

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: 731675 Ontario Limited (c/o York Developments)
3010-3050 Yorkville Street
File Number: Z-9692, Ward 9
Public Participation Meeting

Date: March 19, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 731675 Ontario Limited (c/o York Developments) relating to the property located at 3010-3050 Yorkville Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting April 2, 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 Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone **TO** a Residential R9 Special Provision Bonus (R9-7(*)*B-57*H68) Zone and a Holding Residential R9 Special Provision/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (h-_*R9-7(**)/CC4(5)/RO2(32)*B-57*H45) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Implementation of the Urban Design Guidelines for 3080 Bostwick Road;
 - ii) Implementation of the recommendations of the Noise Study;
 - iii) Details regarding garbage storage and collection be finalized; and,
 - iv) Consider a design for the forecourt at the principle building entrance that complements the design of the forecourt and playground at the Bostwick Community Centre.
- (c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the recommended amendment is reflective of the proposed development circulated in the Notice of Application and Notice of Public Meeting, existing permissions, and the existing development on site.

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;
- iii) The recommended amendment conforms to the Southwest Area Secondary Plan, including, but not limited to the Bostwick Residential Neighbourhood policies and the Urban Design Guidelines for 3080 Bostwick Road; and
- iv) The recommended amendment facilitates the development of an appropriate form of high density, mixed-use development within the Built Area Boundary.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone to a Residential R9 Special Provision Bonus (R9-7(*)*B-57*H68) Zone and a Residential R9 Special Provision/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7(**)/CC4(5)/RO2(32)*B-57*H45) Zone.

Purpose and the Effect of Recommended Action

The recommended action will permit a 12-storey mixed-use apartment building containing **120 residential units** and 162.5 square metres of commercial gross floor area, with a maximum height of 45 metres. A holding provision is recommended to ensure the required security is provided and the existing bonus agreement is updated.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.
- **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

PEC Report – Public Participation Meeting Report (OZ-8943) – 31675 Ontario Ltd (York Developments Inc) 3080 Bostwick Road (Site 5) – October 9, 2018

PEC Report – Public Participation Meeting Report (OZ-8943) – 31675 Ontario Ltd (York Developments Inc) 3080 Bostwick Road (Site 5) – November 12, 2018

PEC Report – Public Participation Meeting Report (O-9025) – 731675 Ontario Ltd – 3080 Bostwick Road – July 22, 2019

Report to the London Consent Authority (B.034/18) – 3080 Bostwick Road Part 3 (Severance) – May 31, 2019

PEC Report – Holding Provision Removal (H-9046) – 731675 Ontario Ltd (York Developments) 3080 Bostwick Road (Site 5) – January 20, 2020

Report to London Committee of Adjustment – Public Participation Meeting (A.087/19) – 3080 Bostwick Road – September 9, 2019

Report to London Committee of Adjustment – Public Participation Meeting (A.121/19) – 3080 Bostwick Road – November 25, 2019

Report to London Committee of Adjustment – Public Participation Meeting (A.043/23) – 3010-3050 Yorkville Street – May 4, 2023

1.2 Planning History

The subject lands were subject to an Official Plan amendment and Zoning By-law amendment in 2018 (OZ-8943), which applied the current zoning that permits the

existing 17 storey apartment building and the previously proposed 3 storey commercial/office building. The lands were also subject to a subsequent Official Plan Amendment (O-9025) which adopted the Urban Design Guidelines for 3080 Bostwick Road. At the time, the lands formed part of the larger 3080 Bostwick Road site and were later severed as part of Consent application B.034/18. Since that time, the site has been subject to several Minor Variance applications (A.087/19, A.121/19, and A.043/23) to facilitate the existing 17 storey building and previously proposed 3 storey commercial/office building.

1.3 Property Description and Location

The subject lands are located on the southeast intersection of Southdale Road West and Yorkville Street (currently an unassumed private access). The lands are developed with an existing 17 storey apartment building containing 214 units at the rear of the site (Phase 1), as well as 93 surface parking spaces and 269 parking spaces underground (362 spaces total). The front of the site is currently vacant and is proposed be developed as Phase 2.

The subject lands are in the Bostwick Planning District, with the nearest major intersection being Southdale Road West and Wonderland Road South. Shopping and amenities are available along Wonderland Road South, which offers a range of retail and service uses in several existing commercial plazas and power centres. The site is also adjacent to the Bostwick Community Centre.

Site Statistics:

- Current Land Use: Apartment building
- Frontage: 51.34 metres (168.4 feet)
- Depth: 138 metres (453 feet)
- Area: 1.1 hectares (2.7 acres)
- Shape: Irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: Townhouse dwellings and Hydro One utility
- East: Enbridge Gas utility and commercial
- South: Undeveloped
- West: Bostwick Community Centre

Existing Planning Information:

- Existing The London Plan Place Type: Neighbourhoods Place Type on a Civic Boulevard, High Density Residential Overlay
- Existing Special Policies: None
- Existing Secondary Plan Designation: High Density Residential, Bostwick Residential Neighbourhood (Southwest Area Secondary Plan)
- Existing Zoning: Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone

Additional site information and context is provided in Appendix "B".



Figure 2 – Streetview of 3010-3050 Yorkville Street (view looking south from Southdale Road West)

2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development consists of a 12 storey mixed-use apartment building containing 120 residential units and 162.5 square metres of office/commercial space. The building is proposed at the front of the site at the intersection of Southdale Road West and Yorkville Street. Parking would be provided in both surface and underground parking facilities shared with the existing 17 storey apartment building developed at the rear of the site.

The proposed development includes the following features:

- Land use: High Density Residential
- Form: Apartment building
- Height: 12 storeys (40 m)
- Residential units: 120
- Density: 346 units per hectare
- Building coverage: 28.1%
- Parking spaces: 88 underground / 37 surface (Phase 2 only)
- Bicycle parking spaces: 108 inside / 12 outside
- Landscape open space: 35.7%

Additional information on the development proposal is provided in Appendix “B”.

