

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: 2126983 Ontario Inc. (Darryl Neville)
1806 Avalon Street
City File: Z-8283, Ward 2
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 Darryl Neville relating to the property located at 1806 Avalon Street, known legally as Concession 1, Part Lot 5 Registered Plan No. 33R6847 Parts 2 to 4:

- (a) The proposed by-law attached hereto as Appendix "A" **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 property **FROM** a Special Provision Residential R2 (R2-1(9)) Zone and a Special Provision Residential R2 (R2-3(3)) Zone **TO** a Holding Residential R6 Special Provision (h-65*R6-5 ()) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i. Provide pedestrian connectivity through the site from all units to the public street.
 - ii. Provide adequate landscaped open space and outdoor amenity areas to serve the needs of the residents of the proposed development.
 - iii. Provide enhanced tree planting.
 - iv. Reduce oversupply of visitor parking to provide additional outdoor amenity areas.
 - v. Reduce driveway widths to provide additional landscaped open space.
 - vi. Require the completion of an updated Noise and Vibration Study to confirm the requirements to mitigate negative impacts from the rail line and ensure public safety.

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

- i. The recommended amendment is consistent with the *Provincial Policy Statement, 2020 (PPS)*, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The *PPS* directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- ii. The recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies;
- iii. The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood; and
- iv. The recommended amendment contributes to the range and mix of housing options within the area.

Executive Summary

Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Special Provision Residential R2 (R2-1(9)) Zone and a Special Provision Residential R2 (R2-3(3)) Zone to a Residential R6 Special Provision (R6-5 ()) Zone.

Purpose and the Effect of Recommended Action

The recommended action will permit a cluster housing development with four new two-storey townhouse buildings with a total of **16 new residential units** in addition to the existing two single detached dwellings. In total, the development is proposed to have 18 residential dwelling units and an overall density of 18 units per hectare.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

1. **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
2. **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
3. **Housing and Homelessness**, by supporting faster/streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.

Analysis

1.0 Background Information

1.1 Property Description and Location

The subject lands, municipally known as 1806 Avalon Street, are located in the Argyle Planning District north of Dundas Street and west of Beatrice Street at the western terminus of Avalon Street.

1.2 Site Statistics

- Current Land Use – two single detached dwellings, gravel parking area, vacant land
- Frontage – approximately 20 metres (Avalon Street)
- Area – 1.002 hectares (2.5 acres)
- Shape – Irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

1.3 Surrounding Land Uses

- North – Canadian Pacific Rail line, Low Density Residential
- East – Low Density Residential
- South – Commercial Plaza, Auto Shop
- West – Hardware store including outdoor storage, municipal park

1.4 Existing Planning Information

- The London Plan Place Type – Neighbourhoods fronting a Neighbourhood Street
- Existing Zoning –
 - Northern Portion: Special Provision Residential R2 (R2-1(9)) Zone
 - Southern Portion: Special Provision Residential R2 (R2-3(3)) Zone

Additional site information and context is provided in Appendix B.

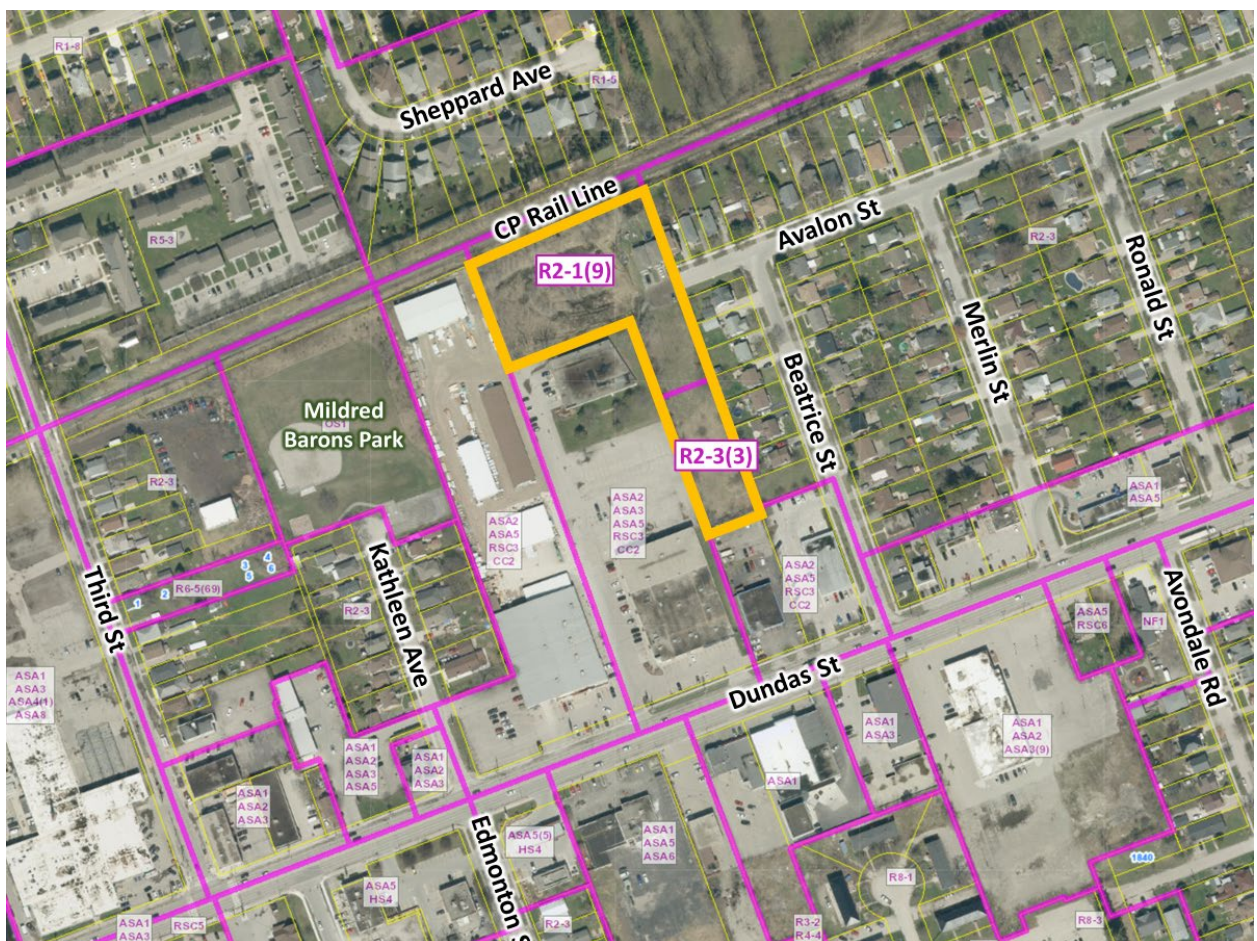


Figure 1. Aerial Photo and Zoning of 1806 Avalon Street and surrounding lands.



Figure 2. Streetview of 1806 Avalon Street, looking west from Avalon Street.

2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development is an amendment to an original concept plan from 2013. On November 4, 2013, the City deemed an application complete for a Zoning By-Law Amendment and Draft Plan of Condominium to permit the development of the lands for medium density residential uses. The original applications were circulated to the commenting departments, agencies and the public on November 11, 2013. Revised applications were also circulated on March 10, 2014 to commenting departments, agencies, and the public. The Zoning By-Law Amendment application was then put on hold due to servicing constraints.

A revised application for a Zoning By-Law Amendment was submitted to the City on March 11, 2024. The revised application was circulated to the commenting departments, agencies and the public on March 26, 2024.

The revised development proposal is comprised of four two-storey townhouse buildings containing a total of 16 new units. In total, the development is proposed to have 18

residential dwelling units and an overall density of 18 units per hectare including the two existing single detached dwellings on the site. The proposed development is 'L' shaped with two townhouse buildings on the southern leg, and two on the western leg. An internal driveway network is proposed to provide access from Avalon Street to all units in both legs of the development. A safety berm and noise wall are proposed along the northern property line, adjacent to the CP Rail Line. A private stormwater management pond is proposed to be located south of the safety berm to the north of the proposed townhouse buildings on the western leg of the development. Each unit is proposed to have a private outdoor amenity space at the rear of the townhouse buildings, as well as a garage and private driveway for parking.

