- This concept design is commended for providing units directly facing the street and toward the proposed park space, as well as providing the majority of the surface parking area hidden from the public streets.
- Units must front the highest order street (Morgan Avenue). Similar to Concept 'A', include a building along Morgan Avenue with units fronting the street and direct walkway access from unit entrances to the sidewalk on Morgan Avenue.
- Include a centrally-located and adequately-sized common outdoor amenity area.
- The side of any unit flanking a public street shall include enhanced architectural features with the same amount of detail as the front face of the building. This includes, but is not limited to, wrap-around porches, doors and windows, canopies, materials, etc. with direct walkway access to the public sidewalk.

Phase 3

- Urban design staff are generally supportive of the building form and height of the proposed buildings in this phase. Ahead of a site plan application, please address the following. Further urban design comments may follow during the site plan process:
 - The buildings in this phase should be oriented to front Wharncliffe Road S, not the internal drive aisle as currently shown.
 - Ensure the building located close to the intersection of 'Street A' and Wharncliffe Road S is designed to have regard for its corner location. The massing and articulation should address and emphasize the intersection.
 - Include individual unit entrances for ground floor units facing the street with direct access walkway access to the public sidewalk along Wharncliffe Road S. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance for both buildings on Wharncliffe Road S and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc..
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading

areas should be located at the back of the building away from street frontages.

- Locate the garbage & recycling pick-up area away from the Wharncliffe Road S frontage.
- For longer slab buildings, propose architectural detailing such as projections/recesses and similar techniques to break the elongated massing into smaller elements.

Phase 4

- This phase is bounded by public streets on all sides. This phase should be designed in a way that addresses the frontage of each of the streets with emphasis on the higher-order streets (Bradley Avenue W & Morgan Avenue). Urban design staff suggest that the applicant explore apartment building forms that are more compatible with the shape of the site, especially the curvature along Bradley Avenue, to ensure large unusable areas are not created between the building and the street, and to ensure the front yard setbacks are not greater than 4.5m in depth.
- Please see below for urban design comments for each concept. Once a final concept is chosen, further urban design comments may apply at the site plan stage:
 - Concept A:
 - Reduce the amount of surface parking area and locate more of the required parking underground.
 - Locate the taller 5-storey buildings closer to the higher-order streets (Bradley Avenue and Morgan Avenue), with the shorter 4-storey buildings located closer to the local streets, 'Street A' and 'Street B'.
 - Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
 - Create an 'eyes on the park' condition by rotating one of the proposed 'Type D' apartment buildings 90 degrees so it is parallel to 'Street B'.
 - Include individual unit entrances for ground floor units facing the streets with direct access walkway access to the public sidewalk along all four street frontages. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance for the buildings along their respective street frontages and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
 - Remove the stunted parking aisle located below the building parallel to Morgan Avenue in favour of a through aisle that connects to 'Street A'.
 - Locate any garbage & recycling pick-up areas away from the public street frontages.
 - Concept B:
 - Reduce the amount of surface parking area and locate more of the required parking underground.
 - Any surface parking areas should be located behind buildings, not along the fronts of the public streets as currently shown in this concept.

- The siting of the L-shaped building should change depending on its height. If it is shorter (4 storeys), locate it closer to the internal streets ('Street A' and 'Street B').
- Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
- Create an 'eyes on the park' condition by rotating one of the proposed 'Type D' apartment buildings 90 degrees so it is parallel to 'Street B'.
- Include individual unit entrances for ground floor units facing the streets with direct access walkway access to the public sidewalk along all four street frontages. The ground floor units should appear as individual units with lockable 'front doors'.
- Include a principal building entrance for the buildings along their respective street frontages and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
- Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
- Locate any garbage & recycling pick-up areas away from the public street frontages.