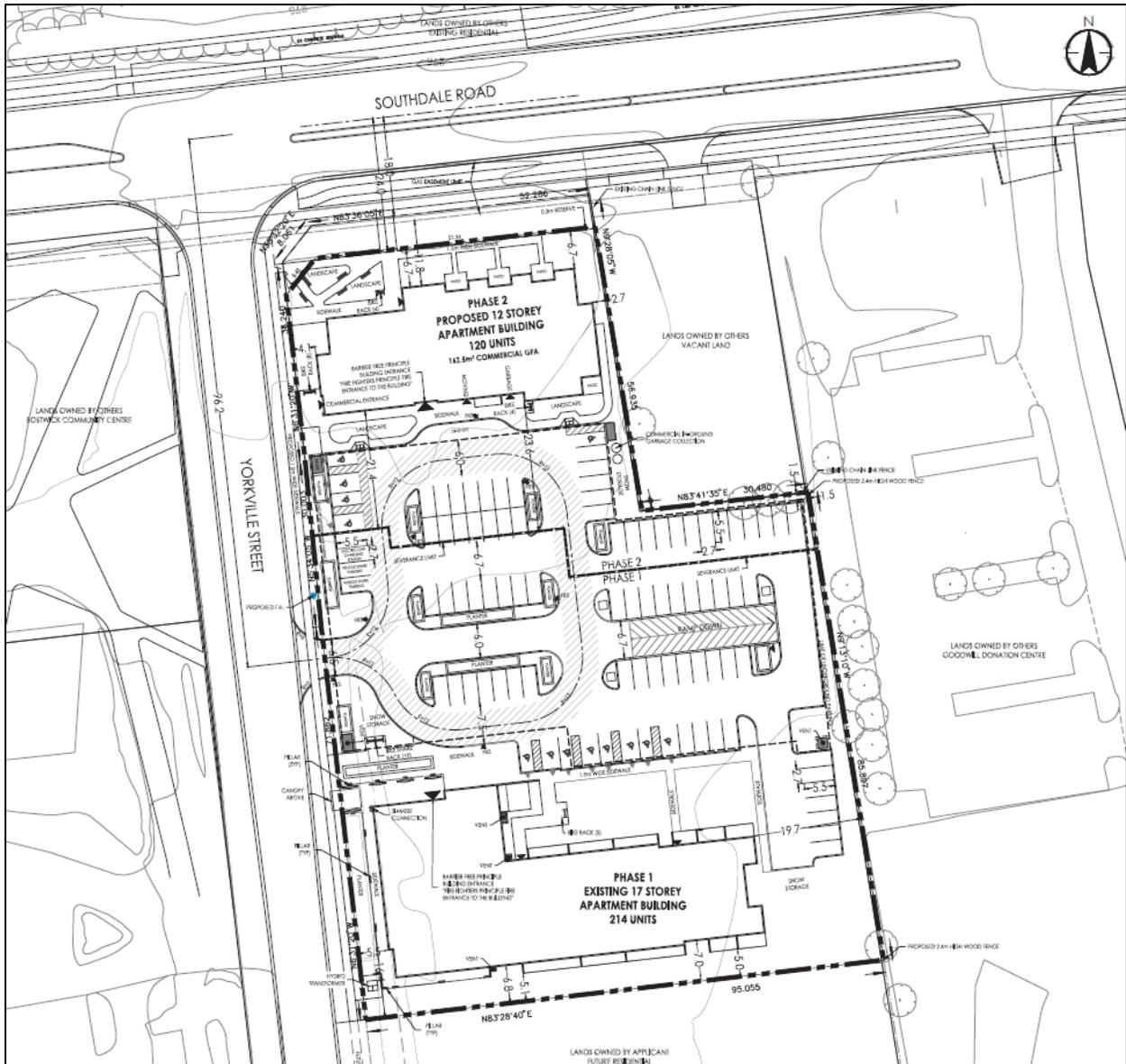


Figure 3 – Conceptual Site Plan (December 2023)



Figure 4 – Renderings (December 2023)

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

2.2 Requested Amendment

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone to a Residential

R9 Special Provision Bonus (R9-7(*)*B-57*H68) Zone and a Residential R9 Special Provision/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7(**)/CC4(5)/RO2(32)*B-57*H45) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R9-7(*) – Existing 17 Storey Apartment Building	Required	Proposed/Recommended
Front Yard Depth (Minimum)	13.0 metres	5.5 metres
Rear Yard Depth (Minimum)	27.6 metres	19.7 metres
Interior Side Yard Depth (Minimum)	27.6 metres	5.0 metres
Density (Maximum)	150 uph	286 uph
Bicycle Parking (Minimum)	193 long-term; 22 short-term	156 long-term; 15 short-term
Canopy Encroachment	0.5 metres	0.0 metres
		Notwithstanding section 4.3.4) to the contrary, the regulations of the R9-7(*) Zone shall prevail.
Regulation (R9-7(**)) – Proposed 12 Storey Mixed-Use Apartment Building	Required	Proposed/Recommended
Additional Permitted Uses	N/A	Mixed-use apartment buildings
Front Yard Depth (Minimum)	11 metres	4.0 metres
Front Yard Depth (Maximum)	N/A	6.0 metres
Exterior Side Yard Depth (Minimum)	13.0 metres	6.0 metres
Exterior Side Yard Depth (Maximum)	N/A	8.0 metres
Stepback above the 4 th storey (Minimum)	N/A	1.5 metres
Rear Yard Depth (Minimum)	18.0 metres	2.5 metres
Density (Maximum)	150 uph	350 uph
Gross Floor Area for all Office Uses (Maximum)	N/A	2,000 square metres
		Notwithstanding section 4.3.4) to the contrary, the regulations of the R9-7(**) Zone shall prevail.
Regulation (CC4(5))	Required	Proposed/Recommended
Additional Permitted Location	Restricted to a Location within an Apartment Building	Within an office building
Regulation (RO2(32))	Required	Proposed/Recommended
Additional Permitted Location	N/A	Within an Apartment Building. For uses located in an Apartment Building, Table 18.3 does not apply
Front Yard Depth (Minimum)	1.2 metres	1.2 metres
Exterior Side Yard Depth (Minimum)	12.9 metres (A.121/19)	12.9 metres
Rear Yard Depth (Minimum)	0.6 metres (A.087/19)	0.6 metres
Height (Maximum)	14 metres (A.087/19)	14 metres

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:

- Servicing

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

2.4 Public Engagement

On January 11, 2024, Notice of Application was sent to 141 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 January 18, 2024. A “Planning Application” sign was also placed on the site.

No responses were received through the public consultation period.

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.

The site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard and a Neighbourhood Street (TLP Maps 1 and 3). The site is also in the High Density Residential Overlay (TLP Map 2).

Southwest Area Secondary Plan (SWAP)

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 it. The site is designated High Density Residential in the Bostwick Residential Neighbourhood of SWAP and is subject to the Urban Design Guidelines for 3080 Bostwick Road.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed apartment use is supported by the policies of the Provincial Policy Statement and contemplated in the High Density Residential Overlay in the Neighbourhoods Place Type in The London Plan (TLP 955). Although Table 10 does not contemplate mixed-use buildings at the intersection of a Civic Boulevard and a Neighbourhood Street, where there is a conflict with the policies of The London Plan and an adopted secondary plan, the secondary plan policies will prevail (TLP 1558).

In the SWAP, the High Density Residential designation provides for transit-oriented, mid-to high-rise, residential development that may be mixed-use in nature (SWAP 9.22.i). Permitted uses shall include mid-rise to high-rise apartment buildings, as well as convenience commercial uses and small-scale office development (SWAP 9.2.ii). As such, staff is satisfied the proposed land use is in conformity with the SWAP.

4.2 Intensity

The proposed intensity is consistent with the policies of the PPS that encourage residential intensification (PPS 1.1.3.4), an efficient use of land and a diversified mix of uses (PPS 1.1.3.6).

At the intersection of a Civic Boulevard and a Neighbourhood Street, Table 11 contemplates a standard maximum height of 4 storeys and an upper maximum height of 6 storeys. Further, Table 12 does not contemplate retail, service, and office intensity for sites at the intersection of a Civic Boulevard and a Neighbourhood Street. In the High Density Residential Overlay, development outside of the Primary Transit Area may be permitted up to 12 storeys in height and at a density of 150 units per hectare (TLP 958_2). Where Specific Policies are established for lands within the High Density Residential Overlay, and there is a conflict between those policies and the parent High Density Residential Overlay policies, the Specific Policies shall prevail (TLP 958_6).

Within the Southwest Area Plan the Bostwick Neighbourhood will provide for residential development with the highest intensity of all of the Residential Neighbourhood Areas, to support activities in the Wonderland Boulevard Neighbourhood (9.0.i). In the High Density Residential Designation of the Bostwick Residential Neighbourhood of the SWAP, new development may be permitted to a maximum density of 150 units per hectare and a maximum building height of 12 storeys, subject to further urban design review at the site plan approval stage (SWAP 9.2.iii.a). Notwithstanding Section 9.2 iii) a), higher densities or heights may be permitted through a site-specific zoning bylaw amendment (SWAP 9.2.iii.c). Although the proposed development exceeds 150 units per hectare, through the review of this site-specific zoning by-law amendment, staff have determined that the proposed density is appropriate for the site. The site is large enough to support the proposed density, including providing the required number of parking spaces and the building has been designed in a manner to mitigate impacts on the public realm. The recommended special provisions are largely technical in nature to facilitate a street-oriented built form and to carryover permissions approved through previous planning applications. The site is in proximity to several amenities, including the Bostwick Community Centre, Southwest Optimist Park, and commercial uses.