The application included a conceptual landscape plan, shown below as Figure 3, and an iso-metric 3D model shown in Figure 4 below.

The proposed development includes the following features:

- Land use: Residential
- Form: Cluster townhouses and single detached dwellings
- Height: Two-storeys
- Residential units: 16 new units (in addition to 2 existing units)
- Density: 18 uph
- Building coverage: 13.4%
- Landscape open space: 54.5%
- Parking spaces: 44 Total
 - New Townhouses (16 units): 32 (Driveway & Garage)
 - Existing Single Detached: (2 units): 4 (Driveway & Garage)
 - Visitor Parking: 8

Additional proposal information and context is provided in Appendix B and C.

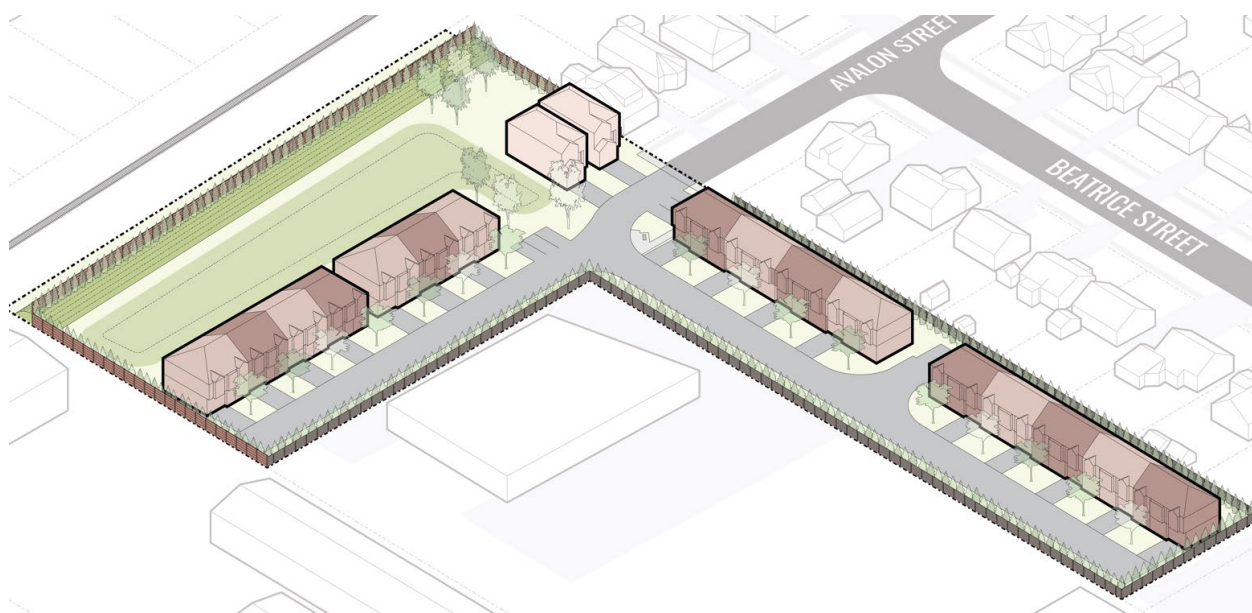


Figure 3. 3D Massing Model of the Proposed Development



Figure 4. Excerpt from Conceptual Landscape Plan

2.2 Requested Amendment

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Special Provision Residential R2 (R2-1(9)) Zone and a Special Provision Residential R2 (R2-3(3)) Zone to a Residential R6 Special Provision (R6-5 ()) Zone.

The following table summarizes the regulations in the base R6-5 zone and the special provisions that have been proposed by the applicant and are recommended by City Staff. Some of the special provisions have been revised to be consistent with the formatting and language of other Special Provisions in the Zoning By-Law. An additional Special Provision has been recommended by City staff to reflect the required setback from the Canadian Pacific Rail Line which the submitted concept plan complies with.

Regulation (R6-5)	Required	Proposed
Permitted Uses	Single detached dwelling; Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;	Notwithstanding Section 10.2 5), Apartment Buildings, Fourplex Dwellings & Stacked Townhouse Dwellings shall not be permitted.
East Interior Side Yard Depth (minimum)	0.4 metres (1.3 feet) per 1 metre (3.28 feet) of main building height or fraction thereof, but in no case less than 3 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7 ft.) when the wall of a unit contains windows to habitable rooms.	6.0 metres*
South Interior Side Yard Depth (minimum)	<i>Same as East Interior Side Yard Depth</i>	2.5 metres
West Interior Side Yard Depth (minimum)	<i>Same as East Interior Side Yard Depth</i>	3.0 metres
North Interior Side Yard Depth (minimum)	<i>Same as East Interior Side Yard Depth</i>	30.0 metres**
Height (maximum)	12.0 metres	9.0 metres
Regulations for Existing Buildings:*		i) Front Yard (minimum): as existing* ii) Interior Side Yard (Minimum): as existing*

* *Special Provisions recommended by City staff have been revised to be consistent with the standard formatting of Special Provisions in the Zoning By-law related to the existing dwellings while maintaining the effect of the proposed provisions.*

** *Additional Special Provision recommended by City staff to reflect the required setback from the Canadian Pacific Rail Line and which the submitted concept plan complies with.*

2.3 Public Engagement

On March 24, 2024, Notice of Revised Planning Application and Notice of Public Meeting was sent to 155 property owners and residents in the surrounding area within 120 metres of the proposed development. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, April 4, 2024. A “Planning Application” sign was also placed on the site. There were two responses received to-date during the consultation period. Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, May 23, 2024.

Comments from the Public included concerns about:

- The placement, orientation and height of townhouse buildings adjacent to houses on Beatrice Street
- Access for emergency services
- Increased traffic volume
- Impacts on fencing at rear of properties on Beatrice Street
- Tree loss along property lines as a result of the development
- Existing storm drainage issues in the area
- The quality of construction
- The accessibility of the virtual consultation undertaken by the applicant
- Access to public parkland and playgrounds

The applicant held a virtual community information session on Tuesday, February 27th, 2024. The applicant provided an overview of the development and answered questions from the Ward Councillor and the public. Questions from the public related to many of the concerns listed above, including the placement and orientation of buildings adjacent to the houses on Beatrice Street. A recording of the community information session was posted on the applicant's website for viewing on demand.

Detailed public comments are included in Appendix D of this report.

2.4 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review on March 24, 2024. 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 include:

- Concerns about the proposed grading in the north-east portion of the proposed development and how overland flows will be conveyed through / around the required safety berm.
- Noise and Vibration Study requires updating based on current standards and guidelines and current rail and vehicle traffic levels.
- Requirement for a tree preservation plan and consideration of impacts on boundary trees with adjacent properties.
- Concern about the lack of common amenity space, and the over provision of visitor parking.

Detailed internal and agency comments are included in Appendix E of this report.

2.5 Policy Context

2.5.1 *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 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*.

2.5.2 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.

Relevant background information from the applicable planning policies are included in Appendix F of this report.

3.0 Financial Impact/ Considerations

3.1 Financial Impact

There are no direct municipal financial expenditures with this application.

4.0 Key Issues and Considerations

4.1 Use

The Zoning-By-Law amendment is not proposing to change the planned land use of the subject lands. The subject lands are currently zoned to permit residential land uses in the form of single and semi-detached dwellings, and the proposed zoning by-law amendment would only change the form of residential land use to a cluster townhouse development. The proposed residential land use is supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and contemplated in the Neighbourhoods Place Type where a property has frontage on a Neighbourhood Street (The London Plan Table 10). The proposed residential uses (cluster townhouses and single detached dwellings) align with the goals of the Neighbourhoods Place Type by contributing to neighbourhoods that allow for a diversity and mix of housing types that are compatible with the existing and future neighbourhood character (TLP 918_2 and 13). The residential uses also promote housing for all Londoners and attract a diverse population to the city (TLP 57_11).