○ Concept C:

- Urban design staff are not supportive of the level of density and housing form proposed in this concept, especially the form of stacked townhouses proposed at the corner of Bradley Avenue W and Morgan Avenue. Housing forms such as mid-rise apartment buildings (as shown in other concepts) are more desirable in this location.
- The current layout of this concept includes a mass amount of surface parking, resulting in many of the buildings being surrounded by impermeable asphalt paved area. Reduce the mass amount of surface parking areas on the site in favour of more permeable green space. It is suggested the applicant explore the following to reduce the amount of surface parking:
 - Explore alternate building forms, such as low-rise apartment buildings with underground parking or street townhouses with rear lane garages.
 - Reduce the number of parking spaces provided for each unit.
 - Consolidate the parking areas to allow for larger green spaces and to have fewer buildings surrounded by asphalt paving.
- Rotate the building side-lotting toward the bend in 'Street A' so its front is facing the street.
- The side of any unit flanking a public street shall include enhanced architectural features with the same amount of detail as the front face of the building. This includes, but is not limited to, wrap-around porches, doors and windows, canopies, materials, etc. with direct walkway access to the public sidewalk.

- Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
- Reduce the amount of stunted drive aisles in favour of through aisles to provide better connectivity throughout the site.

Phase 5

- This phase is bounded by public streets on all sides. This phase should be designed in a way that addresses the frontage of each of the streets with emphasis on the higher-order streets (Bradley Avenue W & Wharnccliffe Road S) as well as the park space. Urban design staff suggest the applicant explore apartment building forms that are more compatible with the shape of the site, especially the diagonal nature of Bradley Avenue, to ensure large unusable areas are not created between the building and the street, and to ensure the front yard setbacks are not greater than 4.5m in depth.
- The applicant is commended for providing a concept which incorporates a minimal amount of surface parking and locates a majority of the parking behind the proposed buildings and/or underground, as well as the size and location of the proposed park space. Ahead of a site plan application, please address the following. Further urban design comments may follow during the site plan process:
 - Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
 - Include individual unit entrances for ground floor units facing the streets and park space with direct access walkway access to the public sidewalk along all four street frontages. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance for the buildings along their respective street frontages and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
 - Ensure the buildings are designed to orient their fronts toward the public park space; the rear of the building(s) should not be oriented to the park or any of the street frontages.
 - Locate any garbage & recycling pick-up areas away from the public street frontages.

Zoning Comments

- Ensure the proposed zoning for each block implements the policies of the Southwest Area Secondary Plan (SWASP). This may include, but is not limited to: setbacks, orientation, garage maximum widths, minimum and maximum densities, etc.
 - Garages shall not project beyond the front face of dwelling or the façade of any porch, and not occupy more than 50% of the lot frontage **[SWASP 20.5.3.9 iii, e]**. Ensure the lots are large enough to accommodate this policy.
 - Ensure that the proposed building/built form is oriented to street frontages and establishes a pedestrian-oriented built edge with street oriented units. **[SWASP 20.5.3.9 i a]**.
- Include either a holding provision or special provision in the zoning for all medium and high-density blocks to ensure orientation to the street, park, or open-space frontages.

- If any blocks are proposing zoning for buildings taller than 4-storeys, they are required to attend the Urban Design Peer Review Panel (UDPRP):
 - UDPRP meetings take place on the third Wednesday of every month. Once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant's agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs, please contact Ryan Nemis at 519.661.2500 x7901 or by email at rnemis@london.ca.

Heritage

- The lands were reviewed as part of the approval process for the plan of subdivision Plan 33M-661), and no heritage or archaeological concerns were previously identified. As such, Heritage does not have any further comments or concerns with the file.

Ecology

- We have reviewed the draft Environmental Impact Study (EIS) and request that the following items be addressed in the subsequent submission in support of final approval. Please note that there are no comments that impact the OPA/ZBA as all features are proposed for removal.
 - Table of Contents and Section 1 – Appear to be missing, please include.
 - Section 2.4 – Please address the remainder of the Special Concern species noted in Table 1 as they relate to Special Concern and Rare Wildlife Species Habitat candidate Significant Wildlife Habitat (particularly Monarch as candidate habitat and Milkweed is present on the Subject Lands). Currently, only Snapping Turtle is addressed. Include any mitigation and/or compensation to address any potential impacts (ex. Overseeding of milkweed and native pollinator species in proposed tree compensation area for Monarch).
 - Table 5 – Please provide further justification for (+) NET POSITIVE EFFECT for 2.1 Loss of Vegetation and habitat or potentially revise assessment. While it is understood that appropriate tree compensation is proposed relating to relevant policy requirements, the planting of 110 trees likely does not provide a “net increase of native vegetation and provide additional habitat for wildlife species present within the vicinity of the Subject Lands” when a permanent loss of 1.43 Ha of cultural meadow and 1 Ha of cultural woodland that contains native vegetation in addition to trees as well as wildlife habitat is occurring.
 - Table 5 – Include any additional potential impacts to SWH that have been included resulting from Comment #2, if any.
 - Section 5 – Recommendation 6 – Include recommendation for a monitoring plan to ensure compensation plantings are successful including monitoring timelines and % survival rate.
 - Section 6 – “Protection of the adjacent vegetation communities associated with the Pincombe Drain” – Not impacting adjacent Natural Heritage Features located outside of the Subject Lands is not justification for a net environmental benefit. These features are already currently “protected” as part of the City's Natural Heritage System. Similar to Comment #3, further justification would be required to show a net environmental benefit with the permanent loss of 1.43 Ha of cultural meadow and 1 Ha of cultural woodland.