In accordance with policies 1558 and 958_6 of The London Plan, the more specific policies of the SWAP prevail over those of The London Plan. As such, staff are satisfied the recommended amendment is in conformity with the SWAP and is therefore in conformity with The London Plan.

4.3 Form

The proposed form is consistent with the Neighbourhoods Place Type policies and the City Design Policies. The lands are also subject to the Urban Design Guidelines for 3080 Bostwick Road (SWAP 9.2.iv). The overall goal of the Urban Design Guidelines for 3080 Bostwick Road (the Guidelines) is to establish development that “supports a mix of residential, commercial and office uses, has regard for sustainability principles, is pedestrian-oriented, transit supportive and is accessible to the surrounding community” which is consistent in the delivery of the design objectives.

Section 4.1 of the Guidelines directs buildings to be sited in close proximity to street corridors, where practical, to help enclose the adjacent pedestrian realm and activate the streetscape. Within Site 5, the subject lands, buildings will have a range of heights with low-rise buildings along Southdale Road West and to provide a transition in height, with taller buildings located internal to the site. While the proposed building is not a low rise building, staff are satisfied a transition in height is provided and that the proposed intensity is appropriate and is in conformity with the High Density Residential designation in the Bostwick Residential Neighbourhood of the SWAP.

Further, buildings in Site 5 should be oriented to frame Southdale Road West and Yorkville Street. The proposed building is oriented to the corner, with active frontages along both Southdale Road West and Yorkville Street. Units on the main floor have direct access to Southdale with private patio spaces, while the primary entrance to the commercial units face Yorkville Street. A landscaped forecourt and the principal entrance to the residential lobby are proposed at the corner, consistent with the direction in sections 4.1 and 4.2 of the Guidelines.

In accordance with section 4.2, building facades should be articulated with elements that create rhythm along the streetscape. A contemporary architectural style should be applied to building designs to reflect and integrate with the Master Plan Concept, and to contribute to the pedestrian environment along the streetscapes. Staff is satisfied with the articulation of the building and that the building represents a contemporary architectural design. Building scale and mass should be designed to be compatible with the Bostwick Community Centre and future high density residential development planned for 3080 Bostwick Road. The massing of all proposed buildings should create a comfortable pedestrian environment, which will be further enhanced through the provision of private amenity space. The proposed building incorporates a 1.5 metre stepback above the fourth storey, which is recommended as an additional special provision to assist in achieving a human-scale design. Further, private patios are proposed for ground floor units facing Southdale.

Consideration should be given to designing high-rise residential towers with defined base, middle, and top elements. The base has been designed with several features differentiating it from the middle and top, including: angled structural supports, a canopy above the principal entrance, units oriented towards the public street, a mix of colours and materials, and a stepback above the fourth storey. This stepback, in combination with articulation, architectural features framing balconies, and a change in colour and material, also distinguishes the middle component of the building. Finally, architectural features such as an articulated roofline, mechanical penthouse, and decorative fin on the corner distinguishes the top from the rest of the building.

Finally, the Guidelines suggest podiums should generally be incorporated into towers and high-rise mixed-use developments and should range from three to six storeys with tower stepbacks of 3.0 metres or greater. A four-storey podium with a 1.5 metre stepback above the fourth storey is proposed, and staff are recommending an additional special provision to ensure this stepback is maintained. While this is less than the

minimum suggested in the Guidelines, staff are of the opinion that the 1.5 metre stepback is appropriate in combination with the other above noted design features.

4.4 Bonus (B-57) Zone

The current zoning of the subject lands contains a Bonus (B-57) Zone, which specifically permitted the existing apartment building and the previously proposed 3 storey building. The City and applicant also executed a Bonus Agreement pursuant to Section 37 of the *Planning Act*, which contains a number of agreed upon terms for facilities, services, and matters in return for the additional height and density proposed at the time. The existing 17 storey building was approved and constructed based on the terms established in this agreement; however, the terms of this agreement have not been fully satisfied to date and the applicant is working with the City to extend the deadlines established through the agreement, accordingly.

Notwithstanding the changes implemented through Bill 23, staff are not agreeable to the removal of the Bonus (B-57) Zone as this could nullify the Bonus Agreement without the applicant's full satisfaction of the agreed upon terms. Staff consulted with the City's Legal department regarding the status of the Bonus Agreement as a result of the requested zoning amendment. Upon receiving advice from Legal, it is recommended the Bonus (B-57) Zone be retained to ensure the obligations of the agreement remain and special provisions be added to the requested R9-7 Zones to permit the proposed development. A holding provision is also recommended to ensure the required security is provided and the existing bonus agreement is updated.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone to a Residential R9 Special Provision Bonus (R9-7(*)*B-57*H68) Zone and a Residential R9 Special Provision/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7(**)/CC4(5)/RO2(32)*B-57*H45) Zone.

The recommended action is consistent with the PPS 2020, conforms to the Southwest Area Secondary Plan, and will permit the development of a 12-storey mixed-use apartment building containing 120 residential units and 162.5 square metres of commercial gross floor area within the Built Area Boundary. In addition, the recommendation retains the Bonus (B-57) Zone to implement the agreed upon terms for facilities, services, and matters in return for the additional height and density of the existing development. The recommended holding provision will ensure the required security is provided and the existing bonus agreement is updated.

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

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

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

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

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

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2024

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 3010-
3050 Yorkville Street

WHEREAS this amendment to the Zoning By-law Z.-1 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 3010-3050 Yorkville Street, as shown on the attached map comprising part of Key Map No. A111, **FROM** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone, **TO** a Residential R9 Special Provision Bonus (R9-7(*)*B-57*H68) Zone and a Holding Residential R9 Special Provision/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (h-_*R9-7(**)/CC4(5)/RO2(32)*B-57*H45) Zone.
2. Section Number 3.8 2) of the Holding "h" Zone is amended by adding the following Holding Provision:

h-(_) Purpose: To ensure the implementation of the Bonus (B-57) Zone, the "h-_" symbol shall not be deleted until the required security has been provided and the existing bonus agreement has been updated, to the satisfaction of the City.

Permitted Interim Uses: Existing uses

3. Section Number 13.4.g) of the Residential R9 (R9-7) Zone is amended by adding the following Special Provisions:

R9-7(*) 3050 Yorkville

a. Regulations

1. Front Yard Depth (Minimum) – 3.0 metres
2. Rear Yard Depth (Minimum) – 19.7 metres
3. Interior Side Yard Depth (Minimum) – 5.0 metres
4. Canopy Encroachment (Maximum) – 0.0 metres
5. Density (Maximum) – 286 units per hectare
6. Long-Term Bicycle Parking (Minimum) – 156 spaces
7. Short-Term Bicycle Parking (Minimum) – 15 spaces
8. To the extent that any of the performance standards of B-57 Zone conflict with R9-7(*) Zone, the R9-7(*) Zone regulations shall prevail. The provisions of B-57 Zone are otherwise unaffected and remain in-force

4. Section Number 13.4.g) of the Residential R9 (R9-7) Zone is amended by adding the following Special Provisions:

R9-7(**) 3010 Yorkville

a. Additional Permitted Uses

1. Mixed-Use Apartment Building
2. Uses permitted under the Restricted Office (RO2) Zone Variation

b. Regulations

1. Front Yard Depth (Minimum) – 4.0 metres
 2. Front Yard Depth (Maximum) – 6.0 metres
 3. Exterior Side Yard Depth (Minimum) – 6.0 metres
 4. Exterior Side Yard Depth (Maximum) – 8.0 metres
 5. Stepback Above the 4th Storey along Southdale Road West (Minimum) – 1.5 metres
 6. Rear Yard Depth (Minimum) – 2.5 metres
 7. Density (Maximum) – 350 units per hectare
 8. Gross Floor Area for All Office Uses (Maximum) – 2,000.0 square metres
 9. To the extent that any of the performance standards of B-57 Zone conflict with R9-7(**) Zone, the R9-7(**) Zone regulations shall prevail. The provisions of B-57 Zone are otherwise unaffected and remain in-force
4. Section Number 29.4.e) of the Convenience Commercial (CC4) Zone is amended by deleting and replacing the following Special Provisions:

CC4(5) 3010 Yorkville Street

- a. Additional Permitted Uses:
 1. Uses permitted under the Convenience Commercial (CC6) Zone Variation
 - b. Regulations:
 1. Additional Permitted Location – Within an office building
 2. Gross Floor Area of Convenience Commercial Uses (Maximum) – 1,000.0 square metres
5. Section Number 18.4.c) of the Restricted Office (RO2) Zone is amended by deleting and replacing the following Special Provisions:

RO2(32) 3010 Yorkville Street

- a. Regulations:
 1. Front Yard Depth (Minimum) – 1.2 metres
 2. Exterior Side Yard Depth (Minimum) – 12.9 metres
 3. Rear Yard Depth (Minimum) – 0.6 metres
 4. Height (Maximum) – 14.0 metres
6. 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.

PASSED in Open Council on April 2, 2024 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – April 2, 2024
Second Reading – April 2, 2024
Third Reading – April 2, 2024

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



File Number: Z-9692
Planner: CM
Date Prepared: 2024/02/26
Technician: JI
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40 Meters



Appendix B – Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Apartment Building
Frontage	51.34 metres (168.4 feet)
Depth	138 metres (453 feet)
Area	1.1 hectares (2.7 acres)
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Townhouse dwellings and Hydro One utility
East	Enbridge Gas utility and commercial
South	Undeveloped
West	Bostwick Community Centre

Proximity to Nearest Amenities

Major Intersection	Southdale Road West and Wonderland Road South, 415 metres
Dedicated cycling infrastructure	Southdale Road West, 0 metres
London Transit stop	Southdale Road West, 120 metres
Public open space	Southwest Optimist Park, 1.1 km
Commercial area/use	Southdale Road West and Wonderland Road South, 415 metres
Food store	Loblaws, 900 metres
Community/recreation amenity	Bostwick Community Centre

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods Place Type, Civic Boulevard
Current Special Policies	HDR Overlay (Map 2) SWAP – Bostwick Residential Neighbourhood (High Density Residential)
Current Zoning	Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(5)/RO2(32)*B-57*H40) Zone

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Residential R9 Special Provision Bonus (R9-7(*)*B-57*H68) Zone and a Residential R9 Special Provision/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7(**)/CC4(5)/RO2(32)*B-57*H45) Zone

Requested Special Provisions

Regulation (R9-7(**)) – Existing 17 Storey Apartment Building	Required	Proposed/Recommended
Front Yard Depth (Minimum)	13.0 metres	5.5 metres

Regulation (R9-7(**)) – Existing 17 Storey Apartment Building	Required	Proposed/Recommended
Rear Yard Depth (Minimum)	27.6 metres	19.7 metres
Interior Side Yard Depth (Minimum)	27.6 metres	5.0 metres
Density (Maximum)	150 uph	286 uph
Bicycle Parking (Minimum)	193 long-term; 22 short-term	156 long-term; 15 short-term
Canopy Encroachment	0.5 metres	0.0 metres
		Notwithstanding section 4.3.4) to the contrary, the regulations of the R9-7(*) Zone shall prevail.
Regulation (R9-7(**)) – Proposed 12 Storey Mixed-Use Apartment Building	Required	Proposed/Recommended
Additional Permitted Uses	N/A	Mixed-use apartment buildings
Front Yard Depth (Minimum)	11 metres	4.0 metres
Front Yard Depth (Maximum)	N/A	6.0 metres
Exterior Side Yard Depth (Minimum)	13.0 metres	6.0 metres
Exterior Side Yard Depth (Maximum)	N/A	8.0 metres
Stepback above the 4 th storey (Minimum)	N/A	1.5 metres
Rear Yard Depth (Minimum)	18.0 metres	2.5 metres
Density (Maximum)	150 uph	350 uph
Gross Floor Area for all Office Uses (Maximum)	N/A	2,000 square metres
		Notwithstanding section 4.3.4) to the contrary, the regulations of the R9-7(**) Zone shall prevail.
Regulation (CC4(5))	Required	Proposed/Recommended
Additional Permitted Location	Restricted to a Location within an Apartment Building	Within an office building
Regulation (RO2(32))	Required	Proposed/Recommended
Additional Permitted Location	N/A	Within an Apartment Building. For uses located in an Apartment Building, Table 18.3 does not apply
Front Yard Depth (Minimum)	1.2 metres	1.2 metres
Exterior Side Yard Depth (Minimum)	12.9 metres (A.121/19)	12.9 metres
Rear Yard Depth (Minimum)	0.6 metres (A.087/19)	0.6 metres
Height (Maximum)	14 metres (A.087/19)	14 metres

C. Development Proposal Summary

Development Overview

The proposed development consists of a 12 storey mixed-use apartment building containing 120 residential units and 162.5 square metres of office/commercial space. The building is proposed at the front of the site at the intersection of Southdale Road West and Yorkville Street. Parking would be provided in both surface and

underground parking facilities shared with the existing 17 storey apartment building developed at the rear of the site.

Proposal Statistics

Land use	High Density Residential
Form	Mixed-Use Apartment Building
Height	12 Storeys (45 metres)
Residential units	120
Density	346 Units per hectare
Building coverage	28.1%
Landscape open space	35.7%
New use being added to the local community	No

Mobility

Parking spaces	88 underground, 37 surface
Vehicle parking ratio	1.04 spaces per unit
Secured bike parking spaces	108
Secured bike parking ratio	0.9 spaces per unit
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	N/A

