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: Martin Quarcoopome c/o Weston Consulting

1944 Bradley Avenue

File Number: Z-9724, Ward 14 Public Participation Meeting

Date: June 11, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Martin Quarcoopome c/o Weston Consulting relating to the property located at 1944 Bradley Avenue:

- (a) the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2024 to amend the Official Plan, The London Plan, to **AMEND** Map 3 Street Classifications to **ADD** a Neighbourhood Connector Street Classification;
- (b) the proposed by-law <u>attached</u> hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 25, 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 lands **FROM** an Urban Reserve (UR4) Zone and an Environmental Review ER Zone **TO** a Holding Residential R1 Special Provision (h-17•R1-3()) Zone; a Holding Residential R4 Special Provision (h-17•R4-6()) Zone; a Holding Residential R6 Special Provision (h-17•R6-5()) Zone; an Open Space (OS1) Zone; and an Open Space (OS5) Zone;
- (c) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised through the application review process for the property located at 1944 Bradley Avenue;
- (d) The Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of residential subdivision submitted by Martin Quarcoopome c/o Weston Consulting on behalf of Elite Bradley Developments Inc. consisting of 47 single detached residential lots; 20 street townhouse blocks; one (1) cluster townhouse block; one (1) park block; one (1) hydro corridor block; one (1) open space buffer block; one (1) open space block; four (4) 0.3 metre reserve blocks; served by four (4) new streets, subject to draft plan conditions as recommended by the Approval Authority (File No. 39T-23505).

IT BEING NOTED, that the above noted amendments are being recommended for the following reasons:

- i. The recommended amendments are consistent with the *Provincial Policy Statement* 2020 which promote densities that efficiently use land, resources, and infrastructure, and neighbourhoods that foster social interaction, facilitate active transportation and community connectivity.
- ii. The recommended amendments conform to the policies of *The London Plan*, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Environmental, Our Tools, and all other applicable policies of *The London Plan*.
- iii. The recommended amendments are appropriate and compatible with existing and future land uses surrounding the subject lands.
- iv. The recommended zoning will support the proposed Draft Plan of Subdivision and facilitate an appropriate form, height, and mix of residential development in conformity with *The London Plan*, as amended.

Executive Summary

Summary of Request

The request is to amend the Official Plan, The London Plan and Zoning By-law Z.-1 to facilitate the development of a residential plan of subdivision consisting of single detached dwellings, cluster townhouses, street townhouses, parkland, and open space. The amendments and proposed draft plan of subdivision will add approximately **271** new residential dwelling units in the City of London.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is for Municipal Council to approve the recommended Official Plan and Zoning By-law Amendments to permit the range of uses, intensity and form associated with the applicant's proposed draft plan of subdivision application.

Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council's 2023-2027 Strategic Plan in the following ways:

Housing and Homelessness - A well planned and growing community.

Wellbeing and Safety – London has safe, vibrant, and healthy neighbourhood and communities.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

November 20, 2017 – Report to Planning and Environment Committee – Application by 748094 Ontario Ltd. & 2624 Jackson Road Inc. for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 1635 Commissioners Road East and 2624 Jackson Road; and Application by the City of London for Official Plan Amendment – 1663 & 1685 Commissioners Road East and 2652 Jackson Road (File No. 39T-06507 / OZ-7176 / O-7178).

1.2 Planning History

On November 28, 2017, Municipal Council adopted Official Plan and Zoning By-law Amendments in conjunction with the Parker Jackson subdivision development consisting of approximately 81 hectares on the east side of Jackson Road, between Commissioners Road East and Bradley Avenue. The City of London Approval Authority issued draft plan approval on March 14, 2018. Phase 1 was registered on October 7, 2022, as Plan 33M-826. Engineering design and servicing drawings are currently under review for Phases 2 and 3 comprising a portion of the north half of the subdivision adjacent to Commissioners Road East. Phase 4 comprises a portion of the southerly half of this development and includes the extension of Evans Boulevard as a future Neighbourhood Connector, extending east between Jackson Road and the subject lands at 1944 Bradley Avenue.

1.3 Property Description

The farm property at 1944 Bradley Avenue is bisected by a hydro transmission corridor which crosses the property diagonally from southwest to northeast. The lands are also comprised of cultivated fields in agricultural use as well as significant woodland/wetland patch to be preserved and protected as open space to the north. The site's topography slopes unevenly from north to south. A tree-lined lane leads from an existing farmhouse, barn, and outbuildings located at the front of the property closer to Bradley Avenue and extends north to the woodland patch. This vegetation patch contains a hardwood bush where in the past these trees have been tapped for maple syrup production.

1.4 Current Planning Information

- The London Plan Place Type "Neighbourhoods" and "Green Space"
- Existing Zoning Urban Reserve UR4 and Environmental Review ER

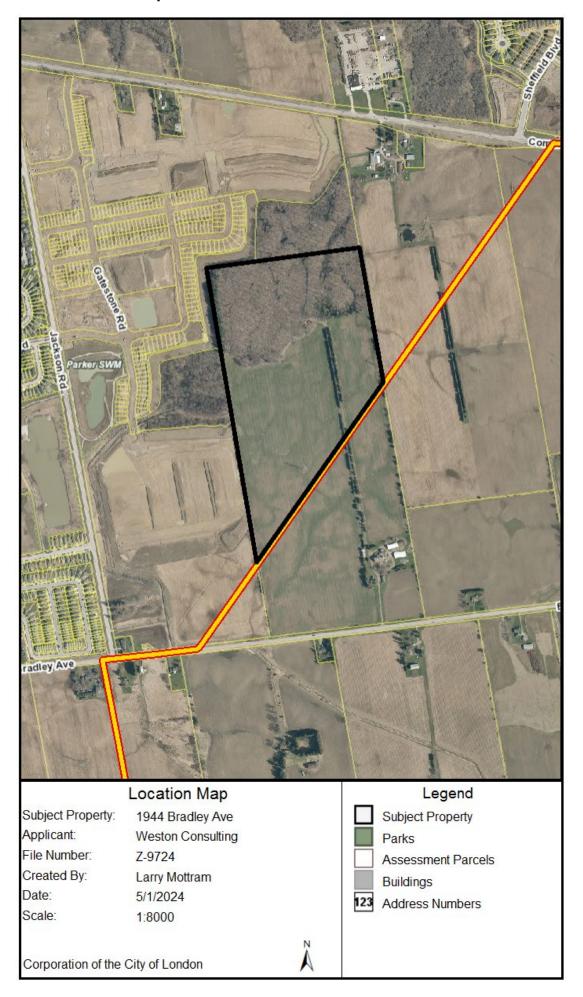
1.5 Site Characteristics

- Current Land Use agriculture and open space
- Frontage approx. 418 metres on Bradley Avenue
- Depth approx. 1006 metres
- Area approx. 23.3 hectares within Urban Growth Boundary (40.5 hectares overall for land parcel)
- Shape irregular

1.6 Surrounding Land Uses

- North residential and open space
- East agriculture
- South agriculture
- West lands for future residential subdivision, open space, and hydro transmission corridor

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The Official Plan and Zoning Amendment will facilitate the development of a residential plan of subdivision consisting of single detached dwellings, cluster townhouses, street

townhouses, parkland, and open space. The proposed subdivision consists of 47 single detached residential lots; 20 street townhouse blocks; one (1) cluster townhouse block; one (1) park block; one (1) hydro corridor block; one (1) open space buffer block; one (1) open space block; four (4) 0.3 metre reserve blocks; served by four (4) new streets. Estimated total yield of residential dwelling units is 271 (47 single detached lots, 134 freehold street townhouse dwellings, and 90 cluster/townhouse units).

