

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: SOFCO Properties
3637 Colonel Talbot Road
File Number: Z-9664, Ward 9
Public Participation Meeting

Date: January 9, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of SOFCO Properties relating to the property located at 3637 Colonel Talbot Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 23, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a holding Residential R1 (h-17*R1-16) Zone and an Open Space (OS4) Zone **TO** a Residential R1 Special Provision (R1-14(_)) Zone, a Holding Residential R5 Special Provision (h-149*h-121*R5-2(_)) Zone, and an Open Space (OS4) Zone;
- (b) The requested Special Provisions to facilitate the construction of a new detached garage in the front yard in the R1-14 zone, including i) permitting accessory buildings in the form of detached garages in the front yard, ii) permitting a front yard depth for garages of 4.5 metres whereas 8.0 metres is required, and iii) garage doors shall not face Colonel Talbot Road, **BE REFUSED** for the following reasons:
 - i) The requested Special Provisions do not conform to the policies of The London Plan, including City Design policies and Neighbourhood Place Type policies, nor the regulations of the Zoning By-law No. Z-1 with regards to location requirements for accessory buildings.
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Planting as many replacement trees as possible on the subject lands.
 - ii) Implementing the recommendations of the Environmental Impact Study.

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the *PPS 2020*;
- ii) The recommended amendment conforms to The London Plan, including but not limited to the Neighbourhoods Place Type, Open Space Place Type and Key Directions;
- iii) The recommended amendment conforms to the Southwest Area Secondary Plan, including the Lambeth Neighbourhood policies; and
- iv) The recommended amendment facilitates the development of an underutilized site within the Urban Growth boundary with an appropriate form of infill development at the rear of an existing detached dwelling lot.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Open Space (OS4) Zone and Holding Residential (h-17*R1-16) Zone

to an Open Space (OS4) Zone, Residential R1 Special Provision (R1-14(_)) Zone and Residential R5 Special Provision (R5-2(_)) Zone, for a total of **30 residential units**.

The requested zoning special provisions would permit:

R5-2 Zone (townhouse block):

- A maximum lot coverage of 32%, whereas 30% is the maximum permitted.
- A minimum lot frontage of 10 metres, whereas 30 metres is the minimum required.

R1-14 Zone (retained single detached dwelling block):

- A maximum lot coverage of 28.5%, whereas 25% is the maximum permitted.
- A minimum rear yard setback of 2.45 metres, whereas 13.75 metres is the minimum required;
- A Front Yard Depth for Garages of 4.5 metres, whereas 8.0 metres is the minimum required.
- Notwithstanding Section 4.1.4.a), Accessory Buildings in the form of detached garages, shall be permitted within the Front Yard.
- Garage doors shall not face Colonel Talbot Road.

Purpose and the Effect of Recommended Action

The recommended action will permit a townhouse development, consisting of 30 units at 2.5 storeys in height, with a total density of 27 units per hectare while retaining the existing single detached dwelling.

Staff are recommending approval of the R5-2(_) zone and requested special provision related to lot coverage and reduced frontage for the townhouse block.

Staff are recommending approval of the R1-14(_) zone and requested special provisions related to lot coverage and rear yard setback for the single detached dwelling block.

Staff are recommending refusal of the following special provisions related to a future proposed detached garage in the front yard of the existing single detached dwelling:

- Front Yard Garage Depth of 4.5 metres.
- Notwithstanding Section 4.1.4.a), Accessory Buildings in the form of detached garages, shall be permitted within the Front Yard.
- Garage doors shall not face Colonel Talbot Road.

The recommended action to refuse the above noted special provisions will thereby not allow the construction of a proposed garage in the front yard of the existing single detached dwelling.

Staff are recommending approval of the revision to the zone line for the Open Space (OS4) zone, consistent with the Environmental Assessment and channel reconstruction that has recently been completed reducing the encroachment of the floodplain on the subject site.

Holding provisions are also being recommended to ensure that development will not occur until sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer (h-149), and to ensure that flood proofing requirements are incorporated and/or dry, safe access to the Regulatory Flood Elevation is achieved to the satisfaction of the Upper Thames River Conservation Authority (h-121).

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness** – London's growth and development is well planned and considers use, intensity and form.

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter.

None

1.2 Planning History

- OZ-6839 – Official Plan and Zoning By-law Amendment application to permit cluster housing.
- B.55/07 – Consent to sever off existing single detached dwelling lot.

1.3 Property Description and Location

3637 Colonel Talbot Road is located along the west-side of Colonel Talbot Road, within the Talbot Planning District. The site has a frontage of 91 metres along Colonel Talbot Road, a depth of 158 metres and a total area of 15,342m². The site currently consists of a single detached dwelling, a garage and a vacant barn that is proposed to be demolished and removed. The lands are generally flat, sloping toward the ravine to the north, and consists of manicured lawn.

Colonel Talbot Road is an arterial road/Civic Boulevard with an average annual daily traffic volume of 13,000 vehicles per day. Colonel Talbot Road is a Civic Boulevard with direct connection to Highways 401 and 402 to the south. Sidewalk connections are currently not provided in this section of Colonel Talbot Road: however, these are planned for future extension as development continues in the area.

The surrounding neighbourhood consist primarily of low density residential/single detached housing, open space, and future residential development. The subject site is also adjacent to a Plan of Condominium (39CD-20519) that is planned to create 24 townhouses to the north of Clayton Walk, and a Plan of Subdivision (39T-17503/OZ-8838) across Colonel Talbot Road to the east.

Site Statistics:

- Current Land Use: single detached dwelling
- Frontage: 91 metres (299 feet)
- Depth: 158 metres (518 feet)
- Area: 1.8 hectares (4.4 acres)
- Shape: irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: Clayton Walk Park, Dingman Creek and townhouses.
- East: agricultural lands planned for future development.
- South: single detached dwellings.
- West: single detached dwellings.

Existing Planning Information:

- Existing The London Plan Place Type: Neighbourhoods Place Type fronting a Civic Boulevard
- Existing Special Policies: Southwest Area Secondary Plan - Low Density Residential (Lambeth Neighbourhood)
- Existing Zoning: h-17*R1-16, OS4

Additional site information and context is provided in Appendix “B and C”.

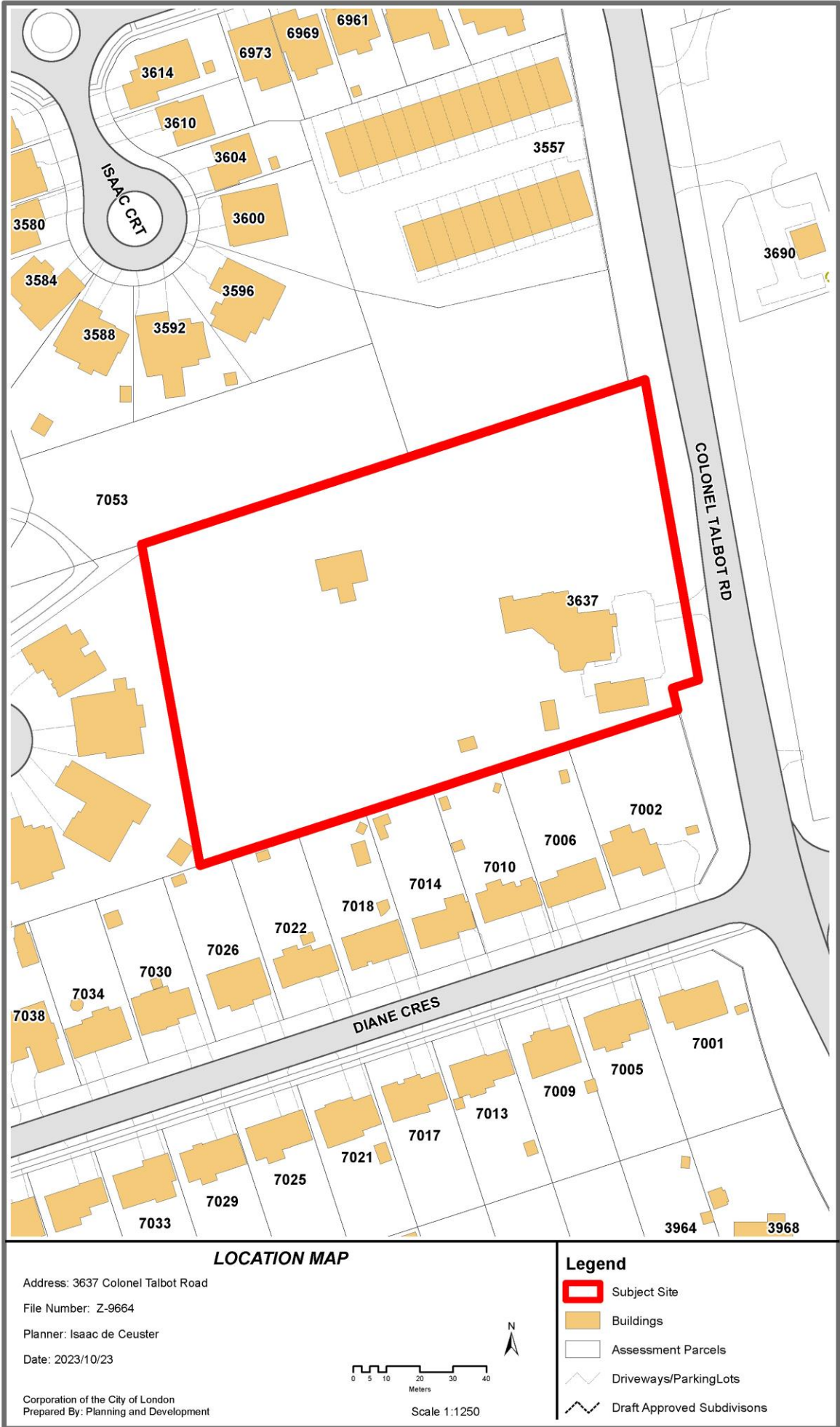


Figure 1- Location Map of 3637 Colonel Talbot Road and surrounding lands



Figure 2 - Streetview of 3637 Colonel Talbot Road (view looking west)

2.0 Discussion and Considerations

2.1 Development Proposal

Original Conceptual Site Plan (October 2023)

The initial site concept plan submitted in support of the requested amendment showed a medium density infill development in the form of 5 townhouse buildings, each containing 5-8 residential dwelling units. A total of 30 units would be constructed on the 1.5ha site with an overall unit density of 27 units per hectare (UPH). The proposed site-layout would retain the existing single detached house at the front interfacing with Colonel Talbot Road and locating all townhouse units to the rear of the site. A pedestrian walkway network would connect the development to the future sidewalks on Colonel Talbot Road and the existing shared use path along the south boundary of Clayton Walk Park.

The existing driveway access would maintain private access to the existing single detached house, while the proposed driveway further north would provide entrance from Colonel Talbot Road to the townhouse units. The proposed development would provide for on-site parking, with approximately 2 spaces per unit. Private amenity space would be provided to the rear of each townhouse unit. The ravine to the north would add to the unique natural amenity space and would remain as natural open space.



Figure 3 - Conceptual Site Plan (Received October 2023)

Revised Conceptual Site Plan (November 2023)

In November 2023, the applicant submitted a revised conceptual site plan with the following changes:

- Two end units (unit #1 & unit #23) have been expanded to allow for larger ground floor area.
- Requested amendment to increase the R5-2 Special Provision for maximum lot coverage from 31% to 32%, whereas a maximum of 30% is permitted.

It is noted that through the revised conceptual site plan, the proposed building elevations remain unchanged.



Figure 4: Revised Conceptual Site Plan (Received November 2023).