Tree Preservation

Z-9531: 3480 Morgan Avenue

- 11 Distinctive trees identified are protected by City's Tree Protection Bylaw until removal is to satisfy a condition to the approval of a site plan, a plan of

subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act*, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections

- 1 potential Species at Risk was identified as dead and therefore not protected by ESA regulation. No further action is required;
- One correction to the Arborist Report is required as it pertains to the timing of tree removals. The following text needs to be included and followed with development:
 - All **tree removals** must take place between September 1 and April 1st to avoid disturbing nesting migratory birds. Tree may be removed outside this window only if a qualified bird specialist has been determined there are not nesting birds in the trees. This requirement is in accordance with the Migratory Birds Convention Act, 1994.
- Confirm ownership of all trees proposed for removal on or near the mutual property line shared with 1467 Wharncliffe and provide explicit permission from the abutting land owner to remove off-site and boundary trees with Site Plan Application Documents. A professional survey must determine trunk growth in relation to the property line. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes.
-

OZ-9100: 1363 Wharncliffe Rd South & 3350 Morgan Avenue

- 33 Distinctive trees identified are protected by City's Tree Protection Bylaw until removal is to satisfy a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act*, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections.
- 1 potential Species at Risk was identified. Assessed By BHA and DNA analysis and determined to be hybrid species and not subject to ESA regulation. No further action is required.
- 3 CoL trees are proposed for removal. The applicant is required to contact Forestry Operations at tree@london.ca to coordinate removal. Proof of payment to be forwarded to Development and Planning.
- Confirm ownership of all trees proposed for removal on or near the mutual property line shared with 1467 Wharncliffe and provide explicit permission from the abutting land owner to remove off-site and boundary trees with Site Plan Application Documents. A professional survey must determine trunk growth in relation to the property line. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes.

Upper Thames River Conservation Authority

- Comments to follow.

London Hydro

Z-9531

- 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.

39T-22503 & OZ-9100

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Engineering and Infrastructure

Z-9531

- There are no servicing comments. The TIA was reviewed as part of the Subdivision & OZ application (File: 39T-22503 & OZ-9100), that included 3480 Morgan Ave, and there are no further comments and recommendations are to be implemented.

39T-22503 & OZ-9100

Zoning By-law Amendment

Transportation and Planning Division, Wastewater and Drainage Engineering Division, Water Engineering Division and Stormwater Engineering Division have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water and to ensure the orderly development of lands and the adequate provision of municipal services (i.e. to ensure the detailed design and agreement to construct the required watermain has been satisfied), to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the entering of a subdivision agreement.
2. 'h-100' holding provision is implemented with respect to water services to ensure the looped watermain discussed above is constructed, commissioned, and put into service and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

Official Plan Amendment

Transportation and Planning Division, Wastewater and Drainage Engineering Division, Water Engineering Division and Stormwater Engineering Division have no objection to the proposed Official Plan Amendment for the proposed revised draft plan of subdivision.