2.2 Requested Amendments

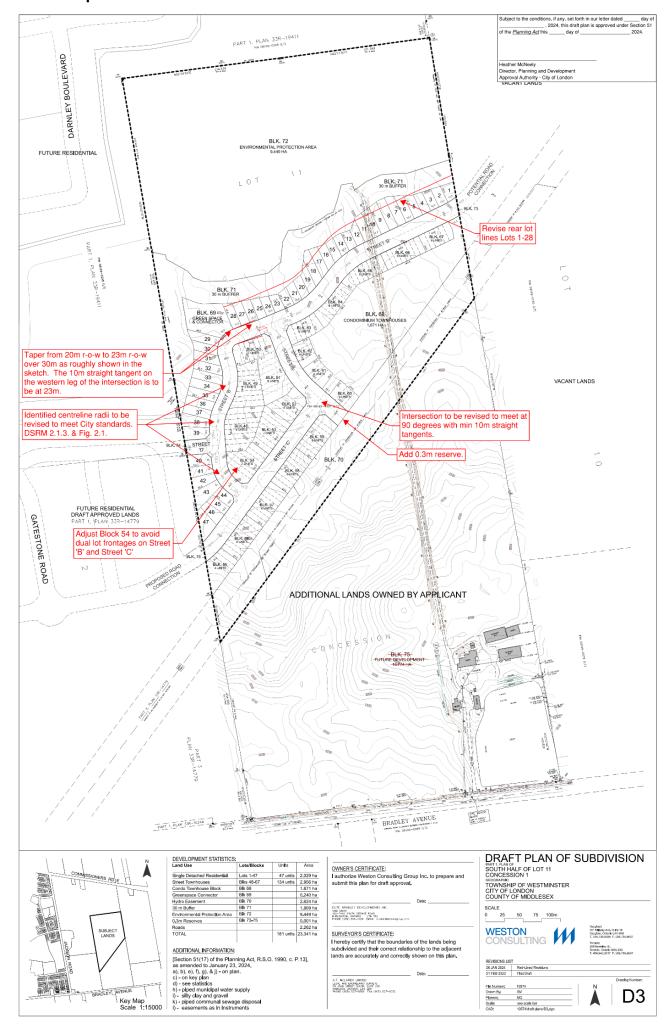
As part of this development proposal, an amendment to the Official Plan, The London Plan, and an amendment to the Zoning By-law Z-1 are required. Because the development extends a Neighbourhood Connector an amendment is required to Map 3 – Street Classifications of The London Plan. An amendment to Zoning By-law Z.-1 is required to change the zoning from an Urban Reserve UR4 Zone and an Environmental Review ER Zone to the following zones:

- Residential R1 Special Provision (R1-3()) Zone to permit single detached dwellings on lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres (Lots 1 47).
- Residential R4 Special Provision (R4-6()) Zone to permit street townhouses with a minimum lot area of 145 square metres per unit, together with a special provision for a minimum lot frontage of 6.7 metres per unit (Blocks 48 67).
- Residential R6 Special Provision (R6-5())Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings, together with a special provision for a maximum density of 50 units per hectare (Block 68).
- <u>Open Space OS1 Zone</u> to permit such uses as conservation lands, public and private parks, recreational buildings associated with conservation lands and public parks (Block 69).
- <u>Urban Reserve UR</u> no change (Block 70 Hydro Corridor).
- Open Space OS5 Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlands (Blocks 71 – 72).

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

Blocks	Zone	Special Provisions	
Blocks 1 – 47	R1-3()	Garages shall not project beyond the façade of the dwellings or façade (front face) of any porch and shall not occupy more than 50% of lot frontage. (Staff recommended)	
Blocks 48 – 67	R4-6(_)	 Lot Frontage (Minimum): 6.7 metres per unit whereas the standard zone regulation is 5.5 metres per unit (Applicant Requested) Garages shall not project beyond the façade of the dwellings or façade (front face) of any porch and shall not occupy more than 50% of lot frontage. (Staff recommended) 	
Block 68	R6-5()	Maximum density: 50 units per hectare whereas 35 units per hectare is the standard maximum density (Applicant requested) • Prohibited Uses: fourplex, stacked townhouse, and apartment buildings (Staff recommended)	

2.3 Proposed Draft Plan of Subdivision



2.4 Community Engagement (see more detail in Appendix C)

There were no responses from the public received to the Notice of Application. Internal City Department and External Agency comments are contained within Appendix C.

2.5 Policy Context

2.5.1 The Planning Act, 1990 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 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 Zoning By-law amendments and recommended Official Plan amendment is consistent with the general intent and purpose of The London Plan, it is staff's opinion that the application is consistent with the Planning Act and the PPS.

2.5.2 The London Plan, 2016

The London Plan constitutes the Official Plan for the City of London, prepared and enacted under the authority of the provisions of Part III of the *Planning Act, R.S.O. 1990, c. P. 13.* It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the City.

The property at 1944 Bradley Avenue straddles the Urban Growth Boundary (UGB) as shown on Map 1 – Place Types in The London Plan. The northerly portion is located inside the UGB and is within the "Neighbourhoods" and "Green Space" Place Types. The southerly portion is outside the UGB within the "Farmland" Place Type.

The subdivision plan proposes single detached dwellings, street-fronting townhouses, and condominium cluster townhouses which will be served by Neighbourhood Streets (Street 'B' and Street 'D') and Neighbourhood Connectors (Street 'A', east leg of Street 'B', and Street 'C') all within the urban growth boundary. The Green Space Place Type includes the existing natural heritage feature which occupies approximately 9.5 hectares in the northerly portion of the subdivision to be preserved as green space within Environmental Protection Area and Buffer blocks (Blocks 71 and 72). These blocks will be conveyed to the City, along with the neighbourhood park (Block 69), as part of the conditions of draft plan approval.