The proposed development includes the following features:

- Land use: residential
- Form: townhouse development
- Height: 2.5 storeys (less than 12 metres)
- Residential units: 30 additional units (existing single detached dwelling would be maintained)

- Density: 27 units / hectare
- Gross floor area: 4,317.4 m²
- Building coverage: 32%
- Parking spaces: 63 spaces (each unit has 1 space in driveway & 1 space in garage + 3 visitor spaces)
- Landscape open space: 45.7%
- Functional amenity space: 1,206 m²



Figure 5 – Conceptual Front Elevation Townhouse Development (Received October 2023)



Figure 6 – Conceptual Rear Elevation Townhouse Development (Received October 2023)

Additional plans and drawings of the development proposal are provided in Appendix “C and D”.

2.2 Requested Amendment(s)

The applicant has requested to amend the Zoning Bylaw Z.-1 to change the zoning of the subject lands from a holding Residential R1 (h-17*R1-16) Zone and Open Space (OS4) Zone to a Residential R5 Special Provision (R5-2(_)) Zone and Residential R1 Special Provision (R1-14(_)) Zone and Open Space (OS4) Zone. The requested change would permit the use of the western portion of the subject lands for cluster townhouse dwellings, and permit the existing single detached dwelling on a reduced lot area on the eastern portion of the subject lands. The requested amendment also facilitates the rezoning of a portion of the Open Space (OS4) Zone at the northern portion of the subject lands to reflect the reduced encroachment of the Tributary 12 floodplain and associated Open Space zone into the subject lands. Additional information on the Tributary 12 reconstruction and floodplain reduction is provided in Section 4.4 of this Staff Report.

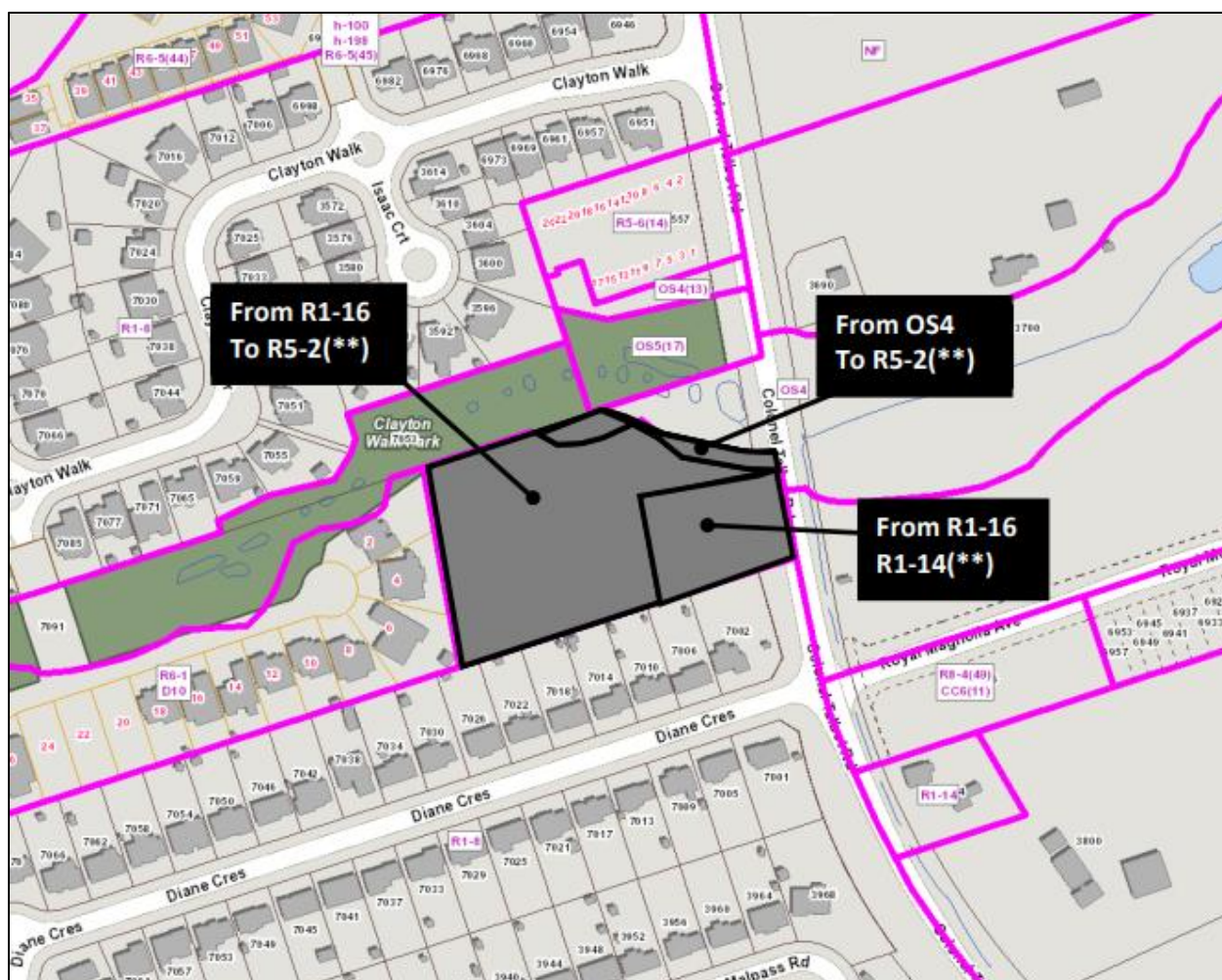


Figure 7: Proposed Zoning By-law Amendment 3637 Colonel Talbot Road.

The following table summarizes the special provisions that have been proposed by the applicant.

| Regulation (R1-14 Zone) | Required | Proposed |
|--------------------------------|--|---|
| Rear Yard Setback | 13.75 metres | 2.45 metres |
| Lot Coverage (%) Maximum | 25% | 28.5% |
| Front Yard Depth for Garages | 8.0 metres | 4.5 metres |
| Accessory Building Location | No Accessory Building shall be permitted within a required front yard or exterior side yard. | Notwithstanding Section 4.1.4.a), Accessory Buildings in the form of detached garages, shall be permitted within the front yard |
| Location Garage Doors | N/A | Garage doors shall not face Colonel Talbot Road |
| Regulation (R5-2 Zone) | Required | Proposed |
| Lot Coverage (%) Maximum | 30% | 32% |
| Lot Frontage (m) Minimum | 30.0 metres | 10.0 metres |

Staff are recommending approval of the R5-2 zone including the special provision for coverage and frontage.

Staff are recommending approval of the R1-14 zone including the special provisions for coverage, and rear yard setbacks.

Staff are recommending refusal for three of the R1-14 requested special provisions related to the proposed new detached garage in the front yard of the existing single detached house:

- Front yard depth for garages of 4.5 metres.
- Notwithstanding Section 4.1.4.a), Accessory Buildings in the form of detached garages, shall be permitted within the Front Yard.
- Garage doors shall not face Colonel Talbot Road.

Staff are also recommending two holding provisions on the townhouse block to ensure the following:

- the development will not occur until such time as sanitary and stormwater servicing reports have been prepared and confirm that sanitary and stormwater management systems are implemented (h-149) and,
- flood proofing requirements are incorporated and/or dry, safe access to the Regulatory Flood Elevation is achieved to the satisfaction of the Upper Thames River Conservation Authority (h-121).

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 addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Lack of full municipal sanitary sewer services available to service the site.
- Need for a stormwater servicing report and implementation of a stormwater management system/strategy.
- Requirement for dry access for the development given the proximity to the floodplain.
- Proposed garage and parking spaces in the front of the existing single detached dwelling are not supported.

The above noted concerns have been addressed through holding provisions and as well as the refusal of special provisions that facilitate the front yard garage for the existing dwelling.

Detailed internal and agency comments are included in Appendix “D” of this report.

2.4 Public Engagement

On October 25, 2023, Notice of Application was sent to 79 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 November 2nd, 2023. 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:

- Traffic, noise and amount of development in the area
- Impact of development on floodplain & trees
- Barn with colony of bats

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

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires

that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in The London Plan analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied or are being addressed through the recommended special provisions and holding provisions.

Southwest Area Secondary Plan, 2023

The subject lands are designated Low-Density Residential pursuant to Schedule 6 (Lambeth Neighbourhood Land Use Designations) of the *Southwest Area Secondary Plan* (SWAP). Within the Lambeth Neighbourhood, new residential development north of Longwoods Road will be of an intensity that is generally higher than achieved in other areas of the city, but is less than the intensity of the Bostwick Neighbourhood. The focus for new development is to be a mix of low to mid-rise housing forms, ranging from single detached dwellings to low-rise apartment buildings within individual subdivisions and throughout the neighbourhood (20.5.7). The subject site is within the Low-Density Residential Designation of the Lambeth Neighbourhood, where the primary permitted uses in the Low-Density Residential designation include single detached, semi-detached and duplex dwellings (7.1.ii). Multiple-attached dwellings, such as townhouses or cluster houses may be permitted provided that they do not exceed the maximum density of development permitted in policy 7.1.iii) a). Policy 7.1.iii) a) of SWAP provides that development shall occur at a minimum density of 15 units per hectare and a maximum density of 30 units per hectare.

The *Southwest Area Secondary Plan* (SWAP) has been reviewed in its entirety and it is staff's opinion that the proposed Zoning By-law Amendment is consistent with SWAP.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Land Use

The proposed residential uses are supported by the policies of the Provincial Policy Statement, 2020 (PPS) that speak to creating healthy, livable and safe communities

(1.1.1). The uses are also contemplated in the Neighbourhoods Place Type where a property fronts a Civic Boulevard in The London Plan (Table 10). The proposed townhouse use aligns with the goals of the Neighbourhoods Place Type by contributing to neighbourhoods that allow for a diversity and mix of housing types that are compatible with the existing neighbourhood character (TLP 918_2 and _13). The residential use promotes housing for all Londoners and will help attract a diverse population to the City (TLP 57_11).

The subject lands are located within the Lambeth Neighbourhood of the Southwest Area Secondary Plan, permitted uses include single-detached, semi-detached and duplex dwellings. Multiple-attached dwellings, such as townhouses or cluster houses may be permitted provided that they do not exceed the maximum density of development permitted in policy 7.1.iii) a), which is a maximum density of 30 units per hectare. The proposed townhouse development of 27 units per hectare is in keeping with the SWAP policies.

4.2 Intensity

The proposed residential intensity is consistent with the policies of the PPS that encourage residential intensification, redevelopment and compact form (1.1.3.4), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity conforms with the Neighbourhoods Place Type in The London Plan which contemplates a maximum height of 4 storeys where a property has frontage on a Civic Boulevard (Table 11). As the applicant has provided heights of 2.5 storeys, the proposed development is in keeping with The London Plan policies.

Special provisions to permit a maximum lot coverage of 32% (R5-2 Zone), a maximum lot coverage of 28.5% (R1-14 Zone), and a reduced rear yard depth of 2.45 metres (R1-14) are considered minor and are being recommended.

The Southwest Area Secondary Plan contemplates a minimum density of 15 units per hectare and a maximum density of 30 units per hectare for the Low-Density Residential area of the Lambeth Area (7.1.iii) a)). Building heights shall not exceed four storeys and shall be sensitive to the scale of development in the surrounding area. The proposed development of 27 units per hectare and a maximum height of 2.5-storeys is in keeping with the SWAP policies.

The proposed residential intensity will facilitate an appropriate scale of development that makes efficient use of lands and services, and is compatible and complementary to the existing and planned residential development in the area and adjacent creek and ravine area.