Required Revisions to the Draft Plan

Note: Revisions are required to the draft plan as follows:

- i) Provide additional road widening on Wharncliffe to dedicate sufficient land to widen Wharncliffe Rd S to 24.0 metres from the centreline of the existing road within 150m of Bradley Ave W.
- ii) Street A from Wharncliffe Road North to 30 metres west has a minimum road allowance of 21.5 metres. The widened road on Street 'A' shall be equally aligned from the centreline of the road and tapered back to the 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.
- iii) Street B from Bradley Avenue to 30 metres south has a minimum road allowance of 21.5 metres. The widened road on Street B shall be equally aligned from the centreline of the road and tapered back to the 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.
- iv) Add 0.3 metre reserve on Wharncliffe Road.
- v) Add 0.3 metre reserve along entire limit of Bradley Avenue.
- vi) Add 0.3 metre reserve along entire southern limit of Street A.
- vii) Add 0.3 metre reserve on both sides of Street A 60 metres northerly from the centreline of Wharncliffe Road South.

- viii) Add 0.3 metre reserve on both sides of Street B 60 metres southerly from the centreline of Bradley Avenue.
- ix) Red-line plan to include remainder of Block 4 in Plan 33M-661.
- x) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City. Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.
- xi) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

•	<u>Road Allowance</u>	<u>S/L Radius</u>
•	20.0 m	9.0 m

Appendix C – Public Engagement

Community Engagement

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

- Notice of Public Participation Meeting was sent to property owners within 120 metres of the subject property and on published in the Public Notices and Bidding Opportunities section of The Londoner April 13th, 2021.
- Notice of Application was sent to property owners within 120 metres of the subject property on August 4th, 2022.
- Information about the Application were posted on the website on April 13th, 2022.

Comments from external agencies are included in Appendix B. Two comments were received from the public. Comments/concerns received are summarized as follows:

- Paper use associated with mail-out notices;
- Setbacks being inconsistent with surrounding development;
- Reduction in parking;
- Capacity within existing schools to accommodate development; and,
- Building design appeal and sustainability.

Londoner Notice: 3480 Morgan Avenue, north side of Wharncliffe Road South, south of Bradley Avenue; approx. 1.67 hectares (4.12 acres) - The purpose and effect of this application is to consider a proposed Zoning By-law Amendment to allow residential uses, and to remove existing permitted commercial uses from the lands. Possible change to Zoning By-law Z.-1 FROM a Holding Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•CSA5(3)) Zone; TO a Residential R8 Special Provision (R8-4(*)) Zone; to add apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing; senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities uses, and to remove commercial uses from the lands. Special Provisions are requested to permit: a minimum front yard setback of 3.3 metres; a minimum interior side yard setback of 2.2 metres; a minimum rear yard setback of 4.5 metres; a minimum landscaped open space of 27 percent; a maximum height of 14 metres; and, a maximum density of 87 units per hectare. The City may consider the use of holding provisions.

Public Comments

City of London
Development Services
PO Box 5035
300 Dufferin Avenue
London ON N6A 4L9

September 8, 2022

Attention: Mark Johnson

Re: File no. OZ-9100 and Z-9531

I am writing in response to the Notice of Planning Application that we received in August for planning amendments proposed by Sifton Properties Ltd. pertaining to lands bordered by Morgan Avenue, Bradley Avenue and Wharncliffe Road South. Much of this commentary is taken from my letter of September 3, 2019, in response to Sifton's first application. While the addition of green space and two new roads is encouraging, the basic plan for a ring of apartment buildings for the site remains unchanged. With no new concept drawing of the apartment buildings, I must assume that the plan is to erect the same properties that I addressed in general comment number 2 in my original letter (attached).

Should this zoning application go ahead I would like to see that the following specific changes are not permitted:

1. That the setbacks not be reduced to 3.3 metres for both proposed Zones. This is inconsistent with the setbacks required for other development in the area,

2. That the number of parking spaces not be reduced to 1.25 per unit for the R5-7 Zone,
3. That the number of parking spaces not be reduced to 1 per unit for the R9-4 Zone.
4. That the number of stories for the stacked townhouses be limited to 4.

I believe that the thrust of the three general comments in my original submission remain much the same today. Please review the original letter. The request for a maximum number of stories to be increased to 5 seems to me to essentially building more apartment blocks. Any set of connected structures that is 5 stories high could only be seen as an apartment building from a distance.

I would appreciate the opportunity to attend a public participation meeting.

Thank you for your attention to this matter and for the provision of the legible site plan.