4.2 Intensity

The proposed residential intensity is consistent with the policies of the *PPS* that encourage residential intensification, redevelopment, and compact form (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity conforms with the Neighbourhoods Place Type in The London Plan which contemplates a maximum height of three-storeys where

a property has frontage onto a Neighbourhood Street (Table 11). To be more consistent with the heights of the adjacent residential neighbourhood the applicant has proposed to limit the maximum permitted height to two-storeys.

The applicant has proposed a conceptual site plan with 16 new townhouse dwelling units, and a total of 18 units including the two existing single detached dwellings on the site. This represents a decrease in intensity from the original 2013 proposal which had a total of 23 single detached dwellings. The original 2013 proposal was considered too intense by City staff due to the issues with providing stormwater management on site, lack of outdoor amenity space, and reduced setbacks to adjacent properties on Beatrice Street. Staff are of the opinion that the current proposal includes zoning provisions which ensure adequate setbacks to adjacent residential uses, and outdoor amenity space for residents of the development. Engineering staff are also satisfied that due to the decrease in the number of units, more space is available such satisfy any stormwater and servicing concerns for the site. All outstanding engineering comments are considered minor and will be addressed through detailed design as part of the Site Plan Approval process.

The current concept plan provides more private amenity space for each townhouse unit, and increased setbacks to adjacent residential uses on Beatrice Street.

4.3 Form

The proposed built form is consistent with the Neighbourhoods Place Type and the City Design policies in The London Plan by facilitating an appropriate form and scale of residential intensification that is compatible with the existing and future neighbourhood character (TLP 953_2). Specifically, a mix of housing types to support ageing in place and affordability and is designed to be a good fit and compatible within its context/neighbourhood character (TLP 193_).

The proposed development will be in a cluster form with a private internal network of driveways, sewers, and stormwater management facilities. The cluster form of development allows for efficient development of the irregularly shaped site with increased setbacks to the adjacent existing residential houses on Beatrice Street.

The applicant has proposed zoning regulations which limit the form of development to low-rise buildings by limiting the maximum permitted height and prohibiting apartment buildings and stack-townhouse buildings. The proposed cluster townhouse buildings will be of a similar height to the existing residential development to the east. The development is also proposed to be oriented to mirror development along Beatrice Street with the back yards of the townhouses adjacent to the back yards of the existing houses.

4.4 Railway Noise and Vibration

A noise and vibration study was required as part of the application for a zoning by-law amendment and a study was submitted with the application. It was deemed, however, by staff that an updated will be required prior to development being permitted on the subject lands. The submitted study was completed in 2013 based on Provincial noise and vibration standards from the 1990s, and prior to the current standards coming into force and effect later in 2013.

Staff are recommending that a holding provision (h-65) be applied to the proposed zoning which will require the completion of an updated Noise and Vibration Study to confirm the requirements to mitigate negative impacts from the rail line and ensure public safety. Staff have discussed the concerns regarding noise and vibration with the applicant and they requested that the requirement for the updated study be delayed until later in the process. The applicant indicated they were comfortable with the use of a holding provision requiring an update to the noise and vibration study.

The rail line requires a minimum 30m setback for all new development. Staff recommend that this setback be included as a special provision for the North Interior Side Yard in the requested zoning.

4.5 Stormwater Management and Lot Grading

Concerns related to flooding and stormwater runoff in the area of the proposed development were raised by nearby residents through the public consultation process. All new development is required to provide effective stormwater servicing to protect properties from flooding and erosion and minimize health hazards.

A preliminary lot grading plan and servicing report were submitted by the applicant as part of the zoning by-law amendment application to illustrate how stormwater would be managed. The plans identify that stormwater will be controlled in part by a dry-pond to be located at the northern end of the subject lands. This dry-pond is proposed to collect water during storm events and outlet to an existing ditch along the CN Rail Line to the north and will be designed to ensure that the development does not change the flows to this ditch. Engineering staff have noted that this is challenging with the required safety berm along the rail line; however, staff are satisfied that a suitable solution can be agreed upon through the Site Plan stage of the approvals process.

4.6 Existing Dwellings

The subject lands currently have two existing single detached dwellings in the northeast corner of the site which were built around 2010. The houses are located close to the property line and face south, just like the adjacent houses along the north side of Avalon Street.

The southern portion of the site is adjacent to the rear yards of residential dwellings that face east and front on to Beatrice Street. The proposed new townhouse buildings on the southern portion of the subject lands are proposed to mirror this orientation, with the townhouses facing west onto the proposed new private driveway. Due to the different existing conditions adjacent to the northeast and southeast portions of the development, different special regulations are proposed to reflect the existing dwellings on the site and the proposed new townhouse buildings.

Staff recommend a modification to the requested special provisions to be consistent with other special provisions in the Zoning By-Law:

Regulations for Existing Buildings:

- i) Front Yard (minimum): as existing*
- ii) Interior Side Yard (Minimum): as existing*

Conclusion

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Special Provision Residential R2 (R2-1(9)) Zone and a Special Provision Residential R2 (R2-3(3)) Zone to a Residential R6 Special Provision (R6-5 ()) Zone;. Staff are recommending approval of the proposed Zoning By-law Amendment with modifications to the proposed special provisions and the application of a holding provision.

The recommended action is consistent with the *Provincial Policy Statement, 2020 (PPS)*, conforms to The London Plan and will permit the development of four two-storey townhouse buildings containing a total of 16 residential units in addition to the two existing single detached dwellings at an overall density of 18 units per hectare. The amendment will facilitate the development of the subject site and will contribute to the range and mix of housing options within the area.

Prepared by: Michael Clark
Planner, Subdivision Planning

Reviewed by: Bruce Pace
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

Copy: Peter Kavcic, Manager, Subdivisions and Development Inspections
Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1806
Avalon Street.

WHEREAS 2126983 Ontario Inc. has applied to rezone an area of land located at 1806 Avalon Street (Concession 1, Part Lot 5 Registered Plan No. 33R6847 Parts 2 to 4), as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1806 Avalon Street, as shown on the attached map comprising part of Key Map No. A108, from a Special Provision Residential R2 (R2-1(9)) Zone and a Special Provision Residential R2 (R2-3(3)) Zone to a Holding Residential R6 Special Provision (h-65*R6-5 ()) Zone.

Section Number 10.4 of the Residential (R6-5) Zone is amended by adding the following Special Provisions:

R6-5 () 1806 Avalon Street

a) Permitted Uses

- i) Notwithstanding Section 10.2 5), Apartment Buildings, Fourplex Dwellings & Stacked Townhouse Dwellings shall not be permitted.

b) Regulations:

- i) East Interior Side Yard Depth (Minimum) 6.0 metres (19.7 feet)
- ii) West Interior Side & Rear Yard Depth (Minimum) 3.0 metres (9.8 feet)
- iii) South Interior Side Yard Depth (Minimum) 2.5 metres (8.2 feet)
- iv) North Interior Side Yard Depth (Minimum) 30.0 metres (98.4 feet)
- v) Height (Maximum) 9.0 metres

c) Regulations for Existing Buildings:

- i) Front Yard (minimum): as existing
- ii) Interior Side Yard (Minimum): as existing