4.3 Form

With the exception of the proposed detached garage in the front yard of the existing house, which is addressed in section 4.4 below, the proposed built form is consistent with the Neighbourhoods Place Type and the City Design policies in The London Plan by facilitating an appropriate form and scale of residential intensification that is compatible with the existing neighbourhood character (TLP 953_2). Specifically, the proposed built form supports a positive pedestrian environment through an internal sidewalk out to the multi-use trail and future sidewalk along Colonel Talbot Road. The development contributes to the mix of housing types within the Lambeth community helping support aging in place and affordability.

The townhouses proposed are to be situated behind the existing single detached dwelling, providing infill development to an underutilized lot within the urban growth boundary. Staff are supportive of the proposed special provisions for lot coverage and rear yard setback. Increasing the maximum lot coverage for the R5-2 Zone from 30% to 32% is a relatively minor increase, and the proposed site layout has identified that the property can accommodate the additional coverage appropriately. It should also be noted that the lot coverage does not include the lands zoned Open Space (OS4) on the subject site. Similarly, increasing the maximum lot coverage for the R1-14 Zone from

25% to 28.5% is a relatively minor increase, and is appropriate to reflect the reduced lot area of the single detached dwelling. Reducing the minimum rear yard setback for the R1-14 Zone from 13.75 metres to 2.45 metres is recommended to reflect the reduced lot depth and is considered appropriate as the functional portion of the rear yard is maintained for the single detached dwelling. In this case, the reduced rear yard setbacks refers to a specific pinch-point between the existing single detached dwelling and proposed zone line.

The proposed site design is appropriate given the size of the lot, even after taking into consideration the requested increases in lot coverage for the Residential R1 & Residential R5 Zones, and the reduced rear yard setbacks for the Residential R1 Zone. The site provides for private amenity space to the rear of each townhouse unit, with the ravine to the north remaining as natural open space. With the recommended amendment, no special provisions are required for height, landscaped open space, parking or density, indicating that the subject lands are of appropriate size to accommodate the proposed development.

Finally, the Southwest Area Secondary Plan promotes development that is compact, pedestrian-oriented and transit-friendly (3.9). The proposed development conforms to the policies and urban design objectives of SWAP.

4.4 Proposed Detached Garage in Front Yard

Staff are recommending refusal of the following three requested special provisions related to the existing single detached lot proposed to be rezoned R1-14(_):

- Front Yard Garage Depth of 4.5 metres.
- Notwithstanding Section 4.1.4.a), Accessory Buildings in the form of detached garages, shall be permitted within the Front Yard.
- Garage doors shall not face Colonel Talbot Road.

The applicant is seeking to construct a new detached garage on the property to be retained for the existing single detached dwelling, and as a result is requesting these variances from the standard zoning regulations to plan for the future garage construction. The intent of prohibiting accessory buildings in the front yard and providing for garage setbacks is to provide for safe ingress and egress from parking spaces and to ensure accessory buildings and garages do not dominate the streetscape or cause sightline, vehicle or pedestrian conflicts.

It is the opinion of staff that there are alternative configurations of the properties that could accommodate a new detached garage elsewhere on the property, and in a manner that does not cause adverse impacts on the public street or to the safety of site users. Staff are encouraging the applicant to continue to investigate site design options that will locate any required parking facilities in appropriate locations, which may include providing shared access through the townhouse block to access parking on the single detached lot.

The special provision for garage doors not facing Colonel Talbot Street was provided by the applicant to try to mitigate concerns with the proposed garage location and setback. Since Staff are recommending refusal of the garage location and setback, the variance for garage door orientation is no longer applicable. Should Council decide to approve the location of the future detached garage, the special provision for garage door orientation is also recommended.

4.5 Tributary 12 Reconstruction and reduced flood line

Directly to the north of the subject site is the Southwinds Channel, also known as Tributary 12. The 250-year flood line of Tributary 12 encroaches into the northeast corner of the subject site, and is designated as an OS4 Zone. Under Section 36 of Zoning By-law Z.-1, the OS4 zone variation is intended for lands that are environmentally constrained as natural hazards lands.

The *Dingman Creek Subwatershed Study* identified that Tributary 12 represented an opportunity to incorporate stormwater controls with restoration of the stream corridor. The City of London conducted an Environmental Assessment to determine stormwater management solutions to facilitate development in south London for lands within the Urban Growth Boundary for the next 20 years. A design for reconstruction of Tributary 12 was completed in 2021, with construction completed in 2022.

One of the benefits of the tributary reconstruction is that it addressed existing and future flooding concerns along the Tributary 12 corridor. The original floodplain, demarcated as an Open Space Zone (OS4), has reduced in size and resulted in less encroachment into the subject site. As a result of the reduced flood line, the applicant is proposing to rezone a portion of the OS4 zone no longer within the flood plain to a R5-2 zone to facilitate the townhouse development. The requested amendment to shift the OS4 zone line is consistent with the findings of the Environmental Assessment and revised floodplain mapping. Staff are supportive of the revised zone line and associated zoning change from OS4 to Residential R5-2 for the portion that is no longer within the flood plain.

Figure 6 underneath compares the previous OS4 limits with the revised flood line in the context of the conceptual site plan. The green hatched area indicated the OS4 zone limit based on the 250-year flood line prior to Tributary 12 reconstruction. The purple hatched area shows the proposed 250-year flood line after reconstruction, based on the updated floodplain mapping for Tributary 12.

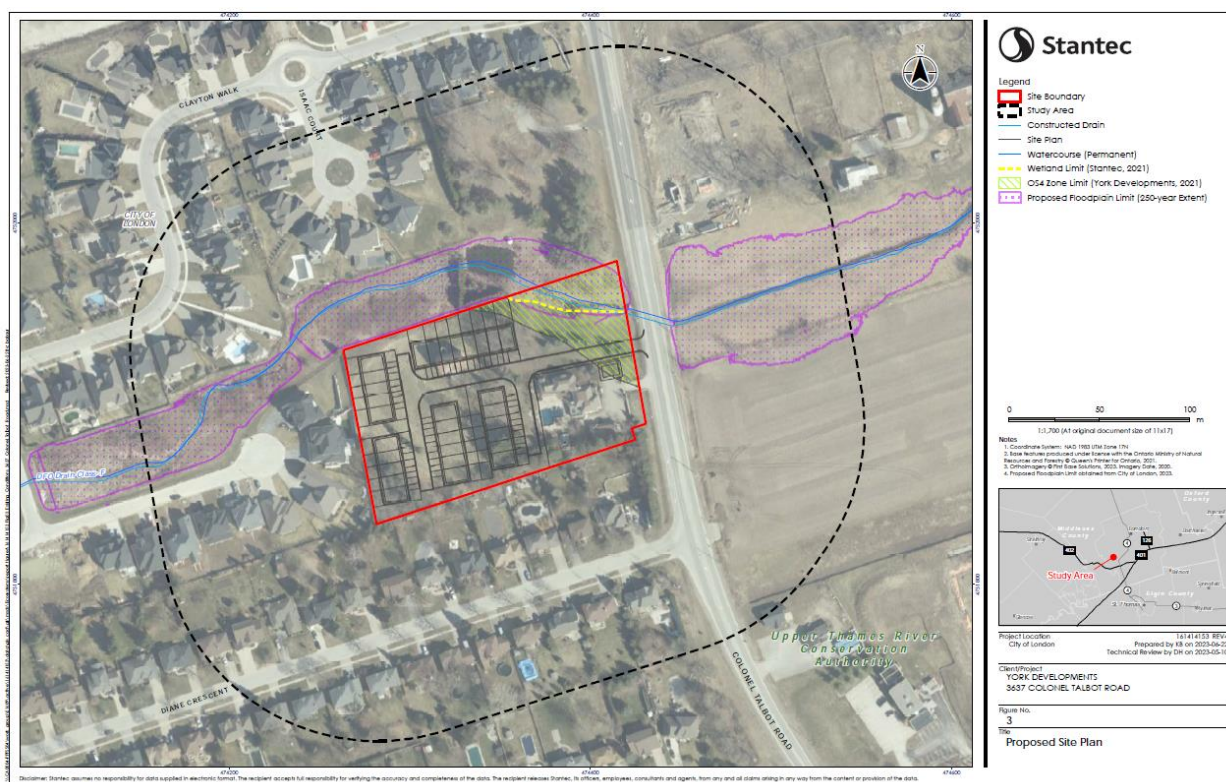


Figure 7: Natural Heritage Conditions with proposed Site Plan, Subject Land Status Report & Environmental Impact Study (2023).

The subject lands are regulated by the Upper Thames River Conservation Authority (UTRCA) in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authority Act*. The regulation limit is comprised of riverine flooding and erosion hazards. The UTRCA has jurisdiction over lands within the regulated area and requires written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

Based on UTRCA's involvement with the Dingman Creek Tributary 12 Channel Works and upcoming improvements planned for Colonel Talbot Road including the associated culvert works, the UTRCA is of the opinion that the flooding hazard which currently impacts Colonel Talbot Road and the access required for new development proposed at 3637 Colonel Talbot Road can be addressed in the near future. Accordingly, while

UTRCA has no objections, they have requested a holding provision in the zoning that stipulates that dry access must be achieved prior to development occurring. City Staff are recommending the h-121 holding provision to address the UTRCA matter regarding dry access.

4.6 Natural Heritage

Based on Map 5 Natural Heritage & Map 6 Hazards and Natural Resources (The London Plan), the north portion of the subject lands are delineated as a Valleyland. As set out in Section 2.1.5 of the PPS, development and site alteration shall not be permitted, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Tributary 12 is designated Valleyland in *The London Plan*, which requires an evaluation of significance (TLP 1346_). Significant valleylands and valleylands provide opportunities for the logical extension of the City's trail and pathway systems, as is the case with the Southwinds Channel (Clayton Walk Park) reconstruction that includes a new multi-use trail along the creek (TLP 1344A_).

A Subject Lands Status Report and Environmental Impact Study (SLSR/EIS) were conducted for the subject lands at 3637 Colonel Talbot Road in support of the Zoning By-law Amendment to construct the proposed townhouse units. Based on the application of the London Plan assessment criteria for River, Stream and Ravine Corridors, the Tributary 12 corridor (Valleyland) would be considered a Significant Valleyland, in particular for its importance in providing surface drainage within the Dingman Creek subwatershed and its role in providing an opportunity to rehabilitate a natural community, as well as provide a visual and recreational amenity (SLSR/EIS, 2023).

It should be noted that an amendment to The London Plan as part of this application is not required as the exact location of Place Type designations are flexible and up to interpretation based on the other policies of the plan. The identification of natural features and areas on Map 5 of The London Plan and natural hazard lands on Map 6 of The London Plan is not intended to be a precise delineation. The interpretation of the regulated natural hazard lands and the mapping of these features is the responsibility of the conservation authority having jurisdiction, based on their regulation and mapping which shall prevail (TLP 43.2_). As such, as part of a future housekeeping update to The London Plan, Map 1, 5 and 6 can be updated to reflect changes made through the Environmental Assessment studies, the SLSR/EIS and the reconstruction of Tributary 12, however the amendments are not required at this time to facilitate the rezoning.