The London Plan also 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, and that appropriate zones and special provisions have been applied.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Use

Below is a summary of the recommended zoning and permitted uses by lot and block number and street classification where applicable:

Lots 1 - 47 (fronting on a Neighbourhood Connector and Neighbourhood Street) - Residential R1 Special Provision (R1-3()) Zone to permit single detached dwellings on lots with a minimum lot frontage of 10 metres and minimum lot area of 300 square metres. Many of the proposed lots are in the range of 12 metre frontages and approximately 400 square metres lot area. This zone variation is considered appropriate and provides more flexibility for the developer to make any necessary adjustments to lotting while incorporating the recommended red-line revisions as shown on the face of the draft plan in the final subdivision design.

Blocks 48 – 67 (fronting on three Neighbourhood Connectors and a Neighbourhood Street) - Residential R4 Special Provision (R4-6()) Zone to permit street townhouses with a minimum lot area of 145 square metres per unit. A special provision is recommended that would include a minimum lot frontage of 6.7 metres per unit rather than the current 5.5 metres minimum. The increased frontage is recommended to ensure adequate separation of underground utility and servicing connections to the street for street fronting townhomes.

Block 68 (fronting on two Neighbourhood Connectors) - Residential R6 Special Provision (R6-5()) Zone to permit various forms of cluster housing including single detached, semidetached, duplex, and triplex dwellings, and townhouses, together with a special provision for a maximum density of 50 units per hectare. One issue which has arisen in reviewing The London Plan is with regards to permitted secondary uses. While Block 68 will have frontage and access on two Neighbourhood Connectors within the subdivision plan, it does not form a corner lot at an intersection of two Neighbourhood Connectors and does not have lot lines directly abutting both intersecting streets. As such, it would not meet the interpretation policies in The London Plan (Policy 920 5) with respect to permitted use and intensity of development on Table 10 to 12. To address this issue staff recommend limiting the range of secondary uses, specifically fourplex dwelling, stacked townhouse and apartment buildings would be removed from the list of permitted uses in the recommended R6-5() zoning. However, the zoning would continue to permit the block to be developed for a variety of detached and attached forms of housing, including a combination of single detached and townhouses. These forms of cluster housing have been very popular with vacant land condominiums.

Block 69 - Open Space OS1 Zone to permit such uses as conservation lands, public and private parks, recreational buildings associated with conservation lands and public parks. This zone is appropriate for the neighbourhood park and green space connection blocks as proposed in the draft plan.

Blocks 71 and 72 - Open Space OS5 Zone – to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlands. This zoning is typically applied to important natural heritage features and functions and is appropriate for the Environmental Protection Area block consisting of a significant woodland and Provincially Significant Wetland and associated buffer.

The draft plan has applied a 30 metre wide buffer (Block 71) adjacent to the natural heritage feature consistent with the recommendations of the EIS, and consistent with the buffers in the adjacent subdivision. Staff are recommending a minor red-line revision to the draft plan to smooth out the rear lot lines of Lots 1-28 by exchanging equivalent portions of residential and buffer lands. In some areas the revised buffer width will be closer to 20

metres, and in other areas it will exceed 40 metres. However, the overall average is maintained at approximately 30 metres.

The proposed refinements to the 30 metre buffer have been reviewed by the City's Ecologist Planner and updated comments were provided indicating the refinements are considered acceptable with a revised EIS.

4.2 Intensity

In The London Plan, Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted building heights based on street classification. Heights between one (1) and three (3) storeys would be permitted on the Neighbourhood Connector and Neighbourhood Streets within the subdivision plan. The maximum height regulations in the recommended zoning for most of residential blocks generally range from 9 to 12 metres within the range of height limits as provided in Table 11.

The developable portion of the site is estimated to yield approximately 271 residential dwelling units (47 single detached lots, 134 freehold street townhouse dwellings, and 90 cluster/townhouse units). Staff support an increase to the maximum density regulation on the cluster townhouse block (Block 68) from 35 units per hectare to 50 units per hectare. The proponent has provided an Urban Design brief and site concept plans for development of condominium townhouses which demonstrates the block is sufficient size (1.87 ha.) to accommodate the proposed density and incorporate landscaped amenity area, parking, internal driveways, and public road access. As noted above, two access driveways are proposed to serve this block, including one entrance to Street 'B' aligned with the centreline of Street 'C' to create an enhanced view corridor.

Overall, the proposed height, scale and intensity is found to be appropriate within the context of the subdivision and adjacent surrounding lands.

4.3 Form

Site constraints including the hydro corridor to the south and a woodland/wetland feature to the north dictate the form of development in terms of lot/block layout and road pattern. The subdivision street and block layout has been designed to provide convenient access and promote walking and cycling. A variety of block and lot sizes are provided to accommodate a range of residential built forms and enhance visual interest along the streetscape.

In keeping with the City's policies requiring the neighbourhood street network and block sizes to be designed to ensure connectivity and support transit and active mobility, the subdivision provides a reasonable level of connectivity both internally and with adjacent lands. Two public road connections to the planned street network in the subdivision to the west will be provided (Street 'C' and Street 'D'), including the future extension of Evans Boulevard as a Neighbourhood Connector. There is opportunity for a public road connection south of the hydro corridor with a future extension of Street 'A' to Bradley Avenue at such time in the future as these lands are brought into the Urban Growth Boundary. Street 'B' is intended to provide a connection to future development lands to the east. It will terminate in a temporary turning circle with easements that will be provided as part of the approved engineering drawings and subdivision agreement.

The subdivision plan contributes to the open space network and includes a neighbourhood park that opens to a green space connection that includes a future multi-use pathway alignment within the outer section of the 30 m buffer block. Near this location a narrow point between the two woodlands providing a possible connection to neighbourhood parks, open spaces, recreational trails and pedestrian/cycling routes within the adjacent subdivision to the north. Various options for the pedestrian pathway and trail alignments have been reviewed as part of the Focused Environmental Impact Study.

As noted in the applicant's Urban Design Brief, the proposed built form is viewed within the context of a low-rise residential neighbourhood. It further notes that an attractive human-scaled built form will be created through a variety of building types which include single detached dwellings, street townhouses, and condo townhouses. Front doors, windows and entry features will be visible from and oriented towards streets to encourage pedestrian mobility and an active streetscape.

City Building and Design policies in The London Plan encourage this relationship of the building form with the street, particularly policies that ensure garages are not a dominant feature in the streetscape.

222A_ The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.

As the lotting pattern is characterized by a large number of individual single detached lots and street fronting townhouses, it is recommended this policy be implemented through a special provision in the zoning to be included within the recommended R1-3() and R4-6() zones, as follows:

Garages shall not project beyond the façade of the dwellings or façade (front face) of any porch and shall not occupy more than 50% of lot frontage.

