

## 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:** Sam Katz Holdings Inc.  
323 Oxford Street West, 92 and 825 Proudfoot Lane  
File Number: Z-9416, Ward 6  
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 Sam Katz Holdings Inc. relating to the property located at 323 Oxford Street West, 92 and 825 Proudfoot Lane:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25<sup>th</sup>, 2024, to amend the Official Plan, The London Plan to:
- i) **REVISE** the Specific Policy 864B\_ in the Rapid Transit and Urban Corridor Place Types, located at 323 Oxford Street West to permit development with a maximum height of 18 storeys (60 metres);
  - ii) **REVISE** the Specific Policy 1066\_ in the Neighbourhoods Place Type, located at 323 Oxford Street West to permit development with a maximum height of 6 storeys (20 metres) and permit development with a maximum height of 13 storeys (40 metres) at 92 Proudfoot Lane and 825 Proudfoot Lane;
  - iii) **REVISE** the Specific Policy 1067\_ in the High-Density Residential Overlay (from 1989 Official Plan), located at 323 Oxford Street West to permit development with a maximum height of 14 storeys (46 metres) and permit a maximum height of 13 storeys (40 metres) at 92 Proudfoot Lanes;
  - iv) **REVISE** the Specific Policy 1067A\_ in the High-Density Residential Overlay (from 1989 Official Plan), to permit development with a maximum height of 16 storeys (51 metres) only on the portion of the site that is south of Westfield Drive and east of Beaverbrook Drive.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting June 25<sup>th</sup>, 2024, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, for the City of London to change the zoning of the subject property **FROM** a Holding Residential R5/R6/R7/R8 (h-1•R5-3/R6-5/R7•D75•H13/R8-4), Residential R5/R6/R7/R8, Neighbourhood Facility (R5-3/R6-5/R7•D75•H13/R8-4/NF1), Holding Residential R8 (h-1•R8-4), Holding Residential Special Provision R8 (h-1•R8-4(9)), Residential R9 (R9-7•H40), Residential R9 (R9-7•H46), Holding Residential Special Provision R9 (h-1•R9-3(8)•H22), Open Space (OS1), and Open Space (OS4) Zone **TO** a Holding Residential R5 Special Provision (h-80•h-100•R5-7(\*\*)•D75•H13), Holding Residential R9 Special Provision/Neighbourhood Shopping Area (h-80•h-100•R9-7(\*\*)•D305•H60/NSA3), Holding Residential R9 Special Provision (h-80•h-100•R9-7(\*\*)•D242•H46), Holding Residential R9 Special Provision (h-80•h-100•R9-7(\*\*)•D230•H20), Holding Residential R9 Special Provision/Neighbourhood Facility(h-18•R9-7(\*\*)•D240•H40/NF), Holding Residential R9 Special Provision (h-18•h-80•h-100•R9-7(\*\*)•D200), Open Space (OS1), and Open Space (OS5) Zone **BE APPROVED**;
- (c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting, and Approval Authority **BE REQUESTED** to consider the following transportation and servicing matters;

- i) Update the Transportation Impact Study and implement recommendations into future Site Plan Applications.
  - ii) Consider the review of a Traffic Impact Study that addresses the cumulative development impacts and potential cut through traffic.
  - iii) Ensure planned and future municipal infrastructure projects are coordinated with this development.
- (d) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
- i. Provide adequate landscaped open space and outdoor amenity areas to serve the needs of the residents of the proposed development.
  - ii. Provide enhanced tree planting.
  - iii. Consider the provision of short-term bicycle parking; and,
- (e) The Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Sam Katz Holdings Inc. (File No. 39T-21505), updated February 13, 2024, which shows a draft plan of subdivision consisting of three (3) medium density residential blocks; four (4) high density blocks; four (4) one-foot reserve blocks; serviced by four (4) local streets (Streets A, B, Beaverbrook Avenue, and Westfield Drive).

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

1. The recommended amendment is consistent with the Provincial Policy Statement (PPS), 2020, that encourages higher density residential development within transit supportive areas. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future.
2. The recommended zoning conforms to the policies of The London Plan, including, but not limited to, the Neighbourhoods Place Type, Green Space Place Type, Rapid Transit Corridor, City Building and Design, Our Tools, and all other applicable policies of The London Plan.
3. The proposed zoning will permit development that is considered appropriate and compatible with the existing and future land uses surrounding the subject lands.
4. The recommended zoning amendments will support the proposed Draft Plan of Subdivision and facilitate an appropriate form and mix of medium and high-density residential development that conforms to The London Plan.