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

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

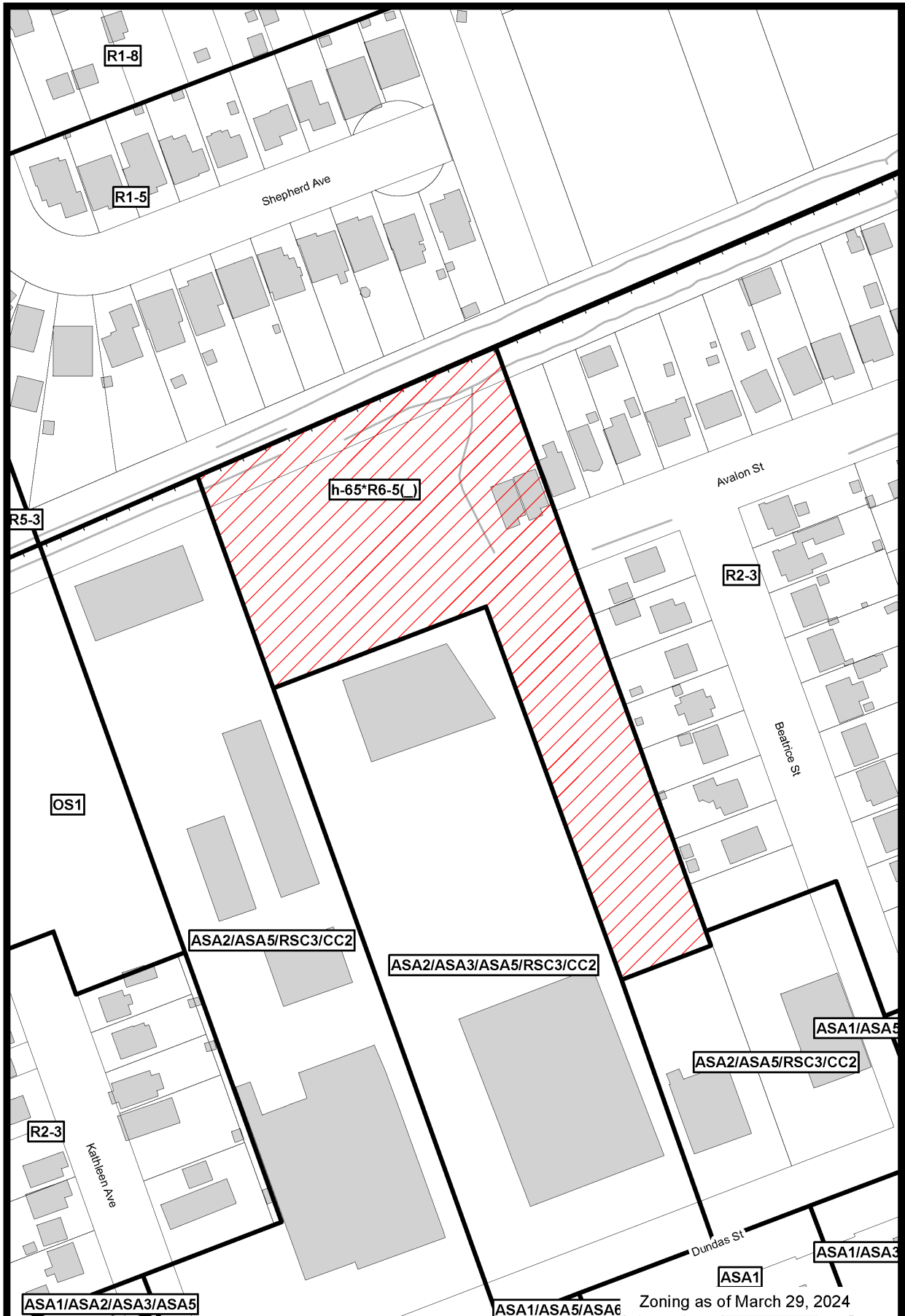
PASSED in Open Council on June 25, 2024, subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

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)



File Number: Z-8283

Planner: MC

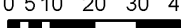
Date Prepared: 2024/04/29

Technician: RC

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	two single detached dwellings, gravel parking area, vacant land
Frontage (approximate)	20 metres (Avalon Street)
Depth	Irregular
Area	1.002 hectares (2.5 acres)
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Canadian Pacific Rail line, Low Density Residential
East	Low Density Residential
South	Commercial Plaza, Auto Shop
West	Hardware store including outdoor storage, municipal park

Proximity to Nearest Amenities

Major Intersection	Dundas Street and Clarke Road (690 metres)
Dedicated cycling infrastructure	Second Street Bike Lane (1,000 metres)
London Transit stop	Dundas at Beatrice (WB – Route 02) (200 metres)
Public open space	Mildred Barons Park (675 metres) East Lions Park (1,075 metres)
Commercial area/use	Argyle Mall (690 metres)
Food store	Phil's NOFRILLS London (1,050 metres) Walmart Supercentre (1,250 metres)
Community/recreation amenity	East Lions Community Centre (1,075 metres) Forest City Public School (2,150 metres) Clarke Road Secondary School (1,350 metres) St. Pius X Catholic School (1,800 metres)

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods with frontage on a Neighbourhood Street
Current Special Policies	n/a
Current Zoning	North: Residential R2 Special Provision (R2-1(9)) Zone South: Residential R2 Special Provision (R2-3(3)) Zone

Requested Designation and Zone

Requested Place Type	No change
Requested Special Policies	n/a
Requested Zoning	Residential R6 Special Provision (R6-5()) Zone

Requested Special Provisions

Regulation (R6-5)	Required	Requested
Permitted Uses	Single detached dwelling; Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;	Notwithstanding Section 10.2 5), Apartment Buildings, Fourplex Dwellings & Stacked Townhouse Dwellings shall not be permitted.
Front Yard Depth (minimum)	6.0 metres	As Existing (3.6 metres)
East Interior Side Yard Depth (minimum)	0.4 metres (1.3 feet) per 1 metre (3.28 feet) of main building height or fraction thereof, but in no case less than 3 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7 ft.) when the wall of a unit contains windows to habitable rooms.	For all new buildings a minimum of 6.0m setback shall be required. The setback for existing dwellings shall be "as existing".
South Interior Side Yard Depth (minimum)	0.4 metres (1.3 feet) per 1 metre (3.28 feet) of main building height or fraction thereof, but in no case less than 3 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7 ft.) when the wall of a unit contains windows to habitable rooms.	2.5 metres
West Interior Side & Rear Yard Depth (minimum)	0.4 metres (1.3 feet) per 1 metre (3.28 feet) of main building height or fraction thereof, but in no case less than 3 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7 ft.) when the wall of a unit contains windows to habitable rooms.	3.0 metres
Height (maximum)	12.0 metres	9.0 metres

C. Development Proposal Summary

Development Overview

The revised development proposal is comprised of four two-storey townhouse buildings containing a total of 16 units. In total, the development is proposed to have 18 residential dwelling units and an overall density of 18 units per hectare including the two existing single detached dwellings on the site.

Proposal Statistics

Land use	Residential
Form	Cluster Townhouses and Single Detached Dwellings
Height	Two-storeys townhouses, existing two-storey single detached dwellings
Residential units	18
Density	18 uph
Gross floor area	N/A
Building coverage	13.4%
Landscape open space	54.5%
Functional amenity space	Provided onsite for each unit
New use being added to the local community	No