The intent is to regulate garage setback and maximum width to ensure garages are not a dominant feature in the streetscape by occupying most of the building/unit façade. Council has adopted this special provision which has been applied many times in the past to respond to concerns raised regarding the proliferation of "snout houses" in new subdivisions.

4.4 Holding Provisions

The holding (h-17) provision is recommended to be applied to the zoning for all residential lots and blocks within the proposed subdivision to ensure orderly development and adequate provision of municipal services. The "h-17" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site. As public road access and availability of services depends on progression of the adjacent subdivision, a holding provision in the zoning for all residential development lots and blocks is considered appropriate.

Conclusion

The proposed Zoning By-Law and Official Plan Amendments are consistent with the Provincial Policy Statement, 2020 which promotes densities for new housing which efficiently use land, resources, and infrastructure. The recommended amendments are also consistent with the general intent and purpose of The London Plan. Staff recommend approval of the amendments to facilitate the proposed residential development.

Prepared by: Larry Mottram, MCIP, RPP

Senior Planner, Subdivision Planning

Reviewed by: Bruce Page

Manager, Subdivision Planning

Recommended by: Heather McNeely, MCIP, RPP

Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.

Deputy City Manager, Planning and Economic Development

cc: Peter Kavcic, Manager, Subdivisions and Development Inspections

Michael Harrison, Manager, Subdivision Engineering

Britt O'Hagan, Manager, Current Development

Michael Pease, Manager, Site Plans

Brent Lambert, Manager, Development Engineering

SM/HM/BP/Im

Appendix A – Official Plan Amendment

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

By-law No. C.P.-XXXX-___

A by-law to amend the Official Plan, The London Plan, for the City of London, 2016 relating to 1944 Bradley Avenue.

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

- 1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan, The London Plan, for the City of London Planning Area 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
- 2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on June 25, 2024 subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan Mayor

Michael Schulthess City Clerk

First Reading - June 25, 2024 Second Reading - June 25, 2024 Third Reading - June 25, 2024

AMENDMENT NO. to the OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to facilitate a proposed residential subdivision development by amending Map 3 – Street Classifications and adding a Neighbourhood Connector.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1944 Bradley Avenue in the City of London as shown on "Schedule 1" attached hereto.

C. BASIS OF THE AMENDMENT

The subject of this amendment is a 23 hectare site consisting of part of a farm property located at 1944 Bradley Avenue. The property is bisected by a hydro transmission corridor which crosses diagonally from southwest to northeast and corresponds with the City's Urban Growth Boundary. The subject lands comprise the lands north of the hydro corridor consisting of cultivated fields in agricultural use (cash crops) as well as significant woodland/wetland patch to be preserved and protected as open space. An application for approval of a draft plan of subdivision has been submitted for development of a proposed residential subdivision (File No. 39T-23505).

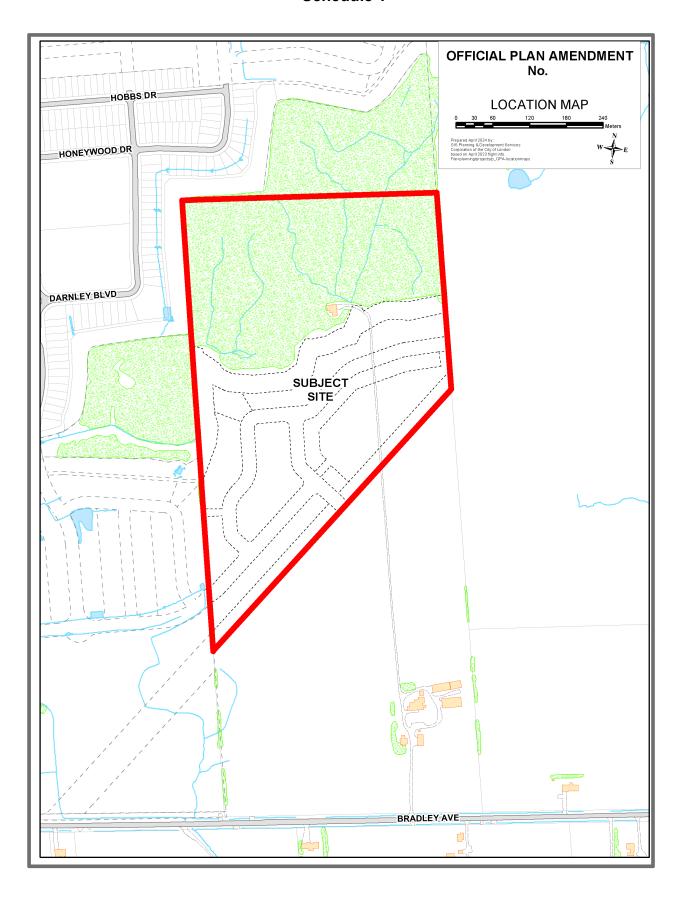
A public road connection will be provided by the adjacent subdivision road network to the west, and future extension of Evans Boulevard. The proposed amendment to Map 3 – Street Classifications is to add a Neighbourhood Connector classification that generally corresponds with the Neighbourhood Connector roads in the proposed subdivision draft plan.

D. THE AMENDMENT

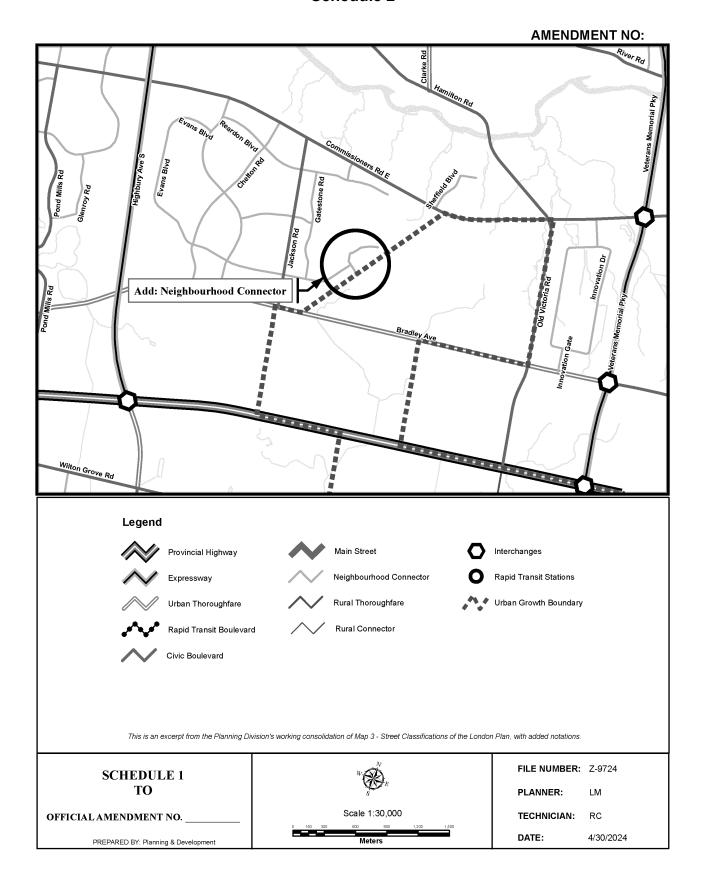
The Official Plan, the London Plan, for the City of London is hereby amended as follows:

1. Map 3 – Streets Classification, to the Official Plan, The London Plan, for the City of London Planning Area is amended by adding a Neighbourhood Connector street classification, as indicated on "Schedule 2" attached hereto.