Further, the SLRS/EIS found that impacts of the proposed development are confined to the subject property, and will include the removal of largely anthropogenic (planted) vegetation and the demolition of an existing barn. Mitigation measures to protect off-site features, such as fencing for sediment control and work site demarcation will be employed. Stormwater management will be achieved by on-site underground storage for quantity control to match post-development flows to pre-development flows, and will be determined at the Site Plan stage. Through the EIS, suitable habitat for species at risk was identified for four bat species (Little Brown Myotis, Northern Myotis, Tri-coloured Myotis and Eastern Small-footed Myotis) in the trees and barn structure that is proposed to be removed. Given the adjacent Tributary 12 corridor and the nearby woodland associated with Dingman Creek, negligible long-term implications to habitat availability are anticipated as a result of the proposed removals. The EIS recommends that, prior to tree removal or barn demolition Acoustic Recording Unit (ARU) and exit surveys be completed. Site-specific mitigation measures are recommended to address habitat removal and the risk of harm to roosting bats. Consideration to implement the site-specific recommendations and mitigation measures identified in the EIS is provided in the recommendation to the site plan approval authority.

A Tree Assessment Report was prepared in conjunction with the proposed development. The inventory captured 45 individual trees and 3 vegetation units. One boundary tree was inventoried, and is identified for preservation. The current site plan does not necessitate the removal or injury of this boundary tree, and the critical root

zone can be protected with a tree preservation barrier. One City tree was inventoried in the Colonel Talbot Road boulevard and identified for preservation, with no impacts to the tree are anticipated. 43 trees are recommended for removal due to direct conflict with the proposed development. Consideration to plant as many replacement trees on the subject site is provided in the recommendation to the site plan approval authority.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a holding Residential R1 (h-17*R1-16) and Open Space (OS4) Zone to an Open Space (OS4) Zone, Residential R1 Special Provision (R1-14(_)) Zone and Residential R5 Special Provision (R5-2(_)) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions related to lot coverage and rear yard setback. Staff are recommended refusal of three requested special provisions to facilitate a detached garage in the front yard of the R1-14 Zone.

The recommended action is consistent with the *Provincial Policy Statement, 2020*, (PPS), conforms to The London Plan, including but not limited to the Neighbourhoods Place Type and Key Directions. The recommended amendment facilitates the development of an underutilized parcel with an appropriate land use, intensity and form appropriate for the subject lands.

Prepared by: Isaac de Ceuster, Planner
Planning Implementation

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

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

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

Copy:
Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

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

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3637 Colonel Talbot Road.

WHEREAS SOFCO Properties has applied to rezone an area of land located at 3637 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3637 Colonel Talbot Road, as shown on the attached map comprising part of Key Map No. A110, **FROM** a holding Residential R1 (h-17*R1-16) Zone and Open Space (OS4) Zone **TO** a Residential R1 Special Provision (R1-14()) Zone, a Holding Residential R5 Special Provision (h-149*h-121*R5-2()) and Open Space (OS4) Zone.
2. Section Number 5.4 of the Residential R1 Zone is amended by adding the following Special Provisions:

R1-14() 3637 Colonel Talbot Road
 - a. Regulations
 - i) Rear yard setback (Minimum): 2.4 metres (7.9 feet)
 - ii) Lot Coverage (Maximum): 28.5%
3. Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provisions:

R5-2() 3637 Colonel Talbot Road
 - a. Regulations
 - i) Lot Coverage (Maximum): 32%
 - ii) Lot Frontage (Minimum): 10.0 metres
4. This Amendment shall come into effect 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.

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.

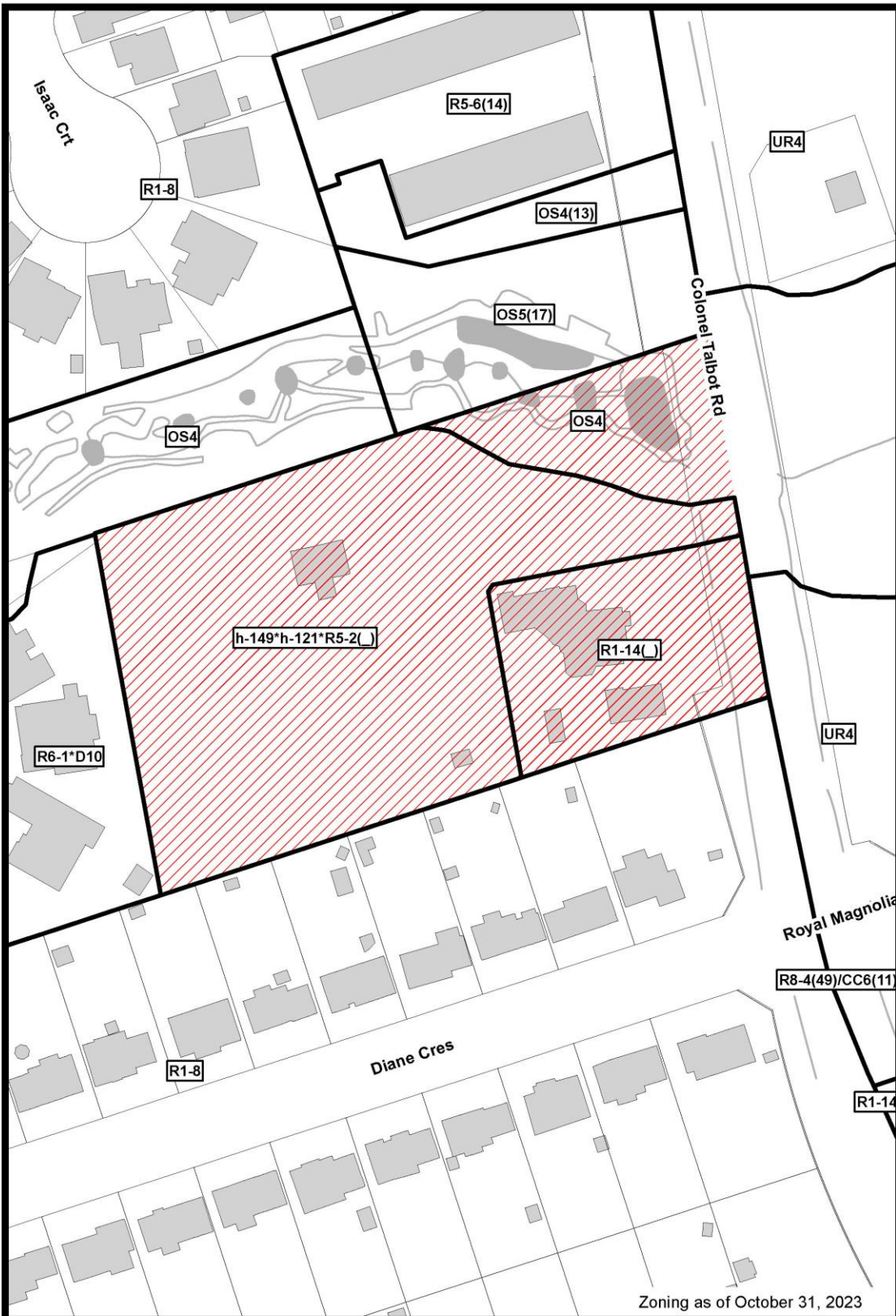
PASSED in Open Council on January 23, 2024 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – January 23, 2024
Second Reading – January 23, 2024
Third Reading – January 23, 2024

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



File Number: Z-9664
Planner: ID
Date Prepared: 2023/11/28
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters 



Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

| | |
|-----------------------------|---------------------------|
| Current Land Use | Residential |
| Frontage | 91.4 metres (299 feet) |
| Depth | 158 metres (518 feet) |
| Area | 1.8 hectares (4.44 acres) |
| Shape | Irregular |
| Within Built Area Boundary | Yes |
| Within Primary Transit Area | No |

Surrounding Land Uses

| | |
|-------|--|
| North | Clayton Walk Park & medium density residential |
| East | Agricultural Lands planned for future residential development & Open Space |
| South | Low density residential |
| West | Low density residential |

Proximity to Nearest Amenities

| | |
|----------------------------------|---|
| Major Intersection | Colonel Talbot Road & Pack Road, 650 metres |
| Dedicated cycling infrastructure | Southdale Road West, 1900 meters |
| London Transit stop | Raleigh Boulevard, 1500 metres |
| Public open space | Clayton Walk Park, 50 metres |
| Commercial area/use | Main Street (Lambeth), 1500 metres |
| Food store | No Frills, 1700 metres |
| Community/recreation amenity | Lambeth Community Centre, 1700 metres |

B. Planning Information and Request

Current Planning Information

| | |
|--------------------------|--|
| Current Place Type | Neighbourhoods Place Type, Civic Boulevard |
| Current Special Policies | Southwest Area Secondary Plan, Holding h-17 |
| Current Zoning | Open Space OS4 & Residential R1 (R1-16) zone |

Requested Designation and Zone

| | |
|----------------------------|---|
| Requested Place Type | N.A. |
| Requested Special Policies | Low Density Residential in Southwest Area Secondary Plan (SWAP) |
| Requested Zoning | Special Provision Residential R1 (R1-14(_)) Zone, a Special Provision Residential R5 (R5-2(_)) Zone and Open Space (OS4) Zone |

Requested Special Provisions

| Regulation (R1-14 Zone) | Required | Proposed |
|------------------------------|--|--|
| Rear Yard Setback (minimum) | 13.75 metres | 2.45 metres |
| Lot Coverage (%) maximum | 25% | 28.5% |
| Front Yard Depth for Garages | 8.0 metres | 4.5 metres |
| Accessory Building Location | No Accessory Building shall be permitted within a required front yard or exterior side yard. | Notwithstanding Section 4.1.4.a), Accessory Buildings in the form of detached garages, shall |

| Regulation (R1-14 Zone) | Required | Proposed |
|-------------------------|----------|---|
| | | be permitted within the front yard |
| Location Garage Doors | N/A | Garage doors shall not face Colonel Talbot Road |

| Regulation (R5-2 Zone) | Required | Proposed |
|--------------------------|--------------------------------|-----------|
| Lot Coverage (%) maximum | 30% | 32% |
| Lot Frontage (m) minimum | 30 metres (see Section 9.3(1)) | 10 metres |

C. Development Proposal Summary

Development Overview

The development proposal aims to create 30 additional townhouse dwelling units, contained in 5 buildings with 5-8 units in each building. The proposed site layout would retain the existing single detached house at the front interfacing with Colonel Talbot Road and locate all townhouses to the rear. The existing south access would maintain private access to the existing single detached house, while the proposed access further north would provide access to the townhouse units.