Mobility

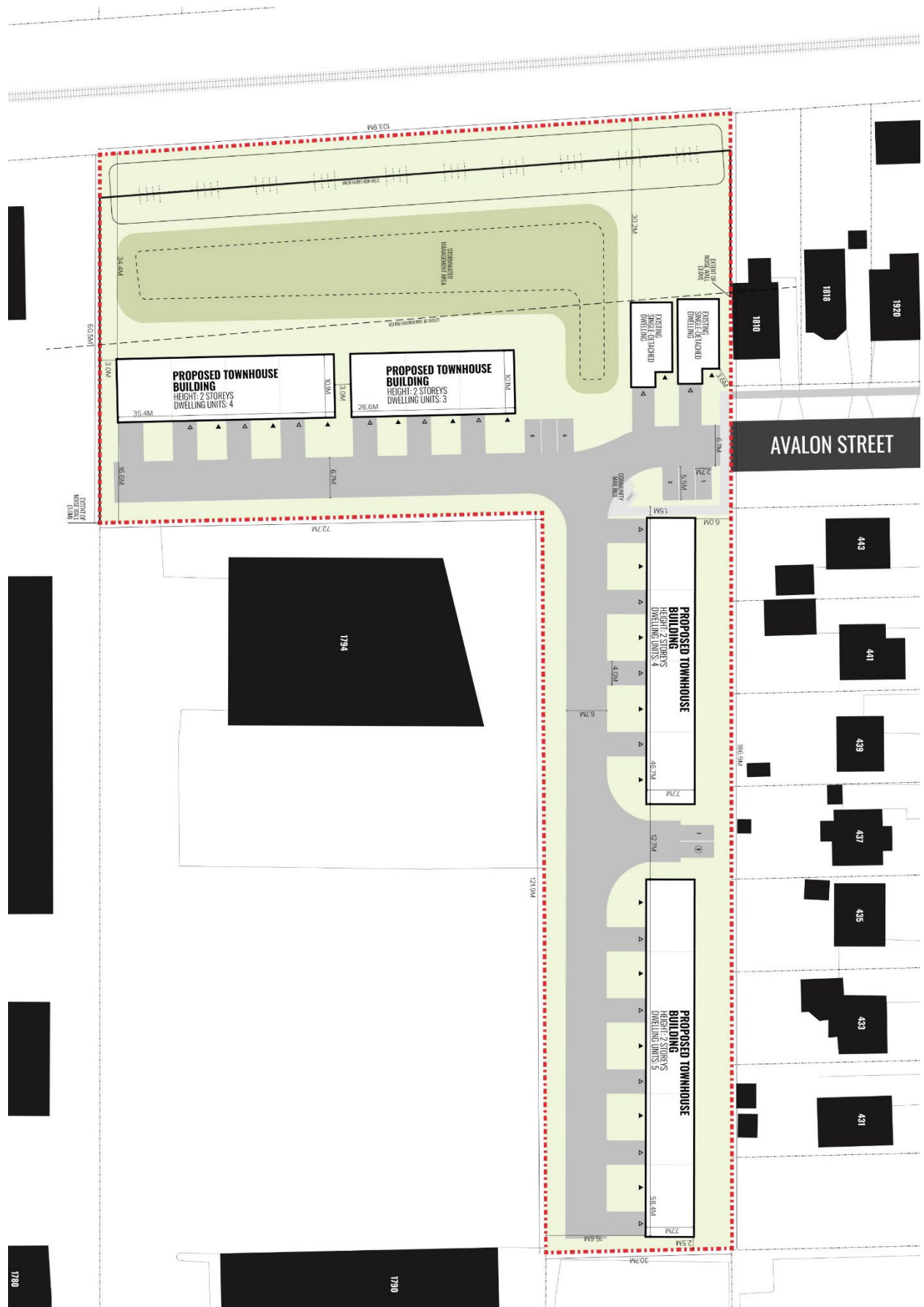
Parking spaces	Townhouses: 32 (Driveway & Garage) Single Detached: 4 (Driveway & Garage) Visitor Parking: 8
Vehicle parking ratio	Townhouses: 2 spaces / unit Apartments: 2 spaces / unit Visitor: 0.44 spaces / unit
New electric vehicles charging stations	N/A
Secured bike parking spaces	18 (Garage)
Secured bike parking ratio	1 space / unit
Completes gaps in the public sidewalk	No
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	No

Environmental Impact

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

Appendix C – Additional Plans and Drawings

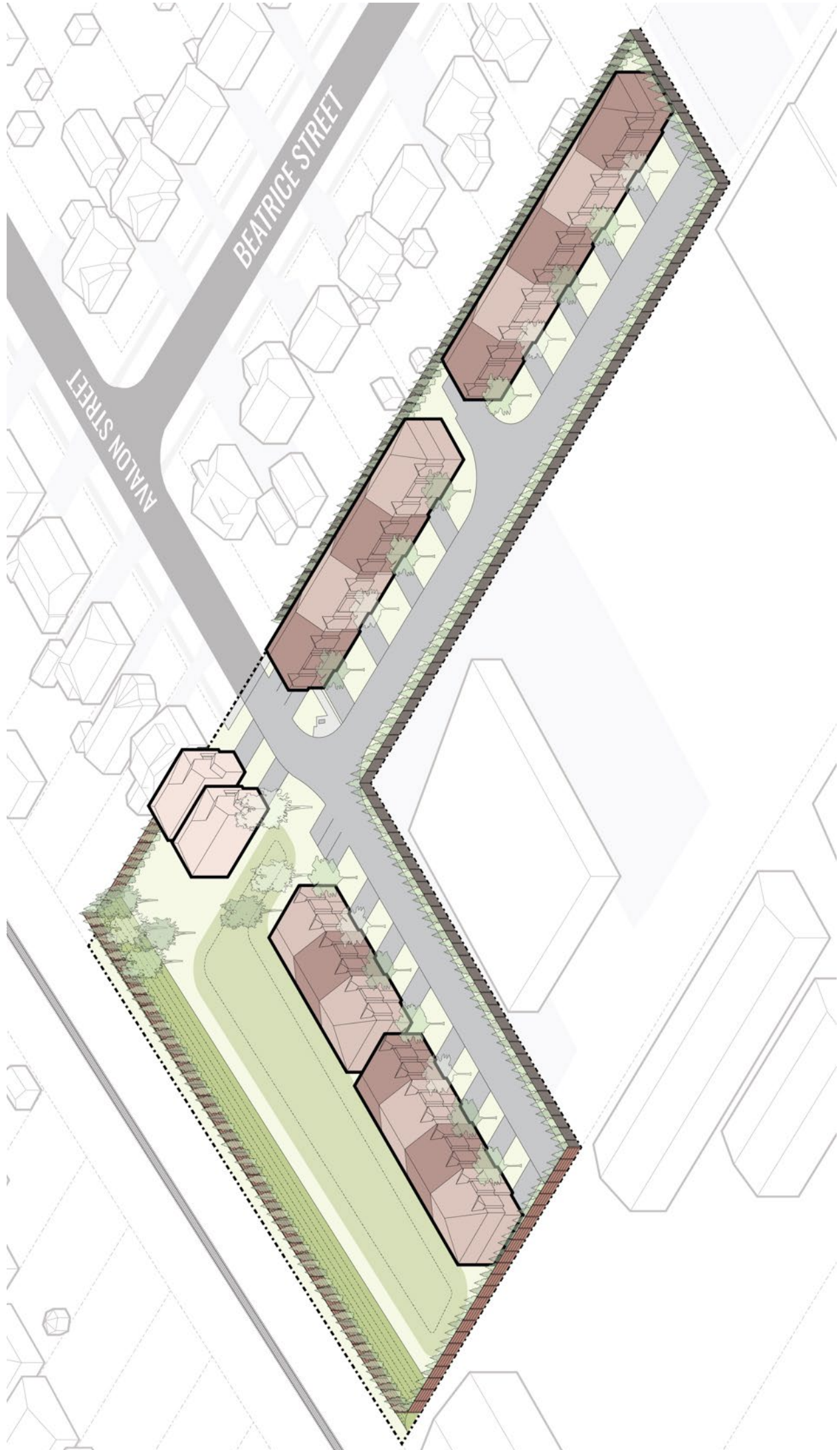
Concept Site Plan



Conceptual Landscape Plan



Isometric 3D Rendering of the Conceptual Plan



Appendix D – Public Engagement

Community Engagement

Public liaison: On March 24, 2024, Notice of Revised Planning Application and Notice of Public Meeting was sent to 155 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 Thursday, April 4, 2024. A “Planning Application” sign was also placed on the site.

Nature of Liaison: The purpose and effect of this zoning change is to add townhouse dwellings in a cluster form as a permitted use, and apply site specific minimum yard depths to the proposed Site Specific Residential R6 (R6-5) Zone. The site specific R6-5() zone is also proposed to prohibit denser building types such as apartments and stacked townhouse dwellings, and limit the maximum height to 9 metres permitted under the current zoning. The Zoning change would permit the proposed four 2-storey townhouse buildings with a total of 16 residential units, in addition to the two existing single detached dwellings on the subject lands. Possible change to Zoning By-law Z.-1 FROM a Residential R2 (R2-1(9)), and a Residential R2 (R2-3(3)) TO a Residential R6 (R6-5()) Zone. The City may also consider applying holding provisions and other special provisions to the proposed zoning. File: Z-8283. Planner: M. Clark.