"Schedule 1"



"Schedule 2"



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

By-law No. Z.-1-24_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1944 Bradley Avenue.

WHEREAS Martin Quarcoopome c/o Weston Consulting has applied to rezone an area of land located at 1944 Bradley Avenue, as shown on the map attached to this bylaw, 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 1944 Bradley Avenue, as shown on the attached map comprising part of Key Map No. A113, from an Urban Reserve (UR4) Zone and an Environmental Review ER Zone to a Holding Residential R1 Special Provision (h-17•R1-3()) Zone; a Holding Residential R4 Special Provision (h-17•R4-6()) Zone; a Holding Residential R6 Special Provision (h-17•R6-5()) Zone; an Open Space (OS1) Zone; and an Open Space (OS5) Zone.
- 2) Section Number 5.4 of the Residential R1 Zone is amended by adding the following Special Provision:

R1-3()

- a) Regulations:
 - i) Garages shall not project beyond the façade of the dwellings or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.
- 3) Section Number 8.4 of the Residential R4 Zone is amended by adding the following Special Provision:

R4-6()

- a) Regulations:
 - i) Lot Frontage (Minimum)
- 6.7 metres per unit
- ii) Garages shall not project beyond the façade of the dwellings or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.
- 4) Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provision:

R6-5(_)

- a) Prohibited Uses
 - i) Fourplex dwelling;
 - ii) Stacked townhouse dwelling;

- iii) Apartment building;
- b) Regulations
 - i) Density (Maximum)

50 units per hectare

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

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

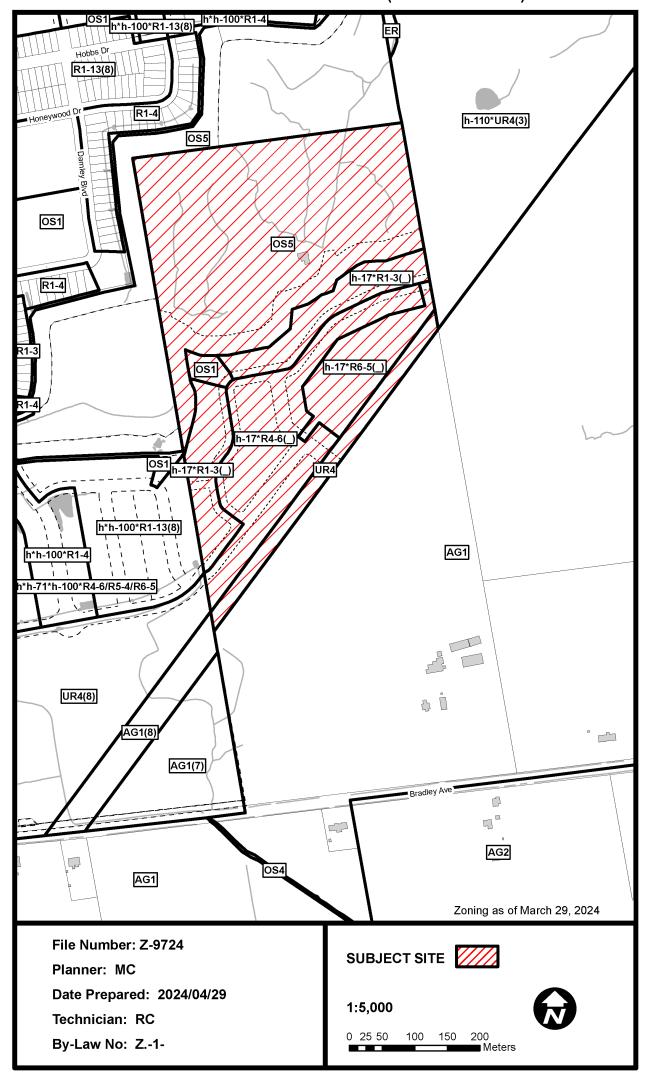
PASSED in Open Council on June 25, 2024, subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan Mayor

Michael Schulthess City Clerk

First Reading – June 25, 2024 Second Reading – June 25, 2024 Third Reading – June 25, 2024

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



Appendix C – Public Engagement

Community Engagement

Public liaison: On April 5, 2024, a Notice of Application was sent to 15 property owners in the surrounding area. A Notice was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 18, 2024.

Responses: No responses were received to the public notice.

Nature of Liaison: The purpose and effect of this application is to facilitate a proposed residential subdivision consisting of single detached dwellings, cluster townhouses, street townhouses, parkland, and open space. Possible amendment to Zoning By-law Z.-1 FROM an Urban Reserve UR4 Zone and Environmental Review ER Zone TO a Residential R1(R1-3) Zone to permit single detached dwellings on lots having a minimum lot frontage of 10 metres and minimum lot area of 300 square metres; a Residential R4 Special Provision (R4-6()) Zone to permit street townhouses with a minimum lot area of 145 square metres per unit, together with a special provision for a minimum lot frontage of 6.7 metres per unit; a Residential R6 Special Provision (R6-5()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum height of 12 metres, together with a special provision for a maximum density of 50 units per hectare; an Open Space OS1 Zone to permit conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; and, an Open Space OS5 Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlands.

Significant Agency/Departmental Comments

<u>Upper Thames River Conservation Authority – April 25, 2024</u>

PROPOSAL

A residential subdivision (File 39T-23505) is proposed on the northerly portion of the subject lands (north of the Hydro Easement). In correspondence dated December 6, 2023, the Conservation Authority provided comments on the subdivision application and the supporting technical studies, and we provided conditions of draft plan approval. The purpose of this application is to amend the zoning to allow the proposed residential subdivision.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 41/24, 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:

- A riverine flooding hazard associated with the C-Hampton-Scott Drain that is located on the lands to the west; and
- A Provincially Significant Wetland and the surrounding area of interference.

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

Through the subdivision planning process (File 39T-23505) and the preparation of the technical studies, the development limits were established for the northerly portion of 1944 Bradley Avenue. Given that the requested amendments to the zoning by-law appear to be

in conformity with the proposed plan of subdivision, the UTRCA has no objections to this application.