Yours truly,

Stephen Firth

c.c. Coun. Paul Van Meerbergen

Hello gents,

Is it possible to transition from paper to email re the Subject line? What % of people even respond? Less than 1%?!

What a waste of paper, postage and time.

Thanks,

John

Appendix D - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant
Frontage	337.4 metres of Bradley Avenue and 355.3 metres on Wharncliffe Road South
Depth	Varies
Area	6.51 Hectares (16 acres)
Shape	Irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

Surrounding Land Uses

North	Residential
East	Residential and Commercial Industrial
South	Residential
West	Greenspace and Residential

Proximity to Nearest Amenities

Major Intersection	11 metres (Bradley Avenue and Wharncliffe Road South)
Dedicated cycling infrastructure	722 metres (Southdale Road West)
London Transit stop	186 metres (Wharncliffe Road South)
Public open space	New park space to be provided on site
Commercial area/use	700 metres (Wonderland Road South)
Food store	700 metres (Loblaws on Wonderland Road South)
Primary school	1400 Metres, (Sir Isaac Brock Public School)
Community/recreation amenity	1400 metres (Bostwick Community Center)

B. Planning Information and Request

Current Planning Information

Current Place Type	Shopping Area
Current Special Policies	n/a
Current Zoning	h*h-11*h-63*h-82*h-95*h-100*h-105*h-135*CSA5(3) and h*h-11*h-63*h-82*h-95*h-100*h-105*h-138*CSA5(3)

Requested Designation and Zone

Requested Place Type	n/a
Requested Special Policies	n/a
Requested Zoning	R9-4(), R9-7(*), R9-7(**), R9-7(***)

Requested Special Provisions

Block 1: (Phase 4)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40% for townhouses and stacked townhouses;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

Block 2: (Phase 5)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Maximum landscape open space for townhouses and stacked townhouses of 25%;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,
- Maximum density of 200 units per hectare.

Block 5: (Phase 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,
- Maximum density of 200 units per hectare.

Block 6: (Phase 2)

- Additional permitted uses of stacked townhouses and townhouses;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 2.2 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

C. Development Proposal Summary

Development Overview

The Draft Plan of Subdivision provides for one(1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block. A mix of residential housing forms are proposed to be built in four (4) phases, and the subdivision would yield approximately 738 new units. Mixed-use residential and commercial uses are proposed for Blocks 1, 2 and 5, which front onto Wharncliffe Road South and Bradley Avenue. The proposed Draft Plan will be served by two new roads, shown as Street A and Street B on the Draft Plan.

Proposal Statistics

Land use	Mixed-Use Residential and Commercial
Form	Medium Density (Townhouses, Stacked Townhouses and Apartments)
Height	Maximum 6
Residential units	Approximately 738
Density	Approximately 120
Gross floor area	TBD during future Site Plan Applications
Building coverage	TBD during future Site Plan Applications

Landscape open space	TBD during future Site Plan Applications
Functional amenity space	TBD during future Site Plan Applications
New use being added to the local community	Yes – new Park Space