## **Executive Summary**

### **Summary of Request**

The request is to amend the Official Plan and Zoning By-law Z.-1 to facilitate the development of a residential plan of subdivision consisting of townhouses, stacked townhouses, low-rise apartments, high rise apartments, commercial use, a school, parks, open space, and a realigned creek as a stormwater complete corridor.

The Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision will contribute to approximately **3,817 new residential units**.

### **Purpose and the 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 supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form; and,
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Strategic Plan Area of Focus: Climate Action and Sustainable Growth**, by ensuring infrastructure is built, maintained and secured to support future growth and protect the environment.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

PC Report – Application by Sam Katz Developments Limited 323 Oxford Street West 39T-99502/02-4738/02-5755 – June 12, 2000.

LPAT – The Plan was appealed to the Local Planning Appeal Tribunal (LPAT), Case No. PL170100 hearing date November 25, 2019, Decision issued on December 19, 2019.

#### 1.2 Planning History

Development plans on the subject lands date back to the early 1990s, when a Draft Plan of Subdivision was approved by the Ministry of Municipal Affairs on September 26, 1990. In 1993, a redline revision request to the draft plan with an accompanied Official Plan and Zoning By-law amendments were submitted to the City. The applications were circulated but were paused pending the completion of the Mud Creek Subwatershed Study and Environmental Assessment. On July 22, 1999, Planning Committee considered the proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision. Revised applications for the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision were brought forward on June 12, 2000, which addressed the issues from the previous meeting. The Official Plan and Zoning By-law amendments were approved by Council on June 19, 2000, and Notice of Draft Approval was issued on July 28, 2000.

In September 2017, the Mud Creek Environmental Assessment (EA) was finalized and identified a preferred design alternative that reduced the floodplain elevation of the east branch of the subwatershed for all properties while balancing the flooding concerns downstream at the Thames River. The EA will create an effective Mud Creek Subwatershed flood mitigation and channel rehabilitation strategy, which defined the realignment of Mud Creek as the preferred alternative. The realigned Mud Creek would eliminate the risk of flooding hazards on future development and contribute to stormwater management on the subject land and surrounding area.

Additionally, the applicant appealed *The London Plan* as part of the Official Plan review process (PL170100). A decision was rendered on December 19, 2019, confirming future place types and specific policies largely in relation to the height permissions and any requirements for the Mud Creek channel realignment and stormwater works to be completed prior to any development occurring on the site.

#### 1.3 Property Description and Location

The 31.82 hectares site is located north of Oxford Street West, east of Proudfoot Lane, and west of Cherryhill Boulevard. The property is described as Part of Lot 19, Concession 2, City of London, County of Middlesex.

Oxford Street West is classified as a Rapid Transit Boulevard on Map 3 (Street Classifications) of The London Plan and experience traffic volumes of approximately 36,000 vehicles per day. The subject site also has frontage onto Proudfoot Lane and Beaverbrook Avenue, which are classified as a Neighbourhood Connectors. The site is located on existing LTC transit routes, with a bus stops located at Oxford Street West and Proudfoot Lane. The site will have access to full municipal services and is within the Urban Growth Boundary.

#### **1.4 Current Planning Information:**

- The London Plan Place Type: Rapid Transit Corridors, Neighbourhoods, Open Space
- Existing Zoning: Holding Residential R5,R6,R7 and R8 (h-1•R5-3/R6-5/R7•D75•H13/R8-4), Residential R5,R6,R7,R8 and Neighbourhood Facility (R5-3/R6-5/R7•D75•H13/R8-4/NF1), Holding Residential R8 (h-1•R8-4), Holding Residential R8 Special Provision (h-1•R8-4(9)), Residential R9 (R9-7•H40), Residential R9 (R9-7•H46), Holding R9 Residential Special Provision (h-1•R9-3(8)•H22), Open Space (OS1), and Open Space (OS4) Zones.