Public Responses: Two replies received.

Below are comments and concerns regarding the Zoning By-Law Amendment for 1806 Avalon Street.

Gayle Horchover (Email, April 5, 2024)

I am asking for careful consideration of granting this zoning change due to the inability of [siv-ik] Planning Design to be transparent with all information to the participants of the zoom meeting they hosted February 27, 2024. [siv-ik] had blocked out the names of people attending the zoom meeting and the number of participants that attended. I have emailed them directly on February 28, 2024, with questions, and have also left questions (twice) on their feedback module of their website. I have yet to receive any response. Feedback from all residents was asked for on February 27, 2024, at 7:00 pm at night via zoom, and the application for zoning changes were filed early March (first week?). This does not give much time for [siv-ik] to accept feedback from the current residents. Please note that over 50% of the residents did not have the capability to log onto a zoom meeting.

Building Placement

I do not agree with the placement of the townhomes on the easterly side (Beatrice Street) facing the way they are in the concept plan. Siv-ik stated that this placement would help with traffic lights hitting our homes at night. End of discussion (from them). No one agrees with this (as we have fences) and would like to see a concept plan where the buildings are reversed, with their front doors facing us, giving a few more metres of distance from our fences on Beatrice Street.

If the townhomes are built 6 m from my back fence, this is creating an alley way for the homeless to jump fences as it will be enclosing the area creating low visibility. This is occurring on Third Street, where small townhome backyards back onto homeowner's fences, leaving a very narrow passageway for people to jump fences out of the public view.

In the zoom meeting they verbally stated the townhomes would be 8 metres high. Bungalow type townhomes should have been considered for this area, as the houses in this area are 1 ½ storey (not 2-storey, as stated by [siv-ik]). The information presented in the zoom meeting was not accurate.

Fire Route

I believe there should be an “exit” to the townhome development, not just an entrance. Why do these plans not reflect an exit for the newly built “street” near the Bank of Montreal or closer to Dundas Street (as the last set of plans did)? If these become rental units (to students) and another incidence such as Fanshawe’s St. Patrick’s Day occurrence happens, the access to townhomes could become blocked. There is currently a lumberyard on the east side of Beatrice Street. The MTE Report stated that more hydrants would be implemented but the access to all buildings should be addressed. I cannot see a firetruck performing a 3-point turn on the newly created street.

Traffic

Traffic assessments should be done as MTE Consultants state that there will be an approximate increase of 39 in population. The traffic on Beatrice Street will increase 100%. Siv-ik stated in the zoom meeting that total additional trips will only be 10 – 20 daily, which I strongly disagree with their math. (16 x 2 cars at least per unit is 32 extra vehicles now travelling in the area). This figure will increase if the townhomes become rental units. A bottleneck currently occurs at the corner of Dundas and Beatrice Street during high peak-times. The traffic from the Bank of Montreal is also a factor that should be considered. Can another exit onto Dundas Street from 1806 Avalon be implemented using the “new” street which they are proposing in their concept plan?

Fence Issue

[siv-ik] stated that the owner would build a “board-on-board” fence around the development, then mentioned they would keep existing fences of the homeowners on Beatrice Street (as a bargaining tool to keep trees currently growing). We received conflicting information. Please note that the owner on the corner of Avalon & Beatrice Street doesn’t even have a fence. The end project will consist of different wooden fences, a chain-link fence and a treed property. I believe that the placement of the townhomes (6 m from homeowners’ fences) within the current concept plan was designed to mitigate the cost of fencing.

However, if the townhomes were reversed to the other side of the property (backing onto the empty parking lot), the possibility of keeping our current fences would become available, as the hope of them fencing this development project entirely has a very low probability.

Landscaping

The use of the words “enhanced landscaping” were used by [siv-ik] but could not be defined during the zoom meeting. Is there an existing plan that shows which trees are on the homeowner’s property line and if any can be saved (before the detailed planning starts)?

MTE Consultants noted a Geotechnical Report or Hydrogeological Assessment report should be done for the concept plan to be “feasible”. Can this be generated before changing the zoning, as the area is known for basement flooding and poor drainage.

Concern of Who the Builder Is

Please note the owner of 1806 Avalon was the builder of the 2 existing units on Avalon (1808 and 1804) and these homes blew down in a windstorm, as a result of using poor (used) materials. Major damage to existing homes on Avalon occurred where they had to file insurance claims and left a trail of materials in the vacant land area. I had learned this through verbally communicating to the residents on Avalon Street, however, I believe it made the news. Can the name of Builder for this project be released to the public?

In summary, building 16 townhomes on this little parcel of land is too aggressive for the area. I don’t believe that traffic issues, drainage issues and fire safety for the current

residents have been clearly thought through during the concept planning stage. I strongly believe that the buildings should be reversed in their placement.

In hindsight, I would have hoped that owner could have reached out to the residents to gain our feedback during the concept planning phase so that this project would have had mutual agreement with the residents and been a positive change to the area.

Thank you.

Krista-Lee De Caluwé (Email, April 15, 2024)

Just throwing it out there but our side of Dundas at this corner does not have a local playground. We have to cross the busy street to get to one or walk quite far. I cannot stress enough how this space could really use a playground in addition to these plans as a lot of the older folks homes in this community sell and younger families are moving in! We have so many kids down this way already and I imagine 16 new dwellings will add to that.

Thank you for the consideration.

Appendix E – Internal and Agency Comments

Parks (April, 4, 2024)

Matters for Site Plan

- Parkland dedication has not been taken for this site. It is to be noted that the applicant, as a condition of site plan approval, will be required to provide parkland dedication in the form of cash-in-lieu pursuant to By-law CP-25.

Heritage (April 8, 2024)

As per our previous correspondence, this is to confirm that there are no archaeological requirements associated with this application.

Urban Design (April 10, 2024)

Urban Design is generally supportive of the proposed development and has the following comments:

Matters for Zoning:

- 1) Provide a minimum setback for the rear yard of the proposed townhouses to the east to allow for adequate private amenity spaces and buffer from the existing residential uses. TLP 253, 295
- 2) Provide a minimum west and south setback to accommodate a landscape buffer to avoid any negative impact of the existing adjacent uses on the proposed residential development. TLP 252

Matters for Site Plan:

- 1) Design the side elevations of the end units that are visible from Avalon Street with enhanced details such as wrap-around porches, principal entrances and a similar amount of windows as is found on the front elevation. TLP 290, 285
- 2) Ensure there are walkways connecting the proposed townhouse blocks with the public sidewalk along Avalon Street. TLP 255, 268
- 3) Provide a landscape buffer along the west and south property line to avoid any negative impact of the existing adjacent uses on the proposed residential development. TLP 252
- 4) Clarify the location of garbage pick-up on the site. Ensure it is located away from the street frontage and does not detract from pedestrian connections. TLP 266.
- 5) Consider working with the developer/owner of the commercial property on the west and south to explore opportunity of establishing a direct connection with the existing shopping area, the Dundas Street and possibility for future connections with the Mildred Barons Park. TLP 333
- 6) Submit a full set of Elevations for all sides of the proposed built forms. Further urban design comments may follow upon receipt of the drawings.

Please let me know if you have any questions. Thanks.

Site Plan (April 16, 2024)

Please note the following for 1806 Avalon Street:

Major Issues

- N/A

Matters for OPA/ZBA

- Remove visitor parking stalls 7 and 8 to provide a greater separation buffer between the south property boundary and the proposed townhouse dwelling. Alternatively, this space can be utilized for a common amenity. Based on a total of 18 units, only 2 visitor parking stalls are required.