Proposal Statistics

| | |
|--|----------------------------|
| Land use | Residential |
| Form | Cluster townhouses |
| Height | 2.5 Storeys (metres) |
| Residential units | 30 additional units |
| Density | 27 units per hectare |
| Gross floor area | 3439.9 m ² |
| Building coverage | 32% |
| Landscape open space | 45.7% |
| Functional amenity space | 40 m ² per unit |
| New use being added to the local community | No |

Mobility

| | |
|---|---|
| Parking spaces | 30 garages, 30 surface |
| Vehicle parking ratio | 2 Spaces per unit (1 in driveway & 1 in garage) |
| New electric vehicles charging stations | 0 |
| Secured bike parking spaces | 0 |
| Secured bike parking ratio | 0 spaces per unit |
| Completes gaps in the public sidewalk | Future sidewalks planned on Col. Talbot |
| Connection from the site to a public sidewalk | N.A |
| Connection from the site to a multi-use path | Yes |

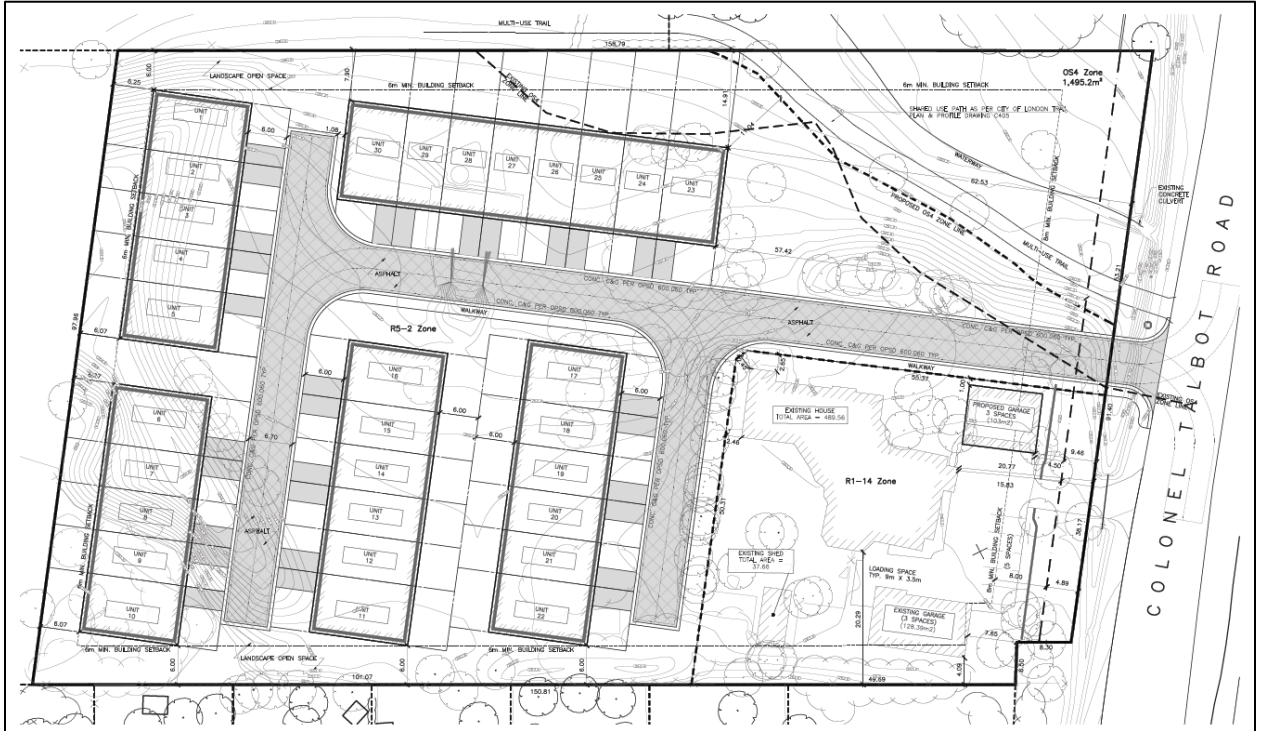
Environmental Impact

| | |
|-----------------------------------|----------|
| Tree removals | 43 trees |
| Tree plantings | TBD |
| Tree Protection Area | No |
| Loss of natural heritage features | No |

| | |
|---|---|
| Species at Risk Habitat loss | Yes, four bat species (Little Brown Myotis, Northern Myotis, Tri-coloured Myotis and Eastern Small-footed Myotis). Recommended mitigative measures. |
| Minimum Environmental Management Guideline buffer met | NA |
| Existing structures repurposed or reused | NA |
| Green building features | No |

Appendix C – Additional Plans and Drawings

Conceptual Site Plan 3637 Colonel Talbot Road



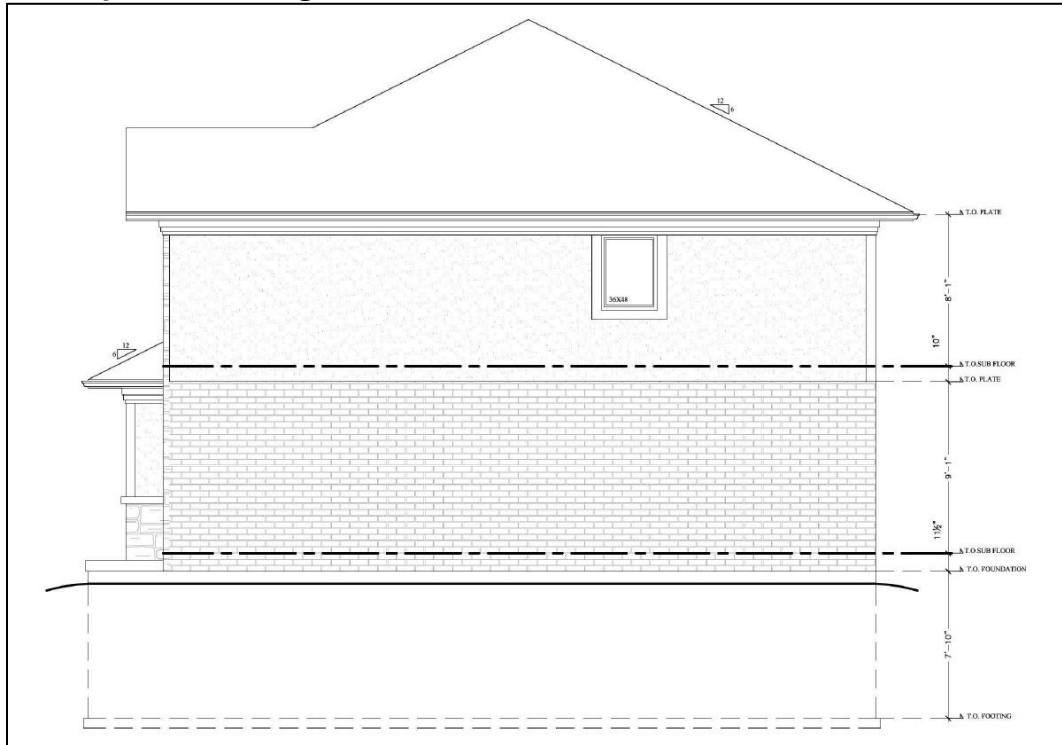
Conceptual Building Elevations – front façade



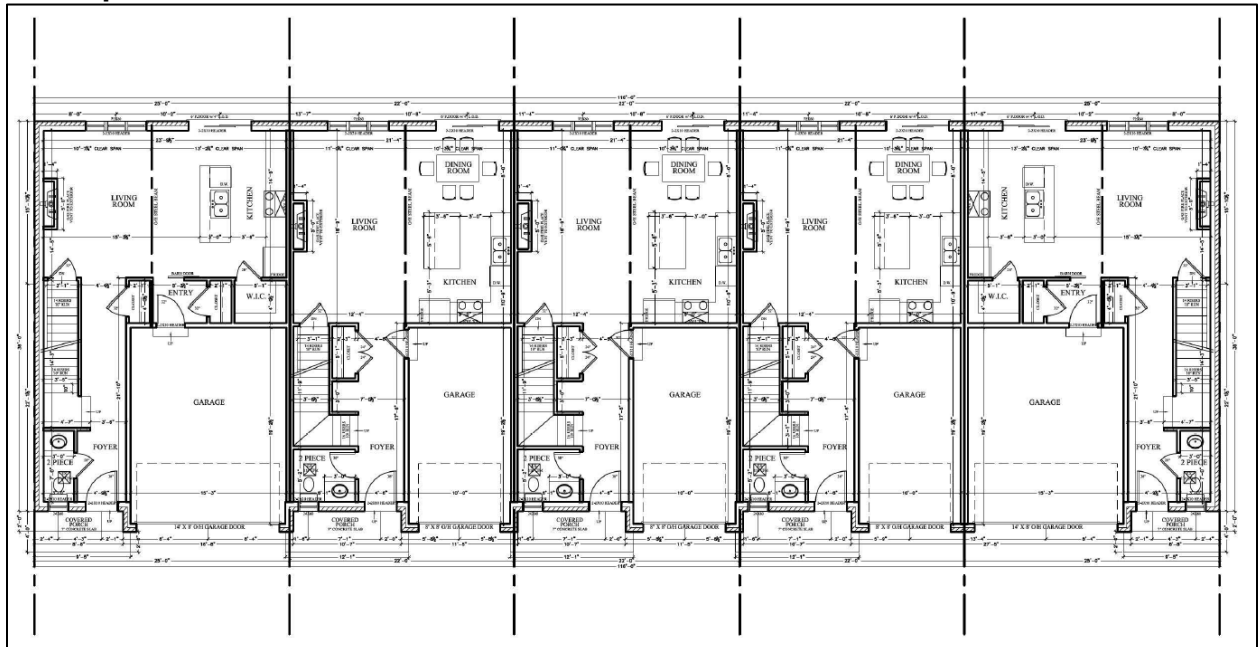
Conceptual Building Elevations – rear façade



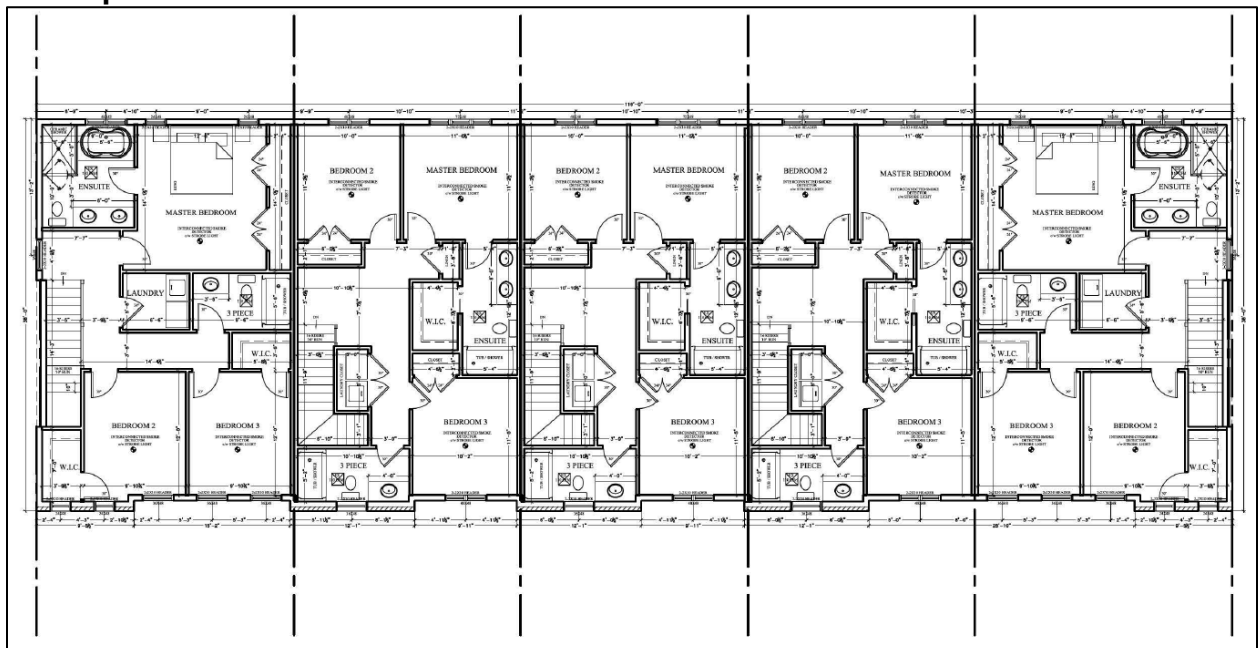
Conceptual Building Elevations – side façade