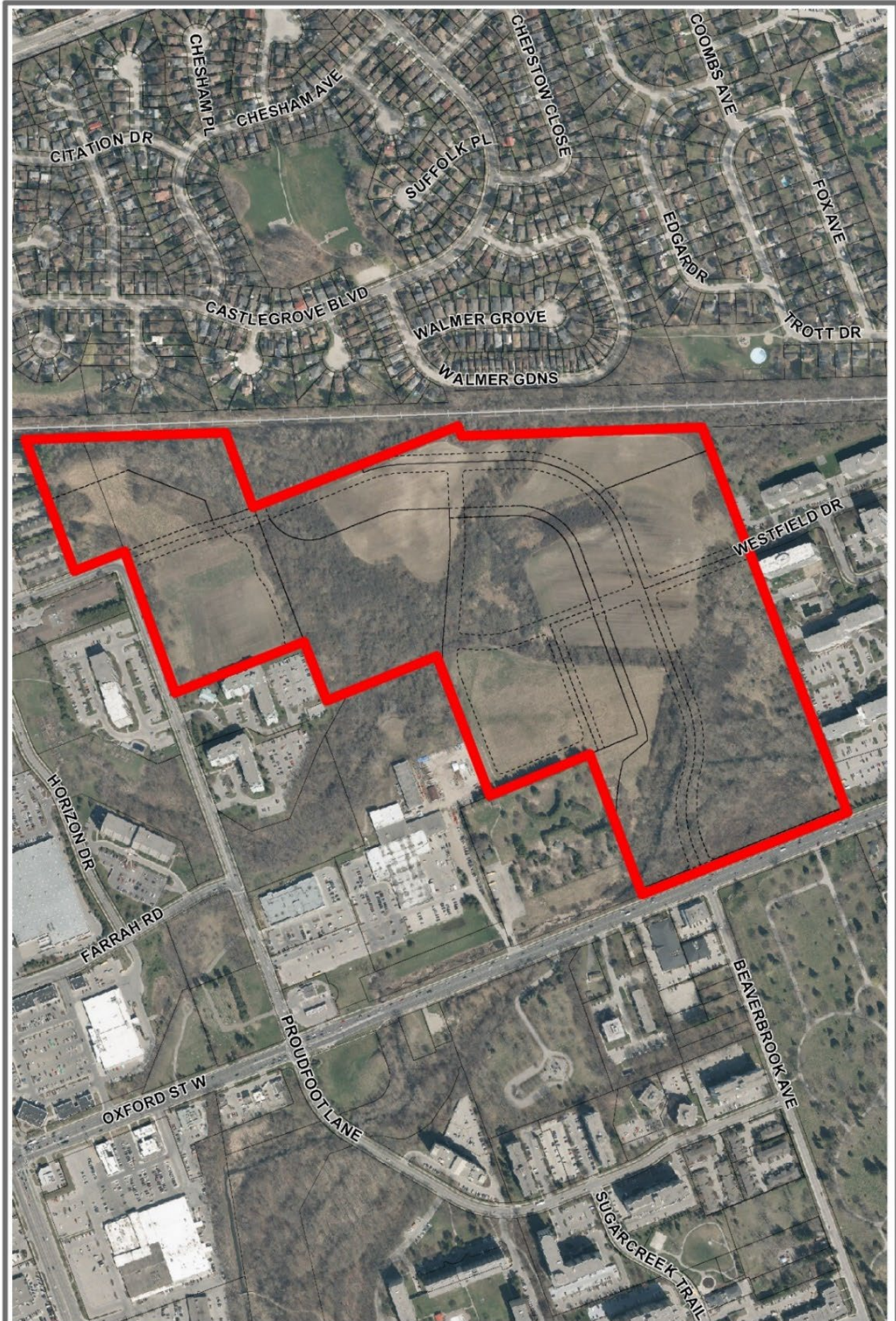
#### **1.5 Site Statistics:**

- Current Land Use: Vacant
- Frontage: 298 metres (978 feet) along Oxford Street and 202 metres (663 feet) along Proudfoot Lane
- Depth: ~554.1 metres (~1817.9 feet)
- Area: 31.82 hectares (78.63 acres)
- Shape: Irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

#### **1.6 Surrounding Land Uses:**

- North: Canadian Pacific Railway, Low-Rise Residential
- East: High-Rise Residential
- South: Cemetery and residential
- West: Commercial, Low-Rise, and High-Rise Residential

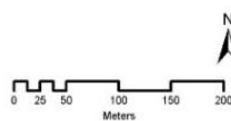
## 1.7 Location Map



### LOCATION MAP

Address: 323 Oxford Street West  
 File Number: Z-9416/39T-21505  
 Planner: Sean Meksula  
 Date: 2024/05/13

Corporation of the City of London  
 Prepared By: Planning and Development



Scale 1:6000

### Legend

-  Subject Site
-  Submitted Under Review Subdivisions
-  Assessment Parcels

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The Official Plan and Zoning By-law amendments will facilitate the development of a higher density residential subdivision consisting of three (3) medium density residential blocks; three (3) park blocks; six (6) open space blocks which will contain two (2) complete corridor blocks; four (4) high density blocks; four (4) one-foot reserve blocks; serviced by four (4) local streets (Streets A, B, Beaverbrook Avenue, and Westfield Drive).