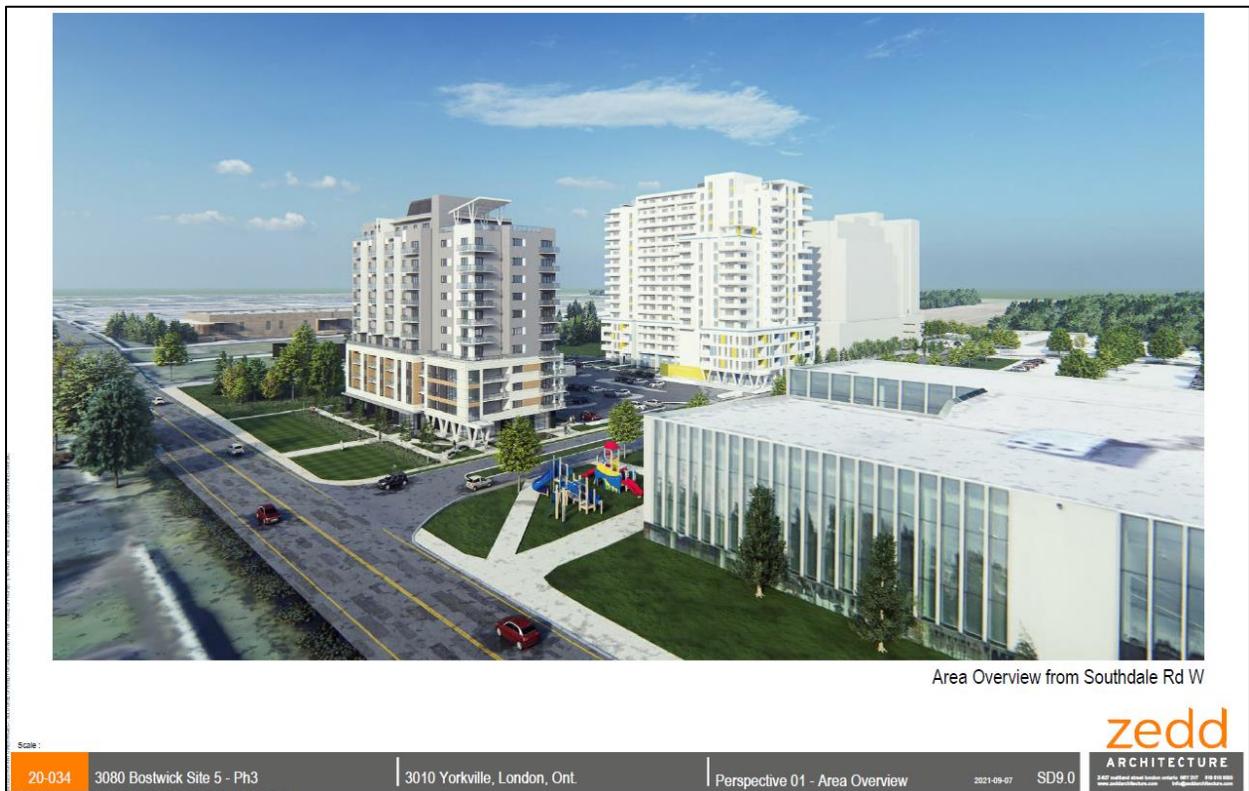
Environment

Tree removals	0
Tree plantings	TBD
Tree Protection Area	No
Loss of natural heritage features	N/A
Species at Risk Habitat loss	N/A
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	N/A
Green building features	Unknown

Appendix C – Additional Plans and Drawings



Ground Floor Plan



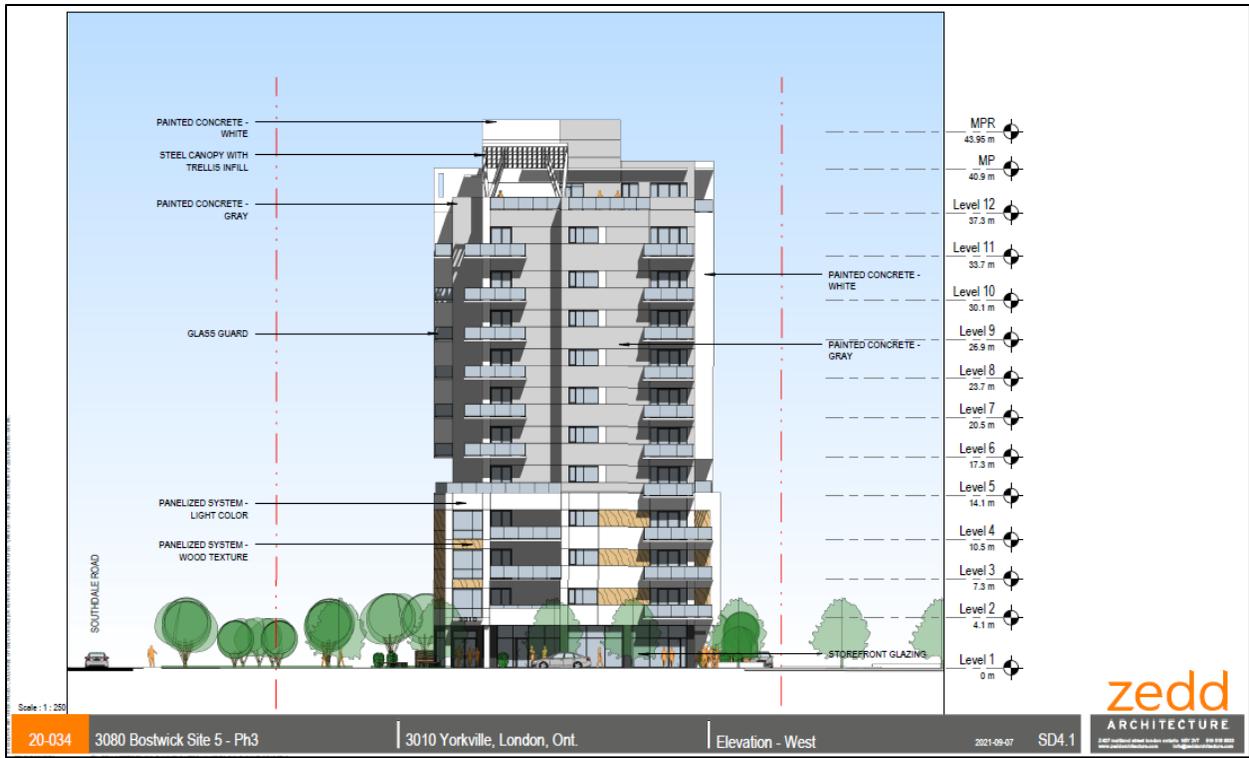
Perspective Image – Southeast Aerial View from Southdale Road West