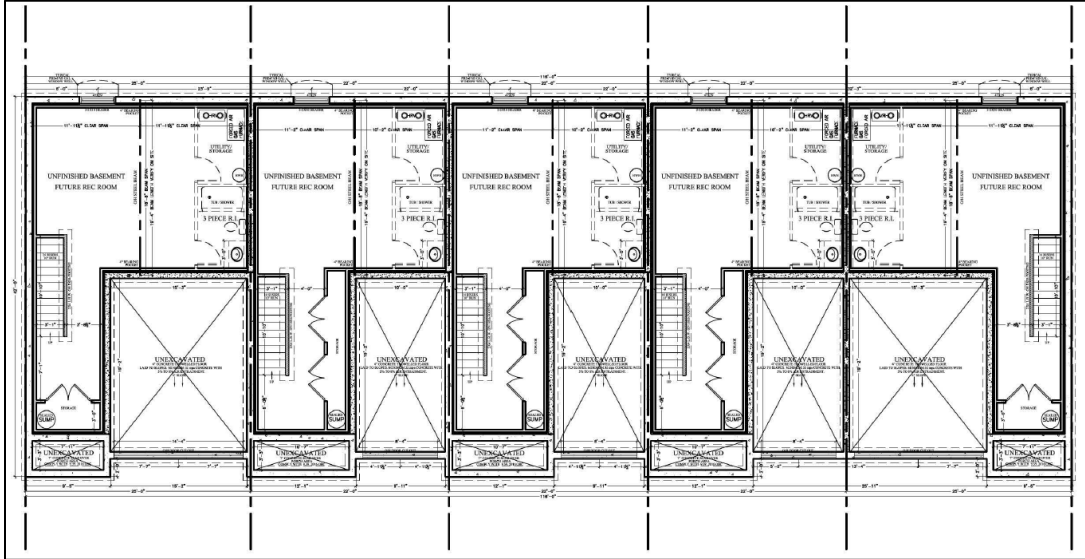
Conceptual Floor Plan – Ground Floor



Conceptual Floor Plan – Second Floor



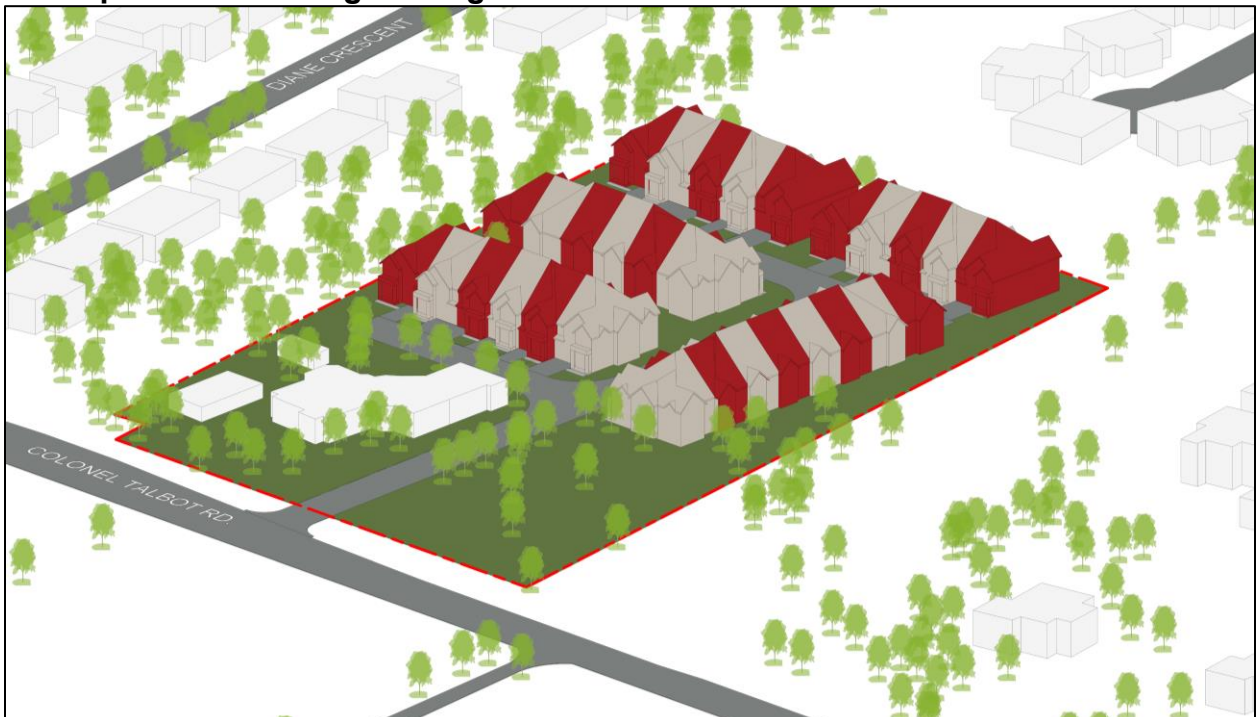
Conceptual Floor Plan – Basement



Conceptual 3D Massing looking northwest.



Conceptual 3D Massing looking southwest.



Appendix D – Internal and Agency Comments

UTRCA – Received November 9, 2023

- As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. In cases where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the UTRCA. The regulation limit is comprised of: Riverine Flooding and Erosion Hazards.
- The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.
- Recommendation: Based on our involvement with the Dingman Creek Tributary 12 Channel Works and the upcoming improvements planned for Colonel Talbot Road including the associated culvert works, the UTRCA is of the opinion that the flooding hazard which currently impacts Colonel Talbot Road and the access required for the new development proposed at 3637 Colonel Talbot Road can be addressed in the near future.

Accordingly, while the UTRCA has no objections to this application, we will require a holding provision in the zoning that stipulates that dry access must be achieved prior to development occurring, similar to holding provision h-121 within the City's Zoning By-law, Z-1. As indicated, neither the floodline nor the Open Space zone line can be amended until such time as the required technical information including as-built drawings have been prepared and accepted by the UTRCA.

Note: the UTRCA review of the technical studies associated with the Environmental Assessment, floodplain mapping revisions and as-built drawings is forthcoming.

Ecology – Received September 8, 2023

Matters for ZBA

- Show delineation of Significant Valleyland on a figure and provide recommendation to update Map 5 based on the evaluation provided from "Valleyland" to "Significant Valleyland".
- Show current and proposed zoning lines on a figure.
- Confirm access road does not encroach into the Significant Valleyland and/or OS4 zone as shown on Figure 3.

Matters for Site Plan

- Items to be addressed at site plan include confirmatory bat surveys, confirmatory Barn Swallow nest surveys and confirmatory reptile hibernacula surveys as recommended in the EIS.

Parks Planning – Received November 3, 2023

Matters for Site Plan

- Parkland dedication has not been collected for the subject lands. Consistent with the regulations of the Ontario Planning Act, the applicant shall provide parkland dedication equal to 5% of the property. Dedication of the natural hazard/heritage lands, consistent with the rates in By-law CP-25, is required for the fulfillment of this requirement any remaining required dedication to be fulfilled as cash in lieu.
- The City will require fencing as per SPO 4.8 on all residential lots abutting the Open Space.

Urban Design – Received November 3, 2023

Matters for ZBA:

- This proposal is located within the Neighbourhoods Place Type in The London Plan [TLP] and within the Lambeth Residential Neighbourhood in the Southwest Area Secondary Plan [SWASP], which permits the proposed use and height. Urban Design staff are generally supportive of the proposed townhouse development, and recommend the following comments be addressed:
 - Ensure the rear and interior side yard setbacks provide adequate buffering between this development and the adjacent lower intensity developments to the south and west [TLP Policy 253].
 - Provide a network of pedestrian walkways through the site that connects between the townhouse unit entrances and future sidewalk on Colonel Talbot Road to ensure pedestrians can safely traverse the site and to promote active transportation [TLP Policy 255].
 - Remove the proposed garage and parking spaces located in the front yard. Surface parking should be located behind the building, in the rear or interior side yard only [TLP Policy 272].

Matters for Site Plan:

- Provide a walkway along the north-south drive aisle (in front of Units 1-10) [TLP Policy 255];
- Ensure the garages of the proposed townhouse units do not protrude beyond the front façade of the building and ensure they are less than 50% of the overall individual lot width [SWASP 20.5.3.9, iii, e];
- Orient and design Unit 1 and Unit 23 to include a similar level of architectural detail on the street and park-facing facades as is provided on the front elevation, including wrap around porches, front entrances, size and number of windows, materials, massing and any other relevant architectural detailing. [TLP Policy 291];
- Consider incorporating a mix of complimentary architectural styles, materials and colours in the design of individual townhouse units to assist with wayfinding, break-up the massing and to add interest to the overall building design [TLP Policy 301].
- Provide a full-set of dimensioned elevations for all sides of the proposed building(s) as well as a fully dimensioned and labelled site plan. Further comments may follow upon receipt of the drawings.

London Hydro – Received November 15, 2023

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

Landscape Architecture – Received November 21, 2023

1. Major Issues

- The Development and Planning Landscape Architect has concerns about the reduced side yard setbacks. Sufficient volume of soil must be provided to support tree growth, as required in Site Plan Control Bylaw and to meet canopy goals of the London Plan and the Urban Forest Strategy. London Plan Key Direction #4, is for London to become one of Canada's greenest Cities. The side yards may need to accommodate fencing, retaining walls, drainage features [above and below ground] and tree planting. Reduced setbacks have the potential to cause conflicts between these features.

2. Matters for Site Plan

- One boundary tree (tree #31) was inventoried, co-owned with 7018 Diane Crescent., and identified for preservation. Tree protection fencing is acceptable

as it is proposed 1 metre outside of the tree's critical root zone [CRZ]. Grade changes within the CRZ would require consent from the owner of 7018 Diane Crescent.

- One City tree was inventoried in the Colonel Talbot boulevard and identified for preservation. No impacts to tree are anticipated. If the tree requires removal, the coordination with Forestry Operations can be initiated with the Site Plan Application.
- A tree preservation plan was provided and identified 1505cm dbh proposed for removal. A recommendation will be made to Site Plan for 150 replacement trees within site.

Heritage – Received November 8, 2023

- This is to confirm that I have reviewed the following and find the report's analysis, conclusions and recommendations to be sufficient to fulfill the archaeological assessment requirements for Z-9664: o Stantec, *Stage 1-2 Archaeological Assessment: Proposed Residential Development at 3637 Colonel Talbot Road, Part of Lot 74, West of Talbot Road, Geographic Township of Westminster, former Middlesex County, now City of London, Ontario* (PIF P256-0699-2021), March 3, 2022.
- Please be advised that heritage planning staff recognize the conclusion of the report that state: "No archaeological resources were identified during the Stage 1-2 archaeological assessment of the study area. This, in accordance with Section 2.2 and Section 7.8.4 of the MHSTCI's 2011 *Standards and Guidelines for Consultant Archaeologists*, no further archaeological assessment of the study area is recommended."
- An Ontario Ministry of Citizenship and Multiculturalism (MCM) archaeological assessment acceptance letter has also been received, dated March 7, 2022 (MCM Project Information Form Number P256-0699-2021, MCM File Number 0015169).
- Archaeological conditions can be considered satisfied for this application.

Site Plan – Received November 20, 2023

Major Issues

- Clarify how waste collection will function on the proposed development, a turnaround is required for solid waste. Specify the proposed waste collection method, screening, storage location and collection point. (Site Plan Control By-Law 10.3.b))
- Increase the buffer between Unit 30 and the proposed fire route or reconfigure the proposed subject site layout. Unit 30 is located less than 3 meters from the fire route (Site Plan Control By-Law, Figure 6.3: Private Property Fire Routes).
- Clarify the location of the required visitor parking and accessible parking spaces.
 - Clarify pedestrian circulation through the subject site and ensure that accessible parking spaces are connected to the proposed pedestrian walkways.