The applications were first accepted on September 21, 2021, there have been several revisions and resubmission made (October 2021, August 2023, May 2024) to address issues and concerns raised through the departmental/agency and public circulations.

Additional information on the development proposal is provided in Appendix C.

### 2.2 Requested Amendment

As part of the development proposal, amendments to the Official Plan and Zoning By-law Z.-1 are required. An Official Plan Amendment is required as the applicant is proposing greater heights than what was envisioned in The London Plan. As a result, an amendment to the Specific Policy Area 15 is required as follows:

Blocks	Existing The London Plan Policy	Proposed Amendments
Block 1	864B_In the Rapid Transit and Urban Corridor Place Type located at 323 Oxford Street West, development with a height of <b>up to 16 storeys</b> may be permitted	To adjust the permission to <b>18 storeys</b>
Block 3 and Block 7	1066_In the Neighbourhoods Place Type located at 323 Oxford Street West, 92 Proudfoot Lane and 825 Proudfoot Lane building heights up to <b>13 metres</b> may be permitted  Note: 13 metres is equivalent to 4 storeys	To adjust the permissions to 6 storeys at 323 Oxford Street West and adjust the permissions to <b>13 storeys</b> at 92 Proudfoot Lane and 825 Proudfoot Lane
Block 2 and Block 6	1067_In the High-Density Residential Overlay (from 1989 Official Plan) located at 323 Oxford Street West and 92 Proudfoot Lane, apartment buildings up to <b>13 storeys</b> may be permitted	To adjust the permission to <b>14 storeys at 323 Oxford Street West</b> and maintain permissions for <b>13 storeys at 92 Proudfoot Lane</b>
Block 1 within high density overlay (north portion)	1067A_In the High-Density Residential Overlay (from 1989 Official Plan) located at 323 Oxford Street West, development with a height of up to <b>15 storeys</b> may be permitted only on the portion of the site that is south of Westfield Drive and east of Beaverbrook Drive	To adjust the permissions to <b>16 storeys</b> for development south of Westfield Drive and east of Beaverbrook

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from the Holding Residential R5,R6,R7 and R8 (h-1•R5-3/R6-5/R7•D75•H13/R8-4) Zone, Residential R5,R6,R7,R8 and Neighbourhood Facility (R5-3/R6-5/R7•D75•H13/R8-4/NF1), Holding Residential R8 (h-1•R8-4) Zone, Holding Residential R8 Special Provision (h-1•R8-4(9)) Zone, Residential R9 (R9-7•H40) Zone, Residential R9 (R9-7•H46) Zone, Holding Residential R9 Special Provision (h-1•R9-3(8)•H22) Zone, Open Space (OS1) Zone, and Open Space (OS4) Zone to:

- **Block 1:** Holding Residential R9 Special Provision/Neighbourhood Shopping Area (h-80•h-100•R9-7(\*\*)•D305•H60/NSA3) Zone to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, person's with

accessibility constraints apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses including cluster stacked townhouse dwelling, cluster townhouses, and uses permitted within the NSA3 Zone variation at a density of 305 units per hectare and a height of 60 metres (18 storeys).

- **Block 2:** Holding Residential R9 Special Provision (h-80•h-100•R9-7(\*\*)•D242•H46) Zone to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, person's with accessibility constraints apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses including cluster stacked townhouse dwelling, cluster townhouses at a density of 242 units per hectare and a height of 46 metres (14 storeys).
- **Block 3:** Holding Residential R9 Special Provision (h-80•h-100•R9-7(\*\*)•D230•H20) Zone to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, person's with accessibility constraints apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses including cluster stacked townhouse dwelling, cluster townhouses at a density of 230 units per hectare and a height of 20 metres (6 storeys).
- **Block 4,5:** Holding Residential R5 Special Provision (h-80•h-100•R5-7(\*\*)•D75•H13) Zone to permit cluster townhouses and stacked townhouse dwelling with a density of 75 units per hectare and a height of 13.0 metres (4 storeys).
- **Block 6:** Holding Residential R9 Special Provision/Neighbourhood Facility (h-18•R9-7(\*\*)•D240•H40/NF) Zone to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, person's with accessibility constraints apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses including cluster stacked townhouse dwelling, cluster townhouses at a density of 240 units per hectare and a height of 40 metres (13 storeys). The NF Zone variation permits places of worship, elementary schools, and day care centres.
- **Block 7:** Holding Residential R9 Special Provision (h-18•h-80•h-100•R9-7(\*\*)•D200) Zone to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, person's with accessibility constraints apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses including cluster stacked townhouse dwelling, cluster townhouses at a density of 200 units per hectare.
- **Block 9, 10, 11 and 12:** Open Space (OS1) Zone to permit such uses as conservation lands, conservation works, golf courses, public and private parks (Blocks 9, 10, 11 and 12).
- **Block 8, 13, 14 and 15:** Open Space (OS5) Zone to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