Mobility

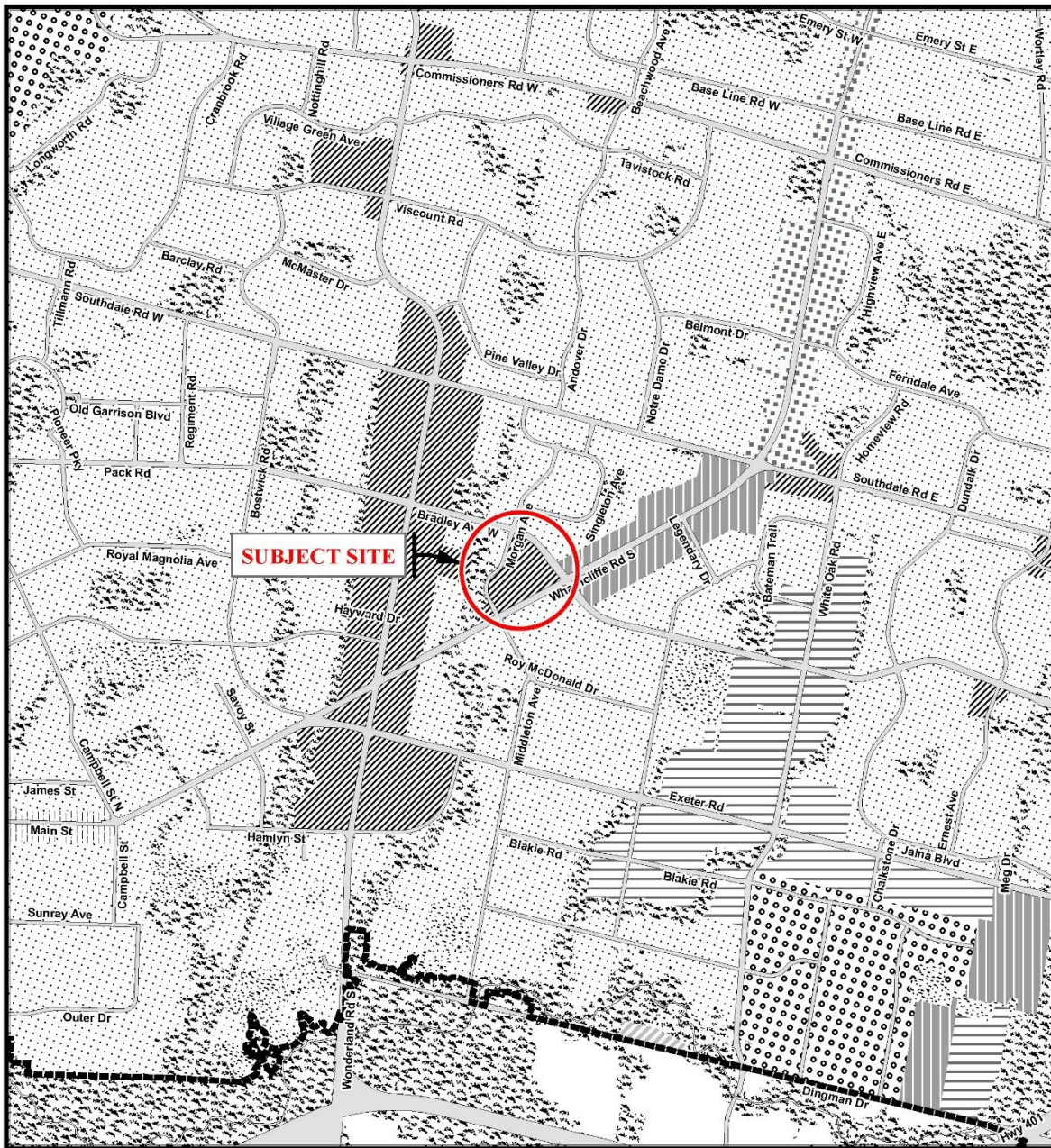
Parking spaces	TBD during future Site Plan Application
Vehicle parking ratio	TBD during future Site Plan Application
New electric vehicles charging stations	TBD during future Site Plan Application
Secured bike parking spaces	TBD during future Site Plan Application
Secured bike parking ratio	TBD during future Site Plan Application
Completes gaps in the public sidewalk	NA
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

Environmental Impact

Tree removals	Yes
Tree plantings	Unknown, further study required
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	NA
Existing structures repurposed or reused	No
Green building features	Unknown