Isometric Images



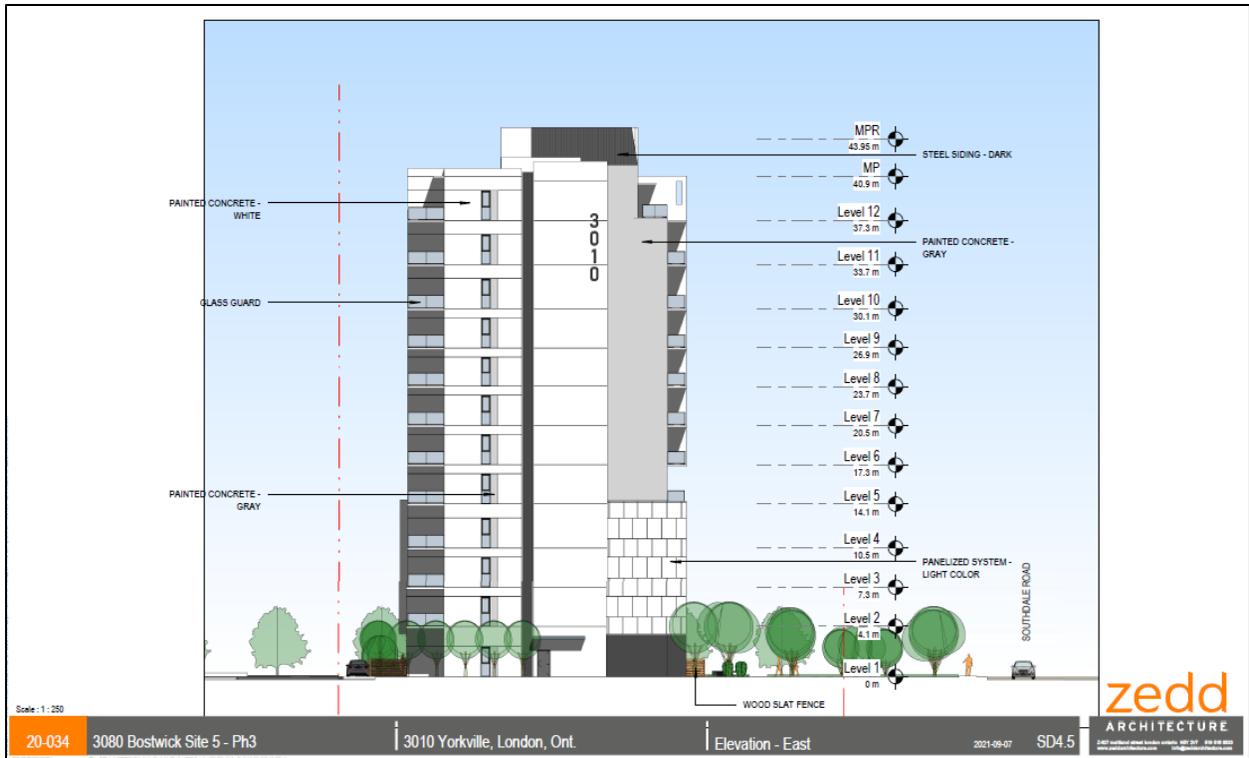
North Elevation



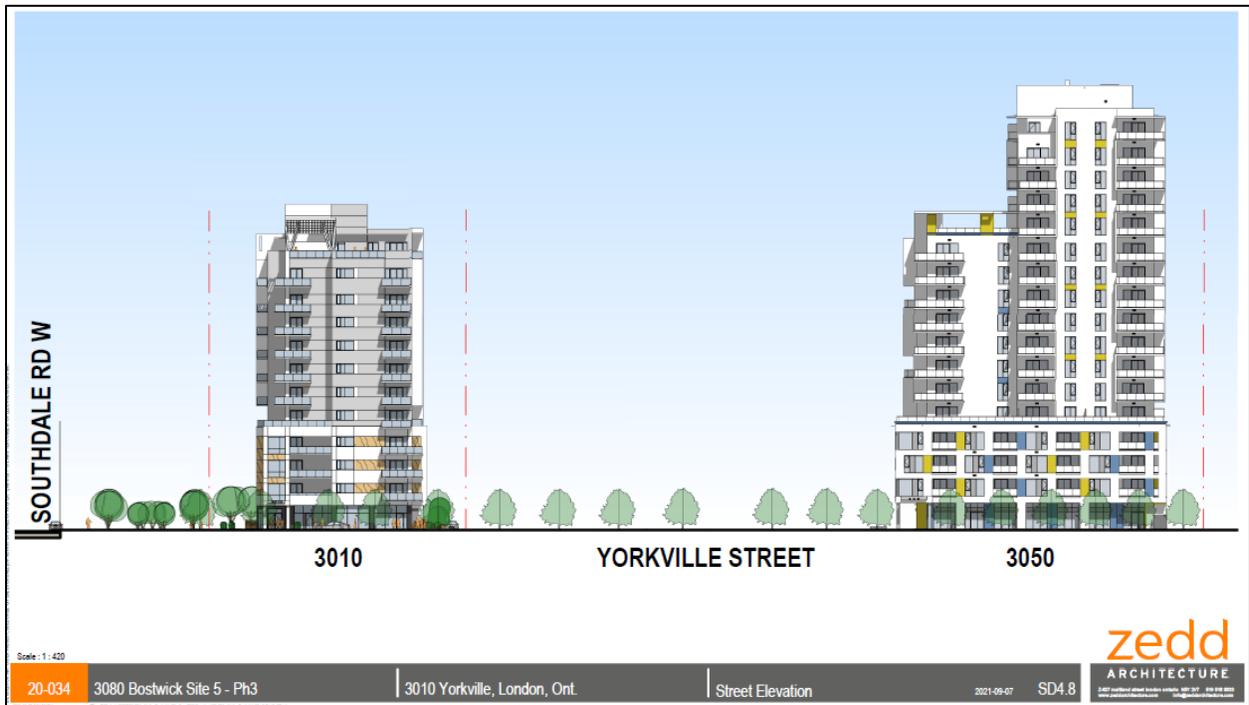
West Elevation



South Elevation



East Elevation



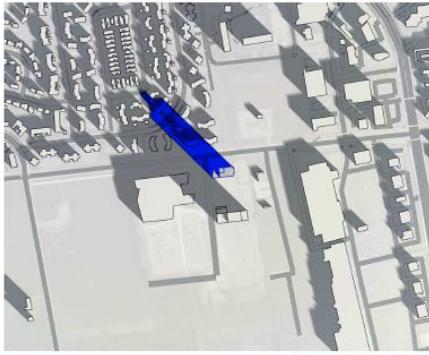
West Elevation of Existing and Proposed Buildings



Shadow Study Images – March



Shadow Study Images – March



DECEMBER 9AM



DECEMBER 12PM



DECEMBER 3PM

 SHADOW CAST BY EXISTING BUILDINGS
 SHADOW CAST BY NEW / PROPOSED BUILDING

Scale: 1:24

20-034 3080 Bostwick Site 5 - Ph3

3010 Yorkville, London, Ont.

Sun & Shadow Study - December

2021-09-07 SD10.3

zedd
ARCHITECTURE

Shadow Study Images – December

Appendix D – Internal and Agency Comments

Parks Planning and Open Space Design – January 15, 2024

Major Issues

None.

Matters for OPA/ZBA

None.

Matters for Site Plan

Parkland dedication will be required in the form of cash in lieu for the additional 12 storey apartment building, pursuant to By-law CP-25 and will be finalized through the site plan approval process.

London Hydro – January 17, 2024

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.

UTRCA – January 26, 2024

No objections.

Urban Design – January 29, 2024

Matters for ZBA:

- Urban Design is generally supportive of the proposed development and commend the applicant for providing a design that incorporates a mixed-use form with active uses at street-level, for including individual unit entrances along Southdale Road W, and for providing the principal building entrance at the corner of Yorkville Street and Southdale Road W. We encourage the applicant to continue to incorporate these design features as this proposal moves through the development process.
- This site is located within the Urban Corridor Place Type in The London Plan [TLP], the Southwest Area Secondary Plan [SWASP] as well as the 3080 Bostwick Urban Design Guidelines Area [BUDG].
- Urban Design recommends the following Special Provisions be incorporated into the proposed R9-7() Zone to foster a safe, comfortable and accessible public realm, and to reduce potential impacts on neighbouring properties:
 - Maximum height;
 - Minimum and maximum front and exterior side yard setbacks to ensure the proposed building is located close to both public streets [TLP Policy 259];
 - Minimum step-back above the 4th storey along Southdale Road W [TLP Policy 286, BUDG Section 4.2].

Matters for Site Plan:

- Provide individual entrances to ground floor units on the street facing elevations and design amenity spaces as open courtyards or front porches extending into the front setback to create a pedestrian-oriented streetscape and to foster passive surveillance into the public realm [TLP 291]:
 - Provide lockable ‘front-door’ style entrances to these units as opposed to sliding patio doors to distinguish these as unit entrances;
 - Design residential ground floor units to be raised slightly (a maximum of 3 to 5 steps) to avoid headlight glare and provide privacy for residents;
- Ensure rooftop mechanical and utility equipment is screened and/or incorporated into the overall building design [TLP Policy 296].

Landscape Architecture – January 29, 2024

The Planning and Design Report documents approved minor variances approved in 2019 that allows for reduced setbacks from interior lot lines. I generally don't support reduced interior yard setbacks, but not much to say now 4 years later. So no comments to provide.

Site Plan – February 5, 2024

Major Issues

None.

Matters for OPA/ZBA

- Consider adjusting the proposed severance boundary to avoid bisecting two landscape islands and seven parking spaces.
- Special provisions based on the initial requested amendment would be required for the following:
 - Yorkville Street is currently unassumed and the frontage should be set at the time of zoning.
 - Convenience commercial buildings are only permitted within RO zoned buildings and not apartment buildings
 - A reduced front yard
 - A reduced interior side yard
 - The total number of units
 - Increased density
 - Regulations within the B-57 zone (setbacks, parking, etc).

Matters for Site Plan

- A site plan application SPA24-002 has been received and all site plan matters will be addressed through the application.
- The bonusing agreement for B-57 has outstanding items that were not completed by the deadline. An amendment to the bonus agreement and/or timeframe is under consideration.

Engineering – February 13, 2024

Re-zoning Application Comments

Planning & Development

- As per the attached commentary, it has been noted that the subject lands are a part of the Bostwick subdivision which currently does not have an accepted sanitary servicing strategy nor an approved outlet. An h-213 holding provision will be a requirement of zoning approval.
- Engineering has no further comments regarding this application.