Matters for ZBA

R1-14

- As an R1 zone remove or relocate the proposed parking space along the front yard, Colonel Talbot Road (Zoning By-Law Z.1.-1 Section 4.19, 4), a).
- Remove or relocate the *proposed garage* to the interior side yard or rear yard. (Zoning By-Law Z.-1-Section 4, 4.1, 4).

R5-2

- A special provision will be required for the frontage along Colonel Talbot Road

Matters for Site Plan

- Provide a full set of dimensioned elevations in metric. (Site Plan Control By-Law 1.8,f).

- Clarify the location and type(s) of fencing and/or screening that is proposed and demonstrate how planting in accordance with the SPC By-law can be accommodated.
- Clarify the location and height of all external lighting fixtures. (Site Plan Control By-Law 1.5.(o)).
- Identify locations for snow storage on-site. (Site Plan Control By-Law 1.5.)

Engineering – Received November 20, 2023

Matters for ZBA

1. Engineering has no further comments on this application. The site currently does not have access to storm and sanitary services – Re-zoning application is recommended with the following Holding provisions: h-17 and h-89.

Note: An alternate holding provision h-149 is being recommended as it addresses both the sanitary and stormwater servicing issues.

h-149 Purpose: To ensure the orderly development of the lands the symbol shall not be deleted until sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer.

2. For the applicant's benefit, the following new comments were received during the re-zoning application stage:

Wastewater:

- The 450mm diameter sewer primarily benefits solely this development, and any construction/extension of the sanitary sewer is to be at no cost to the City, and additionally the 450mm diameter sewer is oversized for the tributary areas and populations and there should be no oversizing subsidy costs eligible for this developer driven extension. It is noted that there is a Two-Lane Arterial Road upgrade tentatively scheduled for 2024, and any works between the developer and the CoL project should be coordinated as needed.
- The suggested sewer with a diameter of 450mm is excessively large for the tributary area and populations. Albeit, if the developer intends to develop the site at 3637 Colonel Talbot Road, servicing will be required by way of extending a local 250mm diameter sewer main leading up to the CT pump station. Please note that the city has no available source of funding, and all costs associated with construction will be entirely the developer's responsibility, at no cost to the city.
- Before proceeding with the sewer design submission that benefit the site address 3637 Colonel Talbot Road, it is important to reach an agreement on the source of funding with the developer. It is necessary to ensure that the full cost estimate is paid in its entirety before moving forward with tendering this project. However, we will determine the exact cost of the sewer component once we have awarded the project.
- The external area 4-2 has no impact on this extension as it has frontage to the existing sanitary sewer.

Stormwater:

- As per the Drainage By-law, the consultant would be required to provide a stormwater to Colonel Talbot Road via a storm PDC. It is anticipated that the property will be stubbed out with a PDC as part of the Colonel Talbot 2 Lane Upgrade Project. The flow from the site to the PDC must be discharged at a rate equal to or less than the design storm sewer flow allocated as part of the Colonel Talbot 2 Lane Upgrade Project. A fronting connection is required so that the majority of rain events' flow from the site will be discharged into the Trib 12 drain at the protected culvert outlet.
- Major flows should be directed to the fronting right of way via the site access to the greatest extent practical.

- Best efforts should be undertaken to ensure the proposed periphery grading (rear yards) minimizes uncontrolled flows and contains surface runoff to the site, to the maximum extent practical, due to the following concerns:
 - North newly constructed channel and future pathway; erosion and icing risks
 - West existing residential and retaining wall considerations
 - South existing subdivision did not account for receipt of flows from this property into rear yard catchbasins
- If grading constraints preclude achievement of the above design criteria, and a portion of the site's OLF is justified to be routed to the channel, the consultant is to ensure the post development peak rates of OLF are equal to or less than the predevelopment flow rates. Additionally, the consultant would be required to provide distributive erosion control measures at the spillpoint(s) (ie. spreader/sheet flow, as opposed to sewer outfall).

Transportation

- A portion of the subject property (at the southerly limit) has been widened to more than 18.0m from c/l by Block 117 on 33M-172 (see 33R-17387);
- For the remainder property, presently the width from centerline for Colonel Talbot Road adjacent to this property is 13.106m as shown on Exploration By-Law 2585. Therefore a widening of 4.894m is required to attain 18.0m from C/L
- Detailed comments regarding access design and location will be made through the site plan process. Note that the existing house driveway should be relocated internal to the site. Additionally a growth project proposed in 2023 along Colonel Talbot Rd and it is expected to build sidewalks & curbs front of the development. Part of growth project access management review will be completed and the proposed access may be restricted to RIRO.
- Proposed access' comments are to be addressed by UTRC- Upper Thames River Conservation Authority.

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

Water:

- Water is available for the subject site via the municipal 600mm watermain on Colonel Talbot Road.

Stormwater:

- The site is within the Dingman Creek Screening Area of UTRCA and therefore the applicant is to engage as early as possible with UTRCA to confirm any requirements/approvals for this site.
- The site falls within the Dingman Subwatershed. The Dingman EA requires design for the stormwater control hierarchy for the 25 mm event in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- SWED is in the process of reviewing a detailed design and construction channel remediation project to address existing and future flooding concerns along Tributary 12, the channel within the development property limits. The assessment will include from just upstream of Colonel Talbot Road to the confluence with Dingman Creek. Construction works are anticipated for 2021. Details of the ecological assessment (currently underway) to support this work can be shared with the developer upon request. The City led ecological work is not anticipated to address the presence of any existing features within the property that may need to be maintained through the development process and what water balance approach that may be required to support those. This will be required to be addressed in future submissions.
- Currently there is no municipal storm sewer or storm outlet available to service the site. As per the Drainage By-Law, section 5.2, where no storm sewer is accessible the applicant shall provide a dry well or storm water retention system

which is certified by a Professional Engineer to the satisfaction of the City Engineer.

- The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating that the proposed stormwater management strategy will ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.
- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- The applicants consulting engineer is to confirm and delineate the existing septic systems and revise the future retained parcels property limits to ensure any such septic system is fully contained within the retained parcel and provide setbacks from the future severed property limits; as necessary.
- The subject lands are located in the Dingman Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Dingman Subwatershed.
- Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The Owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP (formerly MOECC) standards and requirements. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Transportation

- Right of way dedication of 18.0m from centre line required along Colonel Talbot;
- Detailed comments regarding access design and location will be made through the site plan process;
- A Traffic Management Plan will be required for work in the City ROW to be reviewed with Site Plan submission;
- Related to the proposed access the comments are to be addressed by UTRC- Upper Thames River Conservation Authority

Appendix E – Public Engagement

Public Comments #1: Received November 17, 2023 Contact Method – Email

Dear Isaac & Anna,

I am contacting you regarding File: Z-9664 - Rezoning & Development at 3637 Colonel Talbot Road by York Developments.

Our home backs onto the Dingman Creek Clayton Park Tributary which was recently reconstructed under the Dingman Creek Southwinds Channel (Tributary 12) natural channel reconstruction and flood mitigation rehabilitation project, disrupting our backyard activities for the whole summer/fall of 2022.

<https://getinvolved.london.ca/southwinds-channel>
<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=83380>

The project, which disrupted our backyard and community activities by causing a considerable amount of noise, at all hours of the day and night, caused a significant amount of dirt and dust and disrupted traffic on both Clayton Walk & Colonel Talbot Road, cost London tax-payers \$4,069,026.25.

Firstly, it would appear as though the rezoning & development of 3637 Colonel Talbot Road will conflict with the Tributary that was recently completed. See the attached extract **Dingman Creek Clayton Walk Tributary Interference**, which is **Figure 1.0 Subject Lands Aerial View** taken directly from **09 PJR - York Developments - 3637 Colonel Talbot Rd - 20230225**. Please also see Google Maps extract (**Dingman Creek Environmentally significant area**).

London City tax-payer money was spent on this rehabilitation and it caused a lot of disruption during construction and now this rezoning and development will interfere and disrupt this project. This Tributary is a protected area that is integral for drainage. The development of this area should not be allowed from an environmental point of view.

Originally when this plan was put in place there was a single dwelling at 3557 Colonel Talbot Road, but now that has been changed and the Talbot 21s has recently been completed at that location, which has caused some disruption to the area and based on this we do not see how the Tributary can be kept protected. If you see the attached photos (**Dingman Creek Tributary looking East & Dingman Creek Tributary looking West**), the area that is shown in Figure 1.0 is currently encroached upon by the Talbot 21s and a retaining wall on the North, and the property at 3637 Colonel Talbot on the South.

The building of the Talbot 21s has already caused significant disruption to the Tributary and File Z-9664 will cause even more disruption could be disastrous to the ecosystem.

Secondly, the traffic is already a challenge for those living in the Clayton Walk Park area. As you can see in the photos provided (**Dingman Creek Tributary looking East**) with all the new houses being built in Magnolia Fields, the Talbot 21s as seen in the attached photo (**Talbot 21s being built**), combined with the traffic from the construction of homes in Silverleaf. We can be waiting at the intersection of Clayton Walk and Colonel Talbot for ages, only then to get onto Colonel Talbot road and be delayed due to all the construction vehicles and additional traffic due to the homes being built. I understand that there is a plan to widen and improve traffic on Colonel Talbot but the construction at 3637 cannot happen before the road rehabilitation and improvement.

Thirdly, we understand the need for affordable homes in London Ontario and support those projects but with the amount of construction that has and is happening in this area

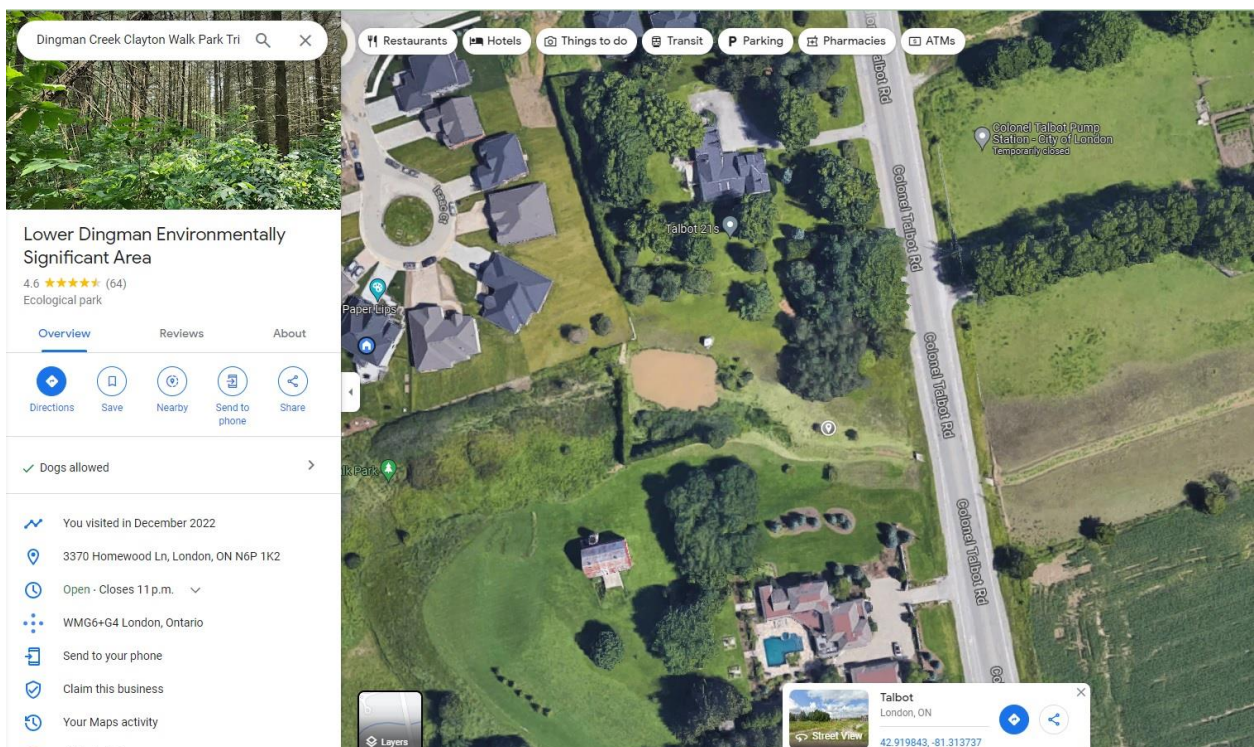
we do not believe that the ecosystem and road infrastructure and building these premium condos, which are not selling right now, see the following article (<https://www.cbc.ca/news/canada/toronto/new-condo-sales-drop-47-year-to-date-as-would-be-buyers-priced-out-of-gta-1.7016356#:~:text=Toronto,New%20condo%20sales%20drop%2047%25%20year%2Dto%2Ddate%20as,to%20a%20report%20from%20Urbanation>).