The subject lands are regulated by the UTRCA. In accordance with Ontario Regulation 41/24 made pursuant to Section 28 of the Conservation Authorities Act, the Owner/Proponent is required to obtain the necessary permits and approvals from the UTRCA prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

<u>City of London Planning Ecologist Comments – November 2, 2023 (updated February 15, 2024)</u>

The following comments are based on a review of the Focused Environmental Impact Study (EIS) – 1944 Bradley Avenue prepared for Elite Developments by Palmer dated July 24, 2023.

Additional documents also considered in support of this review include the Final Proposal Report – 1944 Bradley Avenue, City of London by Weston Consulting dated July 2023, and the Hydrogeological Assessment – Preliminary Report for Elite Developments by EXP dated Oct. 31, 2022.

Proposed redline revisions requiring some refinements to the Block 71 buffer were also reviewed in February 2024. The additional comments are shown in track changes.

General Comments

The Focused EIS for 1944 Bradley Avenue is concise and includes all the required components with clear supporting mapping, which is appreciated. It is also appreciated that the feature limits were staked and surveyed in the field with the City and UTRCA in advance of the EIS submission, and that the overall 30 m buffer to the significant woodland/wetland features on site and in the adjacent lands had been applied fully.

This EIS is very close to being acceptable and no additional field studies are being requested. However, an updated EIS to (a) confirm Option 2 as the preferred multi-use trail option and (b) to address the minor comments herein, including those related to the redline refinements as noted in #8 below, is requested.

Comments:

- 1. MITIGATION BY DESIGN FENCING (Section 7.2.1): It should be clear that irrespective of the multi-use trail, ungated chain-link fencing at the rear of all lots backing on to the significant natural area is required. This will work with the buffer naturalization, as described in Sections 7.2.2 and 7.2.5, as well as the preferred trail option, to help balance access and natural area protection.
- 2. TRAIL SYSTEM (Section 7.2.3): The provision of four trail options is appreciated. Option 2 is aligned with the concept for a multi-use trail connection identified by City staff and, as it is also supported by the EIS, should be identified as the preferred option with the associated recommended mitigation measures.
 - Mitigation should include some type of barrier and/or markers between the trail and the protected natural area to discourage informal trail creation into the feature and the associated naturalized buffer, with the details to be confirmed in consultation with City staff at the detailed design stage.
- 3. TREE COMPENSATION (Section 7.2.4): The details of the tree compensation are to be addressed through a tree inventory and preservation plan which will be reviewed by City Forestry staff.

- 4. NET EFFECTS (Section 7.3): The net effects table appears to focus on during-construction impacts but should also speak to anticipated post-construction impacts related to the proposed development, and related mitigation measures (as outlined in Section 7.2).
 - For the significant woodlands and the PSW, the net affects table should specifically acknowledge the potential post-construction impacts of the proposed residential development (i.e., more people and their pets) and list fencing and the naturalized buffer as mitigation measures. Educational measures (e.g., signs at the trail heads) should also be considered.
 - As the potential SWH is associated with the significant woodlands and the PSW, the anticipated impacts and recommended mitigation can be the same.
 - For common wildlife, wouldn't the naturalized 30 m buffer and the fencing be expected to mitigate pets roaming, artificial light and residential noise?
- 5. MONITORING: The framework for the wetland monitoring (Section 7.4.1) and the restoration plantings monitoring (Section 7.4.2) are acceptable. It is also agreed that additional and related monitoring based on the feature-based water balance (which is still being developed) is to be expected.

However, the monitoring framework should also include at least two years of post-construction monitoring for encroachments into the buffer and/or the significant natural area, including monitoring for residents installing gates in their rear fences, dumping yard waste, creating informal trails, etc.

- 6. FOLLOW-UP RELATED TO SPECIES AT RISK (SAR):
 - Written confirmation of no SAR bat habitat should be provided to the City prior to removal of the hedgerow trees.
 - As noted in the EIS (Section 7.4.4) if the building at the south edge of the woodland and/or the old Sugar Shack are being removed, they should be screened for Barn Swallow nesting.
- 7. FEATURE-BASED WATER BALANCE (FBWB): It would be preferable to have a completed FBWB provided with the revised EIS or EIS Addendum that demonstrates the development will not be expected to result in any negative impacts to the hydrology or hydroperiod of the significant natural areas being protected. However, if this cannot be provided at this time, it should be noted in the revised EIS or EIS Addendum that full acceptance of the EIS is contingent on a FBWB that is acceptable to the City.
- 8. ECOLOGICAL BUFFER REFINEMENTS: For this site, minor refinements to the 30 m buffer (e.g., to accommodate road engineering requirements) to the significant woodland/wetland features on site and in the adjacent lands are considered acceptable as long as the revised EIS:
 - Can confirm no net negative impacts to the significant woodland/wetland feature are anticipated as a result of these buffer refinements;
 - Demonstrates that a buffer width of 30 m, on average, is retained and the buffer width is not reduced below 20 m in any single location on the subject lands;
 - Demonstrates that the refinements do not result in a net loss of total buffer area (based on the total area as identified using the original 30 m width from the staked feature limit as the reference);
 - Recommends the multi-use trail is at least 15 m from the significant feature limit in all locations;
 - Recommends fencing, or a comparable barrier, is installed between the trail and the protected natural area to discourage/prevent encroachments and/or informal trail creation into the significant feature and the associated naturalized buffer;

- Recommends enhanced naturalization landscaping in the buffer areas where it is less than 30 m in width, as well as naturalization of existing informal trails in the feature; and
- Recommends, as part of the Monitoring Plan, that there be a commitment to demonstrate throughout the monitoring period that:
 - i. The fencing at the rear of lots abutting the trail is maintained in good condition and without unauthorized access gates;
 - ii. The fencing between the trail and the significant natural area is maintained in good condition and without unauthorized access gates; and
 - iii. The buffer, once planted, remains in good condition (e.g., at least 70% of the stock planted have become well-established, appear healthy) and dominated by predominantly native species (e.g., at least 70% cover).

Please note, this EIS does not account for any future development outside the current Urban Boundary on the subject lands. Should such development be proposed in the future another EIS will be required to address Feature 1 (see Figure 2) on the subject property as well as the off-site Feature 3 (see Figure 2) in the adjacent lands.