Appendix E – Additional Plans and Drawings

London Plan Excerpt



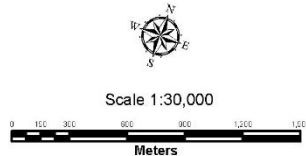
Legend

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

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

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

PREPARED BY: Planning & Development



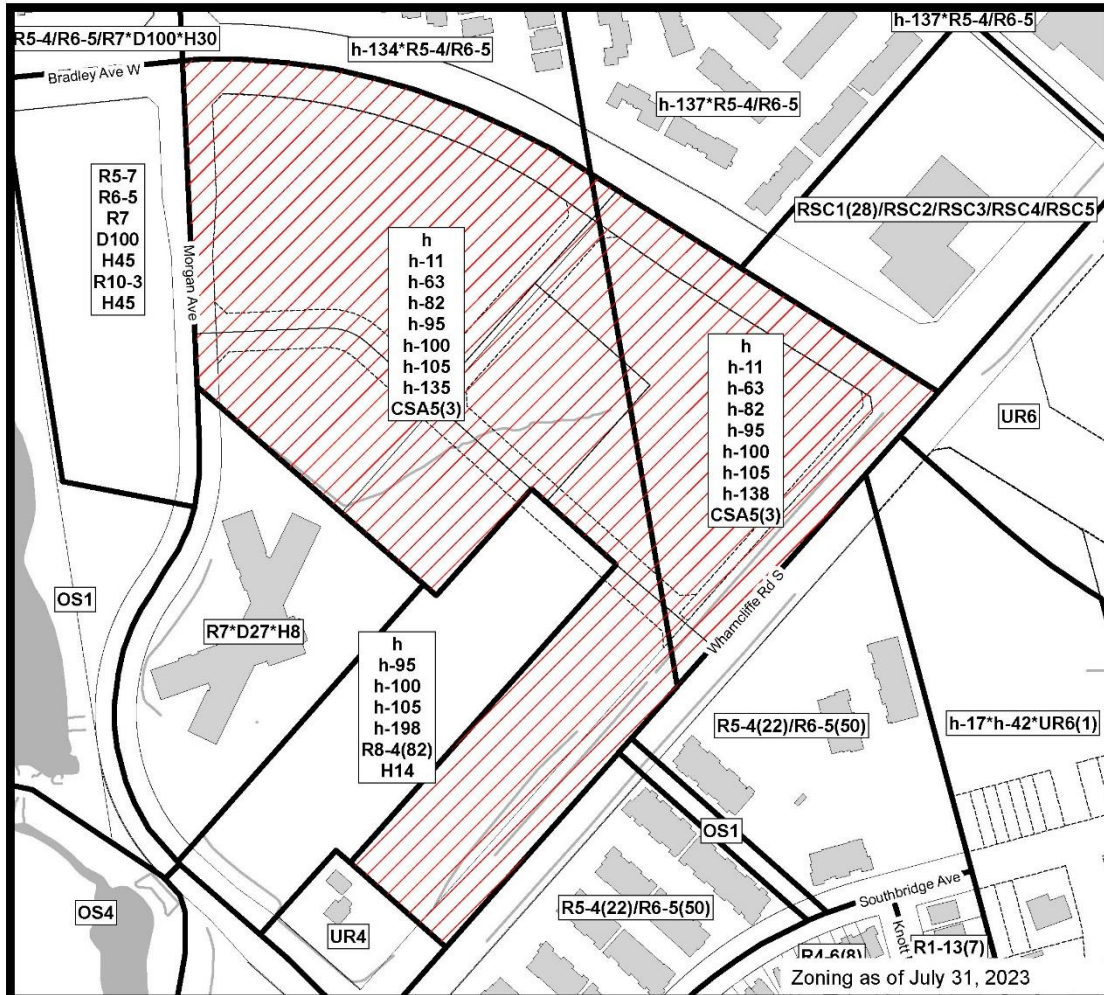
File Number: OZ-9100

Planner: AC

Technician: RC

Date: 2023/8/30

Zoning By-law Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17*LI1

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



FILE NO:

OZ-9100 AC

MAP PREPARED:

2023/8/30 RC

1:3,000

0 15 30 60 90 120 Meters

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

Appendix F: Climate Emergency

On April 23, 2019, Municipal 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 that are related to the City's climate action objectives.

Infill and Intensification

Located within the Built Area Boundary: **No**
Located within the Primary Transit Area: **No**
Net density change: **N/A**
Net change in affordable housing units: **N/A**

Reduce Auto-dependence

Proximity to the nearest London Transit stop: **186 metres (Wharncliffe Road South)**
Completes gaps in the public sidewalk network: **No**
Connection from the site to a public sidewalk: **Yes**
Connection from the site to a multi-use pathway: **Yes**
Site layout contributes to a walkable environment: **Yes**
Proximity to nearest dedicated cycling infrastructure: **722 metres (Southdale Road West)**
Secured bike parking spaces: **Unknown**
Secured bike parking ratio: **Unknown**
New electric vehicles charging stations: **Unknown**
Vehicle parking ratio: **Consideration through a future Site Plan Control Application**

Environmental Impacts

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

Construction

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