Lastly, we leave you with a few photos of the barn and area that will be rezoned and developed.

We would like to be notified of any decisions and changes to this file, via email to this address.



Picture 1: Dingman Creek Clayton Walk Tributary Interference



Picture 2: Dingman Creek Environmentally significant area



Picture 3: Dingman Creek Tributary looking East



Picture 4: Dingman Creek Tributary looking West



Picture 5: Talbot 21s being built.



Picture 6: Photo of Barn 3



Picture 7: Photo of Barn



Picture 8: Photo of Barn 2



Picture 9: Photo of Dingman Creek & Barn



Picture 10: Photo of Dingman Creek & Barn 2

Public Comments #2: Received November 20, 2023
Contact Method – Email

My husband and I are writing to register our concerns and resistance regarding the above-mentioned Zoning By-law Amendment for 3637 Colonel Talbot Road, London, Ontario by SOFCO Properties.

We have lived in this neighbourhood for nearly twenty years, having moved from the UK to Canada to pursue a peaceful life. We bought _____ once we did a complete reconnaissance of the London area, and decided that Lambeth would be our forever home, mainly because it was a beautiful part of London, largely unspoilt, with orchards and farmlands, and separate to the rest of London; a little village within the city boundaries, if you will.

Fast forward to today and this new application. We have already gone through this process once before when the hobby farm came up for sale (around 2005/6) and the proposal was for condos to be built right at the back of us. As it was, we were lucky last time and was able to voice our concerns and the planning application did not go through, as planned. However, the amount of development that has gone on around here since then is ridiculous. The infrastructure just does not support the number of houses that have been built already, never mind this new proposal.

An important point that also needs to be considered/highlighted is that the heritage barn at the back of the property at 3637 Colonel Talbot Road, has been home to a colony of bats since we moved here nineteen years ago. We have enjoyed many seasons watching the bats fly in and out of the barn and around the neighbourhood. It is our understanding that these bats are a protected species, so think that this needs to be explored further in order to ensure the protection of these bats, who are important in our natural world for many reasons. They're vital pollinators, pest controllers and seed distributors – benefitting all of us.

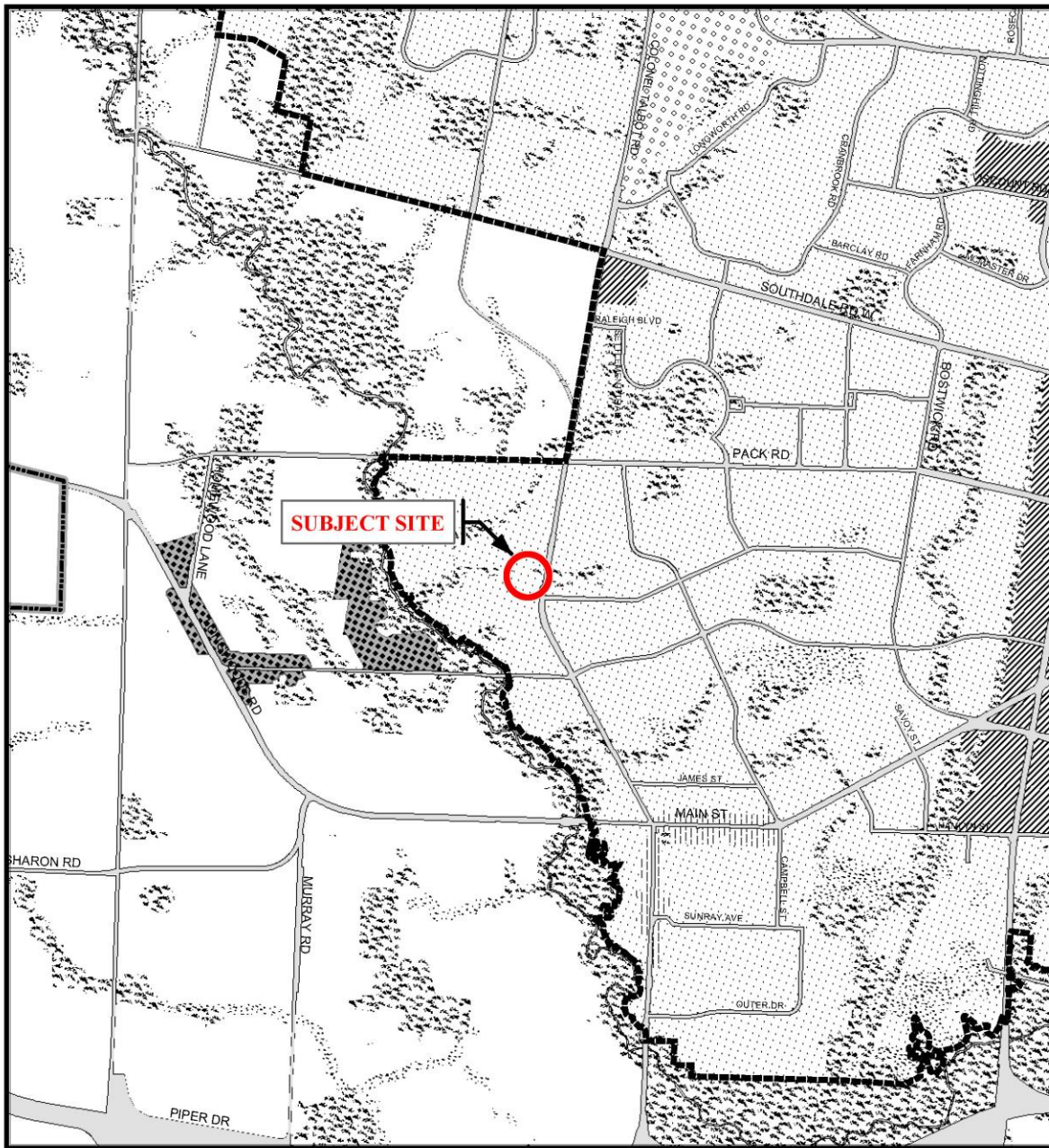
Not only are we concerned for the bats, but we are concerned for the trees, noise pollution, as well as how the new development will affect the environmental floodplain. If we understand the plans correctly, it looks like the huge amount of work that the city has just undertaken to redevelop the storm drain system will need to be redesigned and reconfigured as the flood and erosion balance will be out of sync, especially as the plans indicate that a road is proposed to be built right in this area.

Thank you for taking your time to consider our opposition to this application and look forward to seeing you at the meeting on Tuesday 9th January, time to be determined.

Kind regards.

Appendix F – Relevant Background

The London Plan – Map 1 – Place Types

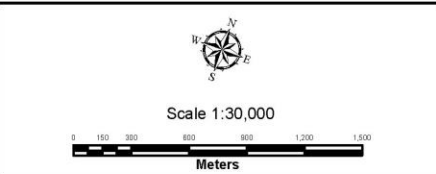


Legend

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

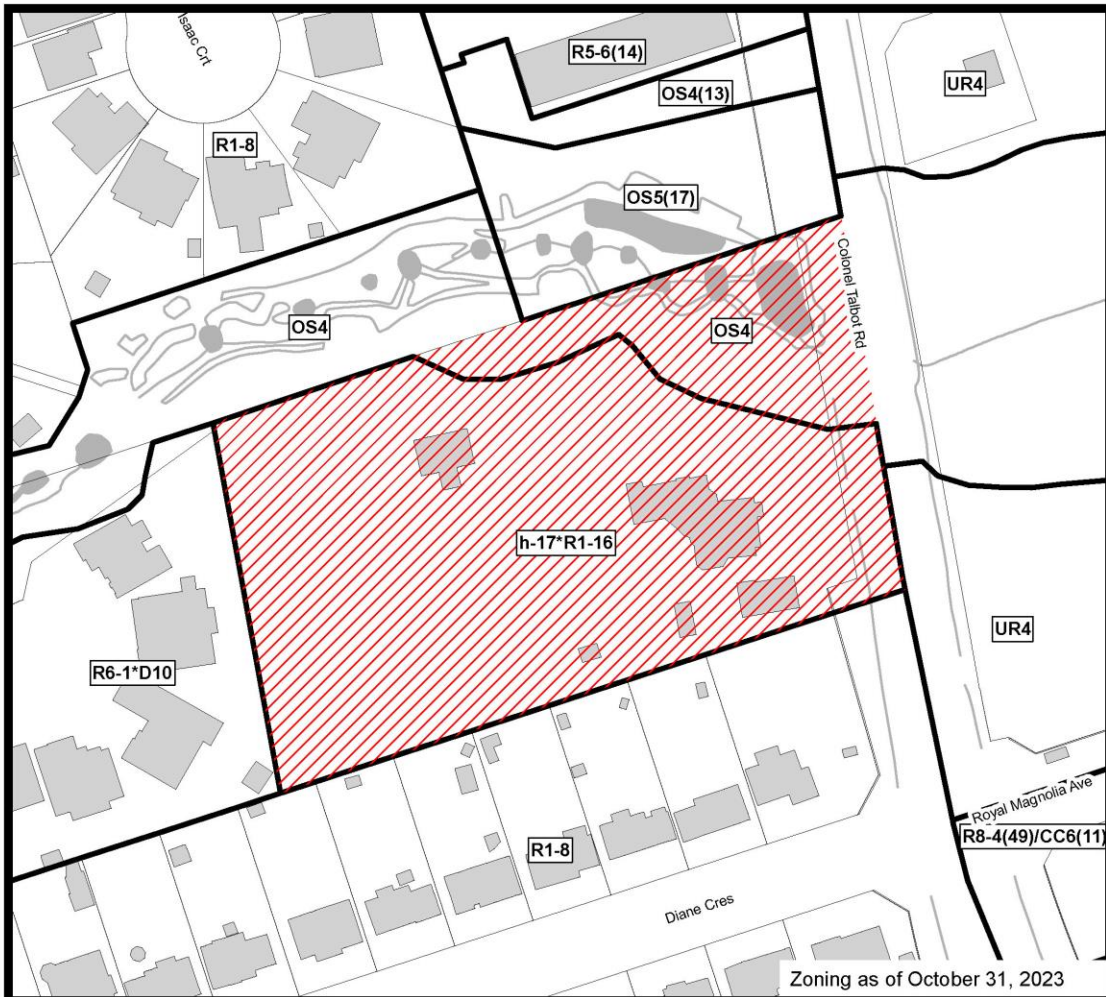
This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning & Development



File Number: Z-9664
Planner: ID
Technician: RC
Date: 2023/11/28

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9664

ID

MAP PREPARED:

2023/11/28

RC

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Meters