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

Wastewater:

- It should be noted that the subdivision drawings (39T-18502) have not been accepted to date, and therefore populations and block densities are not approved. SED is not amicable to the last set of drawings received in the detailed design submission.
- SED will review the next detailed design submission as part of Bostwick Subdivision to ensure that Block 5 populations are reflective of the proposed application and existing building, and will not accept more than 19L/s to the Farnham outlet from the Subdivision and lands external to the subdivisions in all scenarios.

Water:

- Water is available for the subject site via the municipal 250mm high-level watermain on Yorkville Street.
- With the increased number of units being over 300 for both the existing building and the proposed building water looping for the municipal watermain will now be required.

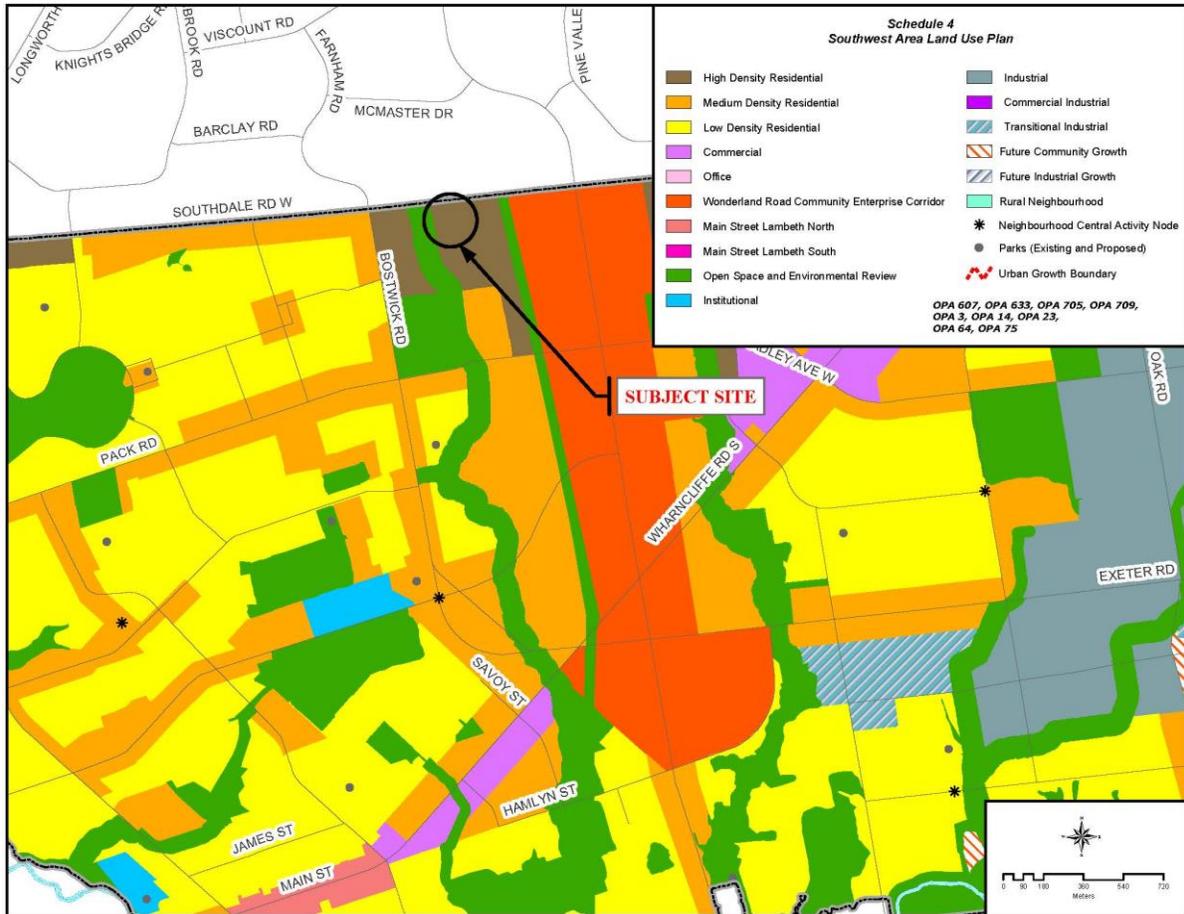
Stormwater:

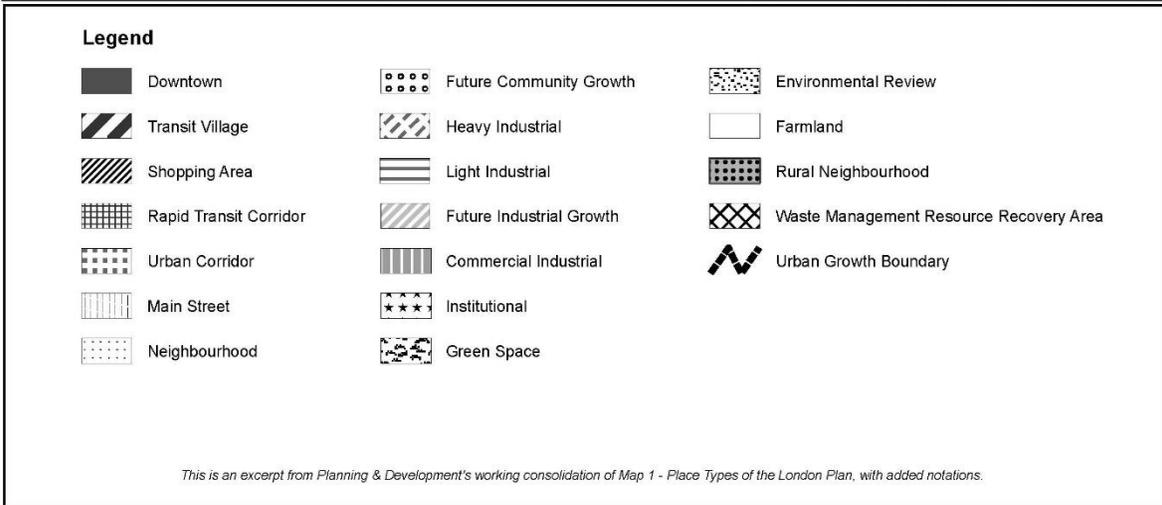
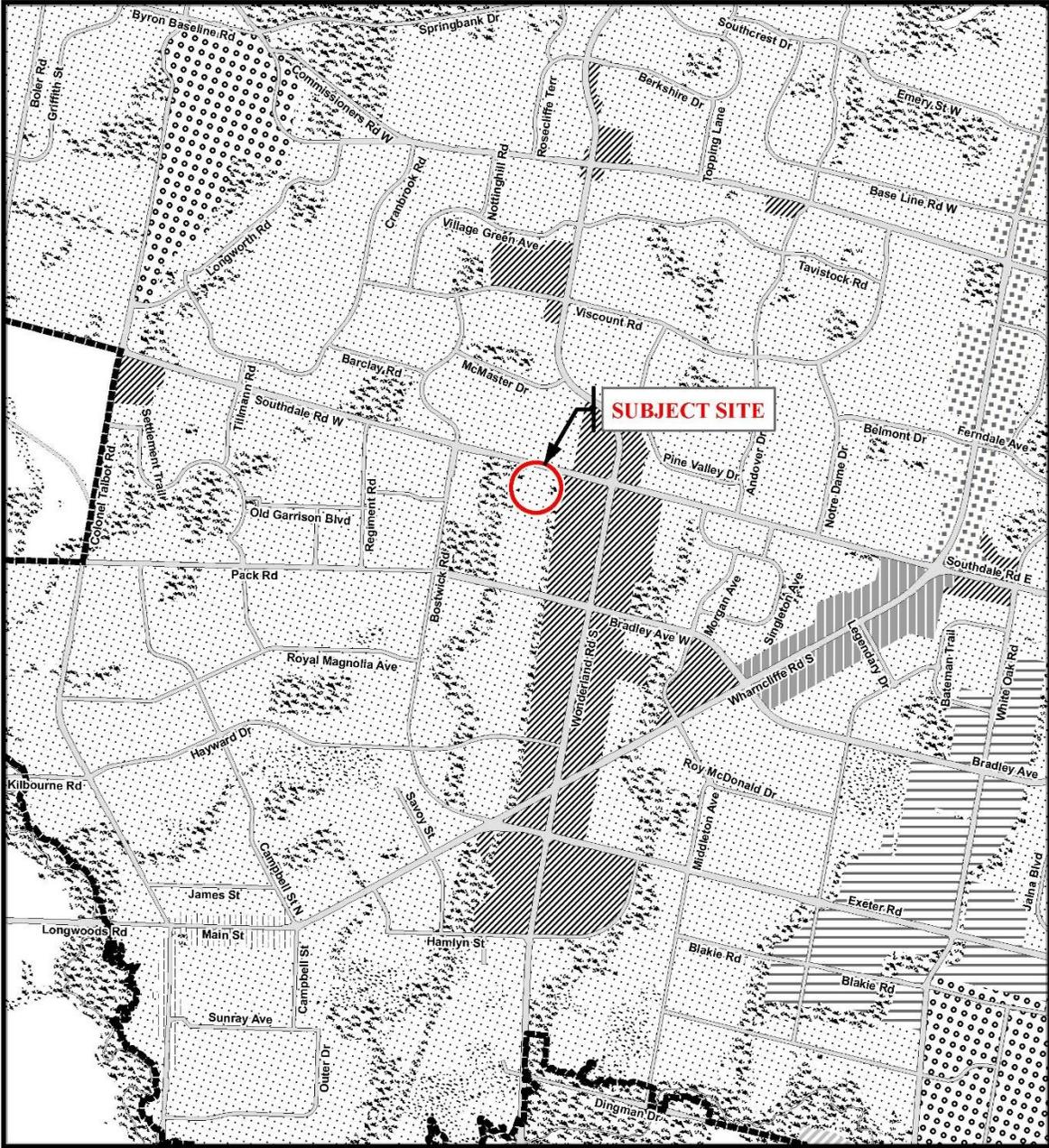
- All necessary SWM servicing and drainage requirements/controls for this site were provided as part of the proposal within SPA19-036, which included servicing for the north portion of the site provided by bioswales underground storage cells. These features also served to achieve the water balance target imposed by the Dingman Creek EA (25mm) for the site. The proposed