<u>Urban Design – April 17, 2024</u> <u>Matters for Zoning</u>

- 1. A minimum front yard setback and exterior side yard setback from the proposed streets A, B, C and D in order to encourage street-orientation while avoiding encroachment of footings and canopies, and considering the incorporation of patio or forecourt space that spills out into the setback to further activate the space and provide an amenity for the residents. TLP 259, 286, 288
- 2. A maximum front yard setback and exterior side yard setback from the proposed streets A, B, C and D in order to discourage window streets, restrict parking between the buildings and the public streets and yet ensuring a sense of enclosure to the street. TLP 269, 272, 288
- 3. A minimum rear yard setback to maintain a separation distance from the Open Space buffer (Block 71) and the multi-use pathway for delineating public from private space.
- 4. Garage setback and maximum width to ensure garages are not a dominant feature in the streetscape by occupying most of the building/unit façade. TLP 222A

Appendix D – Applicant Responses to ECAC Comments

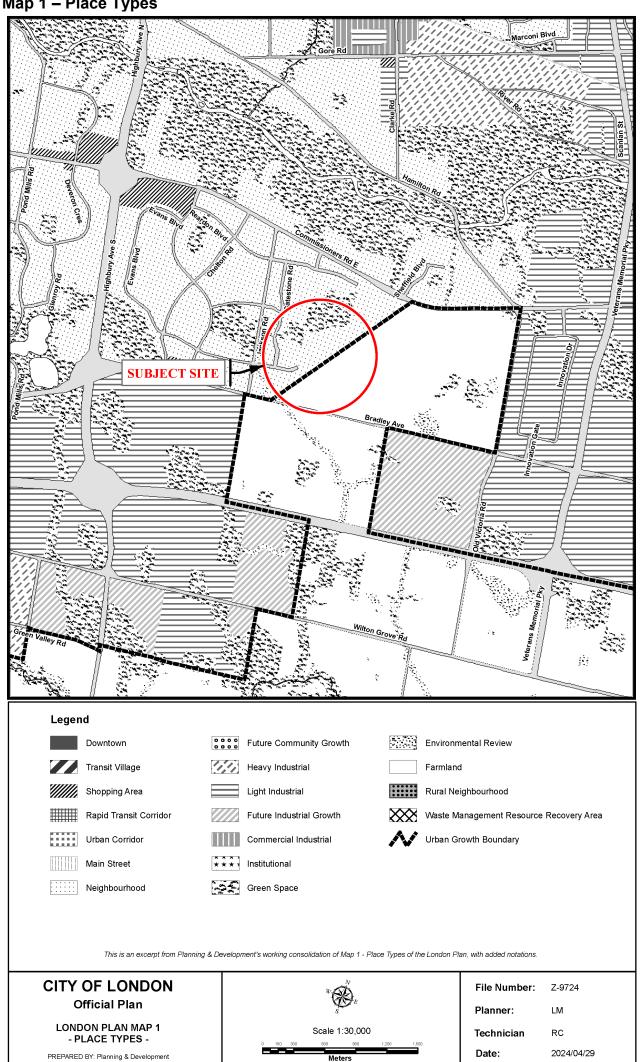
	Comment	Consultant	Response
1	Trail System	Palmer	Noted.
	If a trail is required by the city, Option 2 is preferred as it should minimize the impacts on the woodland which the consultants have identified as having few invasive species. All lots that back on to the trail must be fenced. Ideally, the path is not a level 3 Trail. Also it would be beneficial if signage at trail heads were install to inform residents and other users why the woodland has been retained and why it is considered a Significant Woodland.		
2	Water Balance	EXP	A Site-wide water balance is included in Section 5.0 of the
	It is noted in the Preliminary Hydrogeological Study that the water balance is to be calculated at subdivision approval stage. The requirement for a water balance study to the satisfaction of the City must be included as a condition of approval.		updated Final Hydrogeological Assessment report dated January 15, 2024.
3	Dewatering	EXP	
	It is unclear from the information provided if dewatering is required and potential impacts to the Nature Heritage System. This must be clarified at the appropriate stage and there must not be negative impacts on the natural features on or adjacent to the property.		A discussion of the potential for dewatering requirements is provided in Section 7.4 of the updated Final Hydrogeological Assessment report dated January 15, 2024. Based on the low permeability surficial soils found at the site, construction dewatering rates are expected to be minimal for basement/servicing with a typical foundation depth of 3.5 m bgs. A more detailed assessment of dewatering requirements can be completed at the detailed design stage, if required, once Site grading, finished floor and servicing elevations are known.
4	Hydrogeological and Geotechnical work	EXP	A discussion of static groundwater levels on site is provided in
	It appears insufficient time after drilling was given for the site to "settle" before readings were taken. It is also hard to determine if sufficient monitoring of groundwater levels was done.		Section 4.2 of the updated Final Hydrogeological Assessment report dated January 15, 2024.
5	<u>Overview</u>	EXP / Odan Detech	A discussion of Site conditions including natural features and
	It should be noted that EAAC has not received the following information such as:		groundwater/surface water interactions is provided in the updated Final Hydrogeological Assessment report dated January 15, 2024.
6	- the Hydrogeological Assessment Final Report - the Grading/Drainage and SWM Servicing Plan Therefore, EAAC comments based only on the above noted received information. 1. Ensure that the existing ecological/environmental system (s) and water resources conditions, features and major functions at the subject lands, and at immediately adjacent lands, where are specifically associated with the Meadowlily Woods PSW, Significant Woodlands, and Watercourse (s) containing "tolerant warm water fishery" that also need to be in compliance with the URCA Regulatory requirements, will be preserved/maintained during the construction and under the post-construction conditions; and all required mitigation measures should be implemented. 2. Apply and implement the most effective applicable design, servicing solution (s) that will minimize/eliminate potential adverse impacts that may occur as a result of the	Palmer	These plans will be available as part of the final engineering plans. FSR currently has preliminary information. Acknowledged. Will be addressed as part of detailed design.
	proposed land use changes during the construction and under the post-construction conditions for the adjacent lands existing ecological/environmental systems in accordance with accepted the City of London, MNRF, MECP requirements, acts, regulations, by-laws, as well as PSWs regulations and the UTRCA Regulated Areas		
7	Ensure that these proposed Development Applications	Architect / Palmer / Oan	Noted.
	Approvals, that should include, but will not be limited to engineering/grading and all servicing design for the subject	Detech	These plans will be available as part of the final engineering
	property will include all special required provisions that will		plans. FSR currently has preliminary information.