- Provide internal pedestrian connections through the site
- Identify the location of any rear yard decks to confirm compliance with the Zoning By-law or to determine if a special provision is required.
- A special provision is required for the setback from the property line to the existing single detached dwelling (front yard setback of 2.0 metres).
- The current site design does not provide for adequate amenity space for the number of units on site given the limited setbacks to the property boundaries and stormwater management pond.

Matters for Site Plan

- Reduce the driveway widths to 3 metres to provide more landscaping
- If there are any substantial changes, please recirculate for comment.

Stormwater (April 16, 2024)

- The stormwater management strategy is sound. However, the preliminary grading in the northeast is unclear as to how major OLF will be conveyed past/through the existing berm. See grading markups. Prior to the reduced setbacks amendment being considered, safe conveyance should be demonstrated, considering the infill nature of the development.

Stormwater (April 26, 2024)

- Further to our conversation, I'm amenable to the notion that the design of the outlet will be progressed at Site Plan Application. However the below does not satisfy the concern of the major OLFR.
As this was a preliminary plan, the swale/major flow arrows are only shown to convey intention of final design. The details still need to be worked out and coordinated with the noise berm. We definitely acknowledge the concern though and will be sure to address this as part of the detailed first engineering submission.
- The SWMF outlet and OLFR strategy is a critical element of the stormwater management design for this proposed development. However SWED does not see how this outlet can be feasibly achieved without the introduction of a new outfall/culvert (and it assumed trench cut is not feasible), therefore, as a complete site plan application, the owner/consultant shall obtain CPKC approval/agreement to the proposed SWM strategy (general layout and outlet location).
- If the owner/consultant considers a design alternative deviating from the preliminary servicing brief (onsite storage of majors, bioretention, etc.), the SWM design may require additional studies and approvals (geotechnical study, water balance, hydrogeological study, etc.). A scoping meeting shall be held between the proponent and a City staff (SWED, hydrogeology) to review and confirm the design alternatives, prior to commencement of additional studies/reports, and prior to any site plan application.

Environmental and Engineering (April 30, 2024)

Engineering has no further comments regarding this application but would like to note the following:

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

Wastewater:

- It is noted that 1804 & 1806 Avalon Street have their PDC's connected to manhole CU494. Since the development will be installing a sanitary sewer which will front these two units, it would be expected that the existing PDC's for these two units will be redirected to the proposed sanitary sewer.

Stormwater:

- The SWMF outlet and OLF strategy is a critical element of the stormwater management design for this proposed development. However, SWED does not see how this outlet can be feasibly achieved without the introduction of a new outfall/culvert (and it assumed trench cut is not feasible), therefore, as a complete site plan application, the owner/consultant shall obtain CPRC approval/agreement to the proposed SWM strategy (general layout and outlet location).
- If the owner/consultant considers a design alternative deviating from the preliminary servicing brief (onsite storage of majors, bioretention, etc.), the SWM design may require additional studies and approvals (geotechnical study, water balance, hydrogeological study, etc.). A scoping meeting shall be held between the proponent and a City staff (SWED, hydrogeology) to review and confirm the design alternatives, prior to commencement of additional studies/reports, and prior to any site plan application.
- From desktop analysis, it appears the site may contain underlying sand soils. Bioretention, infiltration, underdrains, or any other LID features are encouraged for Site Plans where private landscapers and maintenance personnel will be employed on regular contracts. LID design guidance is provided in DSRM, 6.5.2.3. The consultant is requested to review design guidance provided in DSRM, 6.5.2.3, and implement as feasible/appropriate.
- As discussed in the report, the potential infiltration is to be confirmed by a Geotechnical Report and/or a Hydrogeological Assessment report prepared (types of soil present at the site, measured infiltration rate and groundwater elevations). The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. LID features installed on private property in areas with demonstrated high groundwater tables shall require in-situ infiltration testing prior to the installation of the LID at the discretion of the City. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- SWED is amenable to the proposed allowable peak release rate of 33.6l/s to Avalon storm system and/or ROW in all storm events, and to an allowable major outflow of 56.4l/s as proposed. Any external catchments shall also be assessed and conveyed as part of detailed design.
- Headwall is to be proposed as OPSD 804.030.
- The subject lands are located in the Pottersburg Creek and Crumlin Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Pottersburg Creek and Crumlin Drain Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc
- The Consultant may note that implementation of infiltration or filtration measures for a volume that meets or exceeds the 25mm event would be accepted to meet Total Suspended Solids (TSS) reduction target.
- It is expected that permanent erosion control will be provided at the major overland flow route discharge from the SWM pond as part of the detailed drawing submission.
- An E&SC for the subject site should be prepared by the owner's consultant as part of a complete site plan application. The plan is to include measures to be used during all phases of construction, should identify all erosion and sediment control measures for the subject site, and be in accordance with City of London and MECP standards and requirements. These measures are to also be identified in the Storm/Drainage Servicing Report. For further information on the requirements of the E&SC Plan, please refer to DSRM Section 10.

Water:

- Water is available from the existing 200mm municipal watermain on Avalon Street.

- A water servicing report would be required addressing all domestic demands, fire flows, water quality and the various pressure scenarios outlined in section 7.3.1 of the City's Design Specifications and Requirements Manual (DSRM).
- All Water servicing to the site shall be to City Standards.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- Water Engineering has reviewed the zoning bylaw amendment for 460 Asher Crescent (Z-9701) and have no comments. Site servicing shall be in accordance with the approved site plan drawings.
- The h-100 holding provision can be removed from the site, as water looping has been completed for Phase 1 of Parker-Jackson.

Transportation (April 17, 2024)

- Transportation does not have further comments.
- Please note that:
 - Turnaround facility between townhouses is satisfactory, more comment to be provided through Site Plan process.

Landscape Architect (April 18, 2024)

my only concern will be with removal of boundary trees along property lines.

Major Issues

- No major issues.

Matters for OPA/ZBA

- If boundary trees are identified on a tree preservation plan, consent to injure or remove will be required. If consent cannot be obtained from co-owner, then a non-disturbance setback will need to be established at each tree's critical root zone limits as determined by dbh.

Matters for Site Plan

- If boundary trees are identified in the tree preservation plan, consent to injure or remove boundary trees is a requirement of Site Plan approval.
- Replacement trees to be recommendation to Site Plan Review based on total dbh removed.

Complete Application Requirements

- A tree preservation plan is required to:
 - establish the ownership of trees growing along property lines, including the identification of boundary trees that are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Use Total Station to locate trees in close proximity to property lines. GPS location not acceptable due to errors caused by canopy coverage.
 - Identify critical root zones of boundary trees and those up to 3m outside of property lines. Critical Root Zone" means the area of land within a radius of ten (10) cm from the trunk of a tree for every one (1) cm of trunk diameter
 - Determine total dbh proposed for removal to determine tree replacement. London Plan Policy 399 requires 1 tree for every cm dbh removed.

The tree preservation plan and tree protection measures must be completed in accordance with City of London Design Specifications and Requirements Manual, Chapter 12 Tree Planting and Protection Guidelines Section 12.2.2

<https://www.roadauthority.com/Standards>

London Hydro (April 3, 2024)

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

UTRCA (April 4, 2024)

- The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the Conservation Authorities Act, the Planning Act, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

Conservation Authorities Act

- The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act.