development as part of this pre-application consultation appears to deviate from the accepted stormwater servicing strategy of SPA19-036. As part of a complete submission, the Owner's consultant is to provide confirmation that attenuation and/or detention storage can feasibly be provided and located to control runoff of all storm events to the allowable discharge rate for the site, as originally proposed. The consultant is also requested to update the volume of rainfall expected to infiltrate for the new stormwater servicing proposal, noting the target of 25mm.

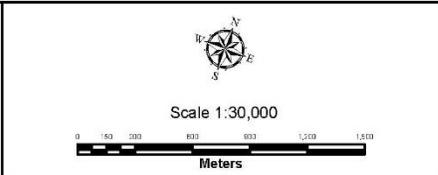
- The proposed land use of medium/high density residential, commercial (mixed use) will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per attached drawing 28049 and 28055, the site runoff coefficient of $C=0.65$ is tributary to the existing 675mm storm sewer on Yorkville Street. For proposed development in exceedance of the approved C-value of the downstream storm sewer design, the site is to store volumes in excess of the allowable release rate. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- 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.
- A major oil and gas pipeline runs along Southdale Road W. Any work within the setback limits may require approval/permission from Union Gas.
- 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, ensuring that stormwater flows are self-contained and that grading can safely convey up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site 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.

Appendix E – Relevant Background

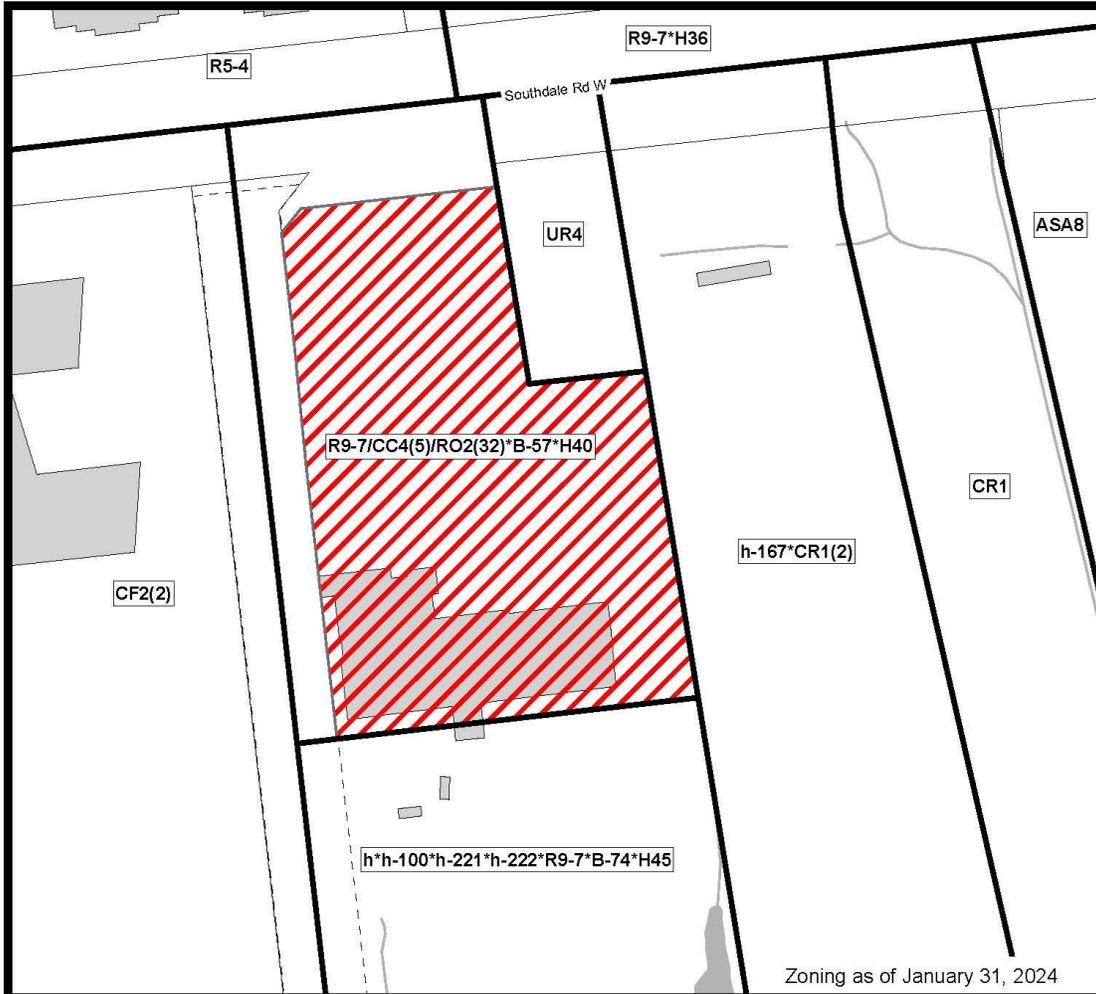




CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning & Development



File Number: Z-9692
Planner: CM
Technician: JI
Date: 2024/02/20



Zoning as of January 31, 2024



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R9-7/CC4(5)/RO2(32)*B-57*H40

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
Z-9692 CM

MAP PREPARED:
2024/02/20 JI

1:1,500
0 5 10 20 30 40
Meters