	 protection to maintain/improve existing ecological/environmental health and conditions of water resources functions and features, including the existing the Meadowlily Woods PSW, Significant Woodlands, and Watercourse (s) containing "tolerant warm water fishery" and assuring the compliance with the URCA Regulatory requirements; sufficient buffers/setbacks will be required to preserve/protect existing ecological/environmental features and major functions for the Meadowlily PSW, Significant Woodlands to ensure that: a) these environmental buffers will be no less 30 m; and b) the proposed multi-purpose trails, which may be located at the buffers/setbacks areas, will not have any adverse impacts on the above-noted Significant Areas' feature and functions, also sufficient buffers/setbacks no less than 15 m will be required to preserve/protect existing ecological/environmental features and major functions of the Watercourse (s) containing "tolerant warm water fishery" and which are required to comply with the URCA Regulatory requirements; also the considerations of trails location at these buffers areas should not be supported, because may impact on the watercourse (s) slope stability and potential erosion. maximize green coverage at all proposed buffers and maximize all required tree restoration at the subject site to help and to optimize the Climate Change efficient measures to mitigate the proposed land use changes and increase the required green 		
	the final detailed design, including, but it will not be limited to the Grading/Drainage and SWM Servicing Plan (s) must be coordinated and be consistent with the Final HydroG Report that needs to address and finalize the water balance that will reflect the geotechnical conditions (in some areas low permeability of soil conditions); the proposed storm/drainage and SWM services design needs to provide effective water quality and quantity controls that will incorporate/ensure the preservation/maintenance of geotechnical and hydrogeological conditions and will secure a long term reliable life expectancy for the proposed SWM system; a delivery of the robust effective erosion sediment control during the construction activities; and all proposed water resources/storm/drainage works need to be in compliance with the Dingman Creek Sub-watershed requirements and identified MECP, MNRP, UTRCA, City standards and design criteria.		
8	4. Ensure that the robust and effective Erosion Sediment Control Program for the subject site will be implemented to protect the Meadowlily Woods PSW, Significant Woodlands, and Watercourse (s) containing "tolerant warm water fishery" and the URCA Regulatory,	Odan Detech	Noted
9	under the construction and post-constructive conditions. 5. Ensure that the detailed Water Quality/Quantity	Odan Detech	Noted.
9	S. Ensure that the detailed water Quality/Quantity Monitoring Program will be implemented during the construction and/or for the post construction period for all discharges to the Meadowlily Woods PSW, Significant	Odan Detecn	Noted.
	Woodlands, and Watercourse (s) in accordance with the MECP and City requirements.		
10	6. Ensure that the Final Hydrogeological Report will clearly identify the existing groundwater conditions associated with the short- and long-term impacts, the shallow grounder dewatering that would be required during construction activities, as well as the storm/drainage and SWM water quality and quantity services to address the development requirements.	EXP	See the updated Final Hydrogeological Assessment report dated January 15, 2024.
11	7. Ensure that these applications provisions shall include the approval requirements, where the Developer will be accountable to protect and meet under the post-construction conditions the existing water balance conditions; and it is a critically important to ensure the existing functions and features of the Meadowlily Woods PSW, Significant Woodlands, and Watercourse (s) will not be adversely impacted and maintained.	EXP	A discussion of the water balance is provided in Section 5.0 of the updated Final Hydrogeological Assessment report dated January 15, 2024. EXP agrees that the existing functions and features of the PSW should be maintained. The Meadowlilly Woods PSW is situated at a topographic high associated with the Ingersoll Moraine. Surface water runoff on Site is expected follow topography, flowing primarily from the PSW in the northern portion of the Site to the west and southwest toward the Hampton-Scott Municipal Drain. There is currently little to no surface runoff flowing from the proposed development area towards the PSW and groundwater is interpreted as flowing south as well. These Site conditions were discussed with the UTRCA during the meeting held August 17, 2023, to discuss the water balance requirements. The discussion and decision were also circulated to the City of London's Hydrogeologist. It was agreed upon that

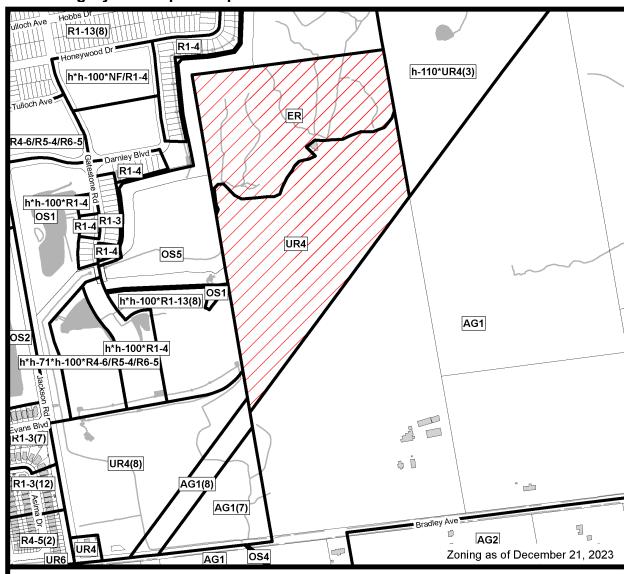
			given these Site conditions, a feature-based water balance was not required and a Site-Wide water balance was completed.
12	8. Ensure that a Final Design Grading/Drainage/SWM Servicing and HydroG reports, including the water balance under the pre- and post-construction conditions will be required to be reviewed and to ensure that the proposed design will optimize/maximize, deliver and employ the required servicing and grading design to protect ecological/environmental conditions for the subject property. ECAC recommends that any potential wetland features and functions losses, are a subject for a compensation that will be scientifically justified and require further review by ECAC. EIS and all servicing reports shall clearly identify proposed design, modification and recommendations/justifications, including all required works and measures to protect the existing ecological/environmental and water resource conditions for the subject and surrounding lands; and specifically the Final Design Grading/Drainage Services and SWM Design Report that will incorporate and employ all required quantity/quality SWM storages and storm/drainage water quality treatment prior to discharge to the existing Post-Construction Water quality and Quantity Monitoring Program to Maintain/Preserve Ecological/Environmental	Palmer / Odan Detech	A discussion of the water balance is provided in Section 5.0 of the updated Final Hydrogeological Assessment report dated January 15, 2024. A monitoring and mitigation program is provided in Section 7.5 of the report. Noted. As the stormwater runoff from the site is directed to the existing SWMF, the woodlot will not be the receptor of this source to recharge the ground water. The storm runoff flows from rear yard areas will be diverted to the woodlot to reduce the deficit in water balance due to the development. This will be coordinate with Palmer and hydrogeologist.
	Conditions for Meadowlily Woods PSW, Significant Woodlands, and Watercourse (s)		
	ECAC recommends that during a construction and a Post-Construction, the Water Quality and Quantity Monitoring Program should be implemented for a minimum 2 years to ensure preservation/maintenance of ecological/environmental conditions, major functions, features, the base flow conditions and water balance. This monitoring program needs to include monitoring water wells and piezometers to assess the Meadowlily Woods PSW, Significant Woodlands, and Watercourse (s) functionality during the post-construction conditions during the dry and wet seasons. The selection of the water quality parameters is also a critical component for this monitoring program minimize/eliminate the adverse impact on these significant features.		

Appendix E – Relevant Background

Map 1 - Place Types



Z-.1 Zoning By-law Map Excerpt





COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

LEGEND FOR ZONING BY-LAW Z-1 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
- 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
- OFFICE/RESIDENTIAL
- OFFICE CONVERSION RESTRICTED OFFICE 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**



FILE NO: Z-9724 LM MAP PREPARED: 2024/04/29 RC 1:7.000 140 210 0 35 70 280 Meters

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