Recommendation

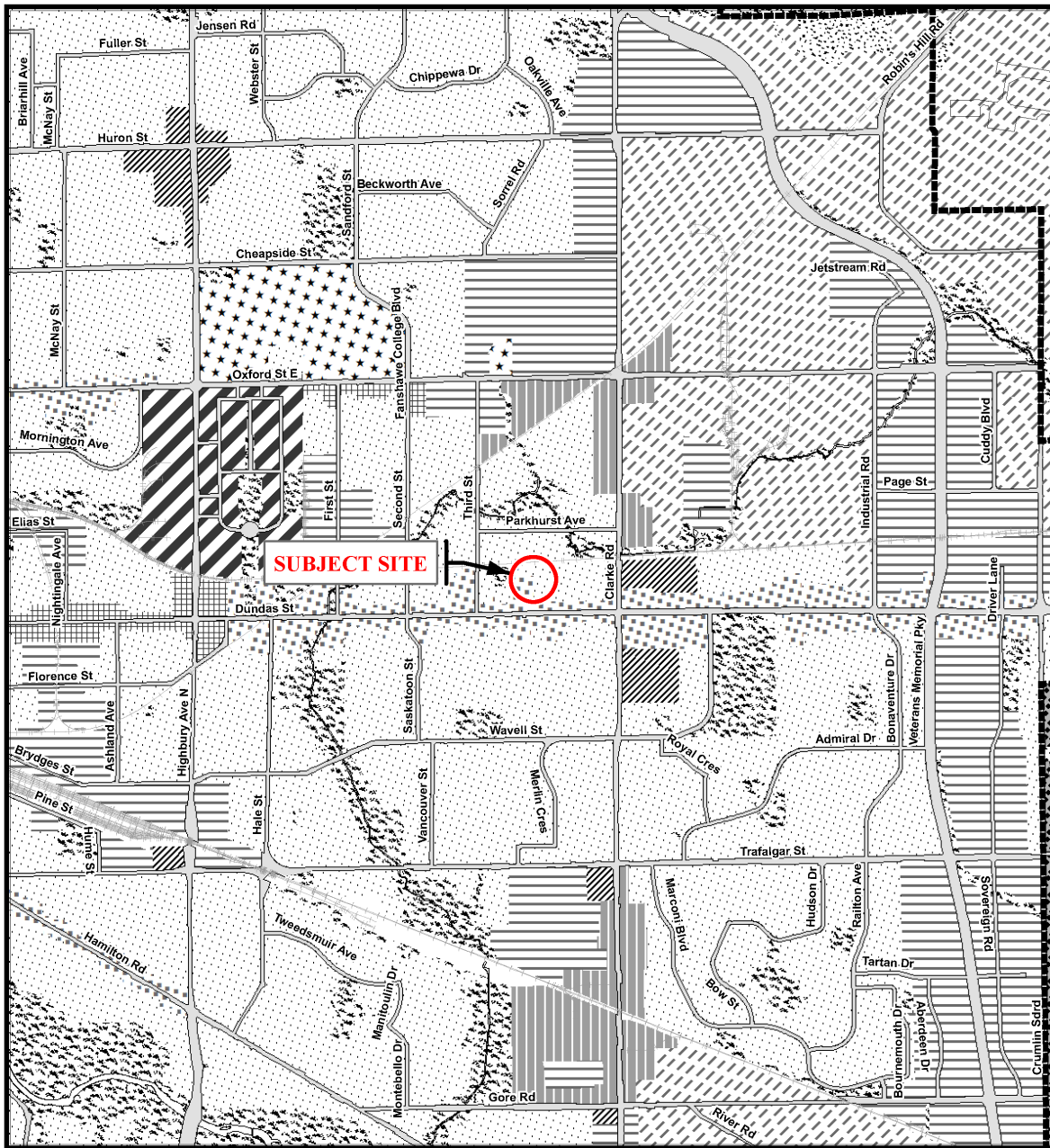
- The UTRCA has no objections to the application and we have no Section 28 approval requirements.
- Thank you for the opportunity to comment. Please contact the undersigned if there are any questions.

Imperial Oil (April 2, 2024)

- A delightful afternoon to you.
- Please be informed, there is no Imperial infrastructure in the vicinity of this location, and there is no need for further engagement.
- Many thanks and wishing you a blissful day!

Appendix F – Relevant Background

The London Plan – Map 1 – Place Types

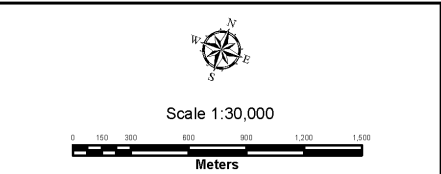


Legend

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

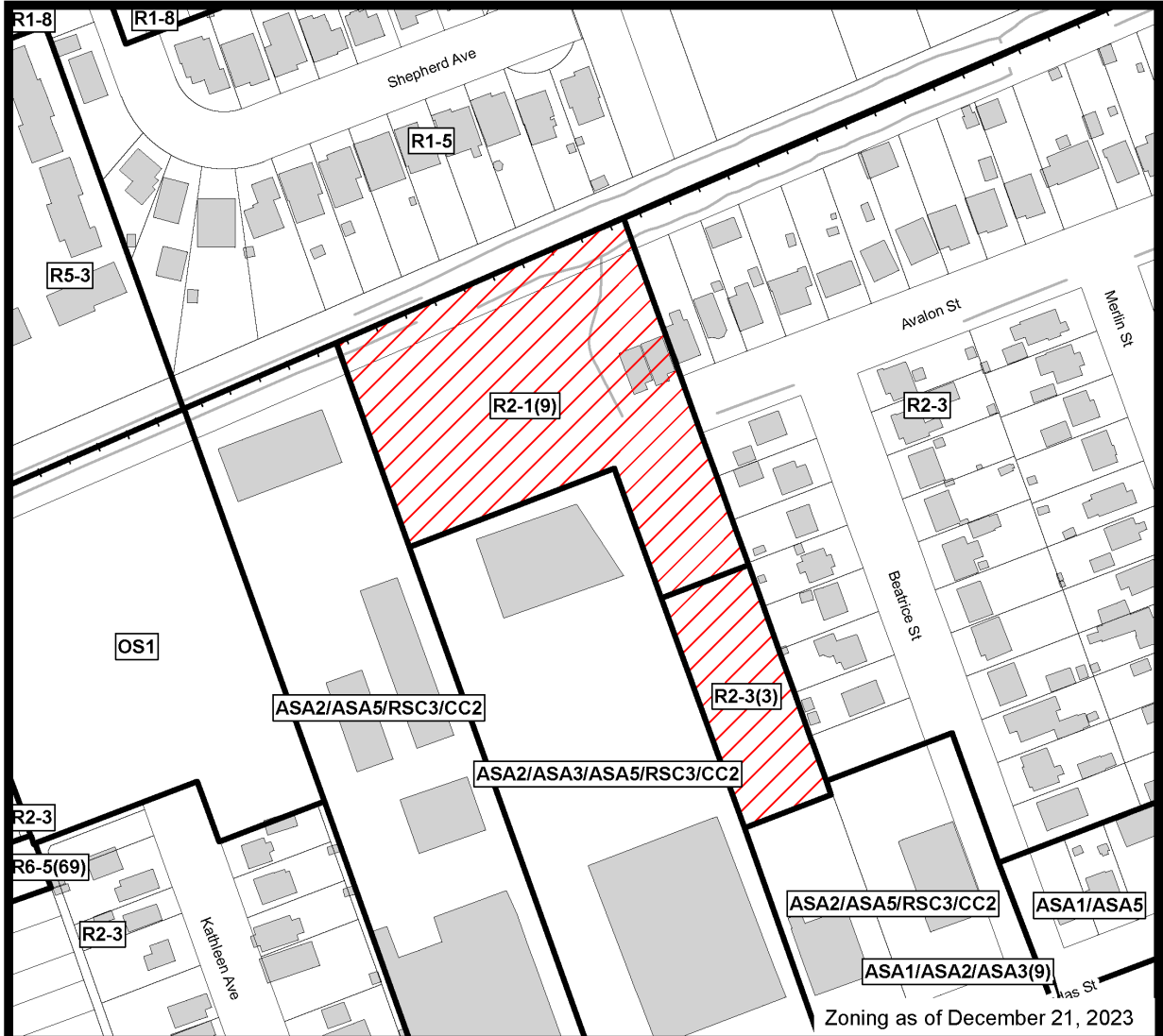
This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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



File Number: Z-8283
Planner: MC
Technician: RC
Date: 2024/04/29

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-1(9) & R2-3(3)

1) LEGEND FOR ZONING BY-LAW Z-1

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-8283

MC

MAP PREPARED:

2024/04/29

RC

1:2,000

0 10 20 40 60 80 Meters

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