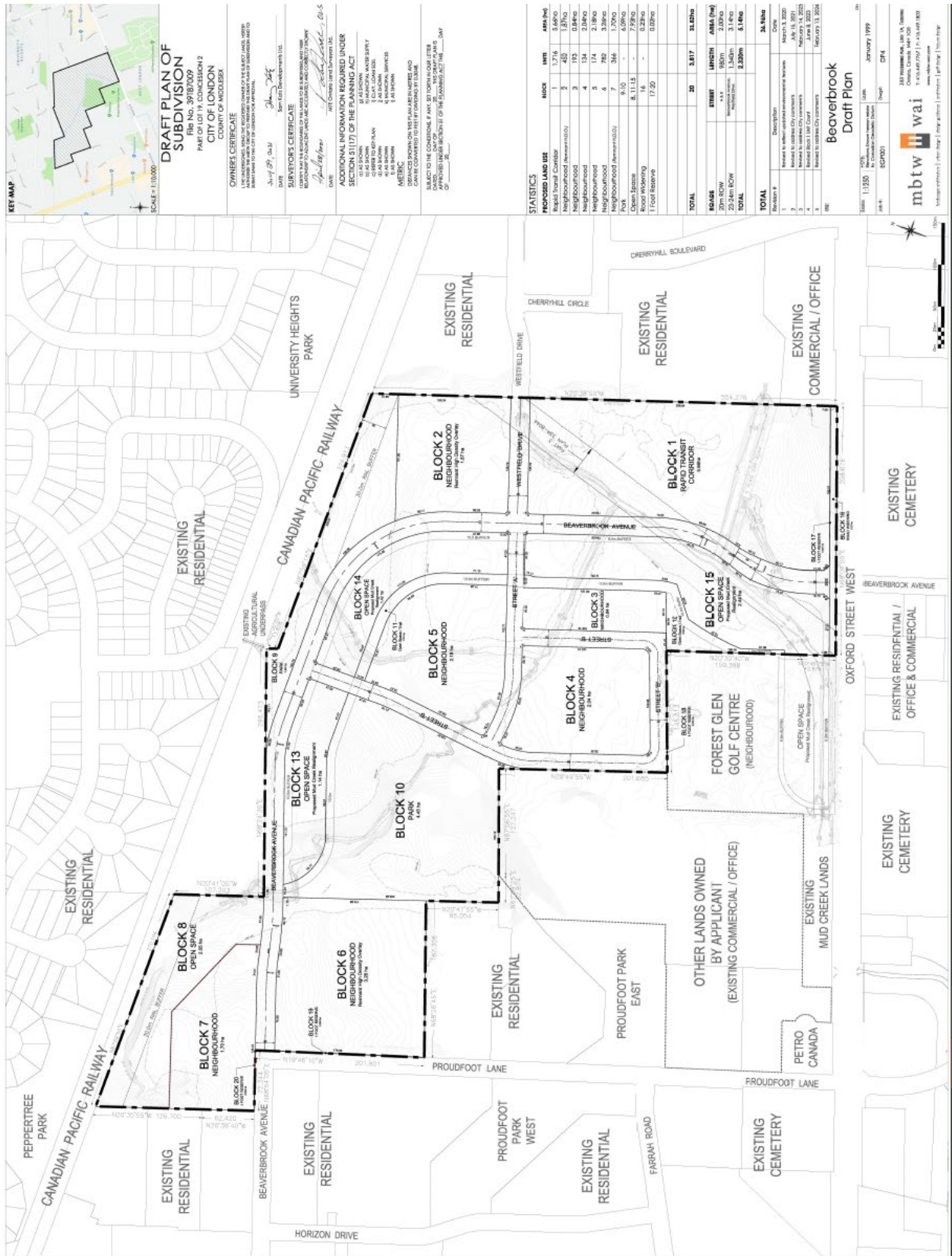
The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by Staff. In addition to this, a table is included in Appendix C that compares the zoning regulations between the required and what is proposed.

Blocks	Zone	Proposed
Block 1	h-80•h-100•R9-7(**)•D305•H60/NSA3	<p><b>Additional Uses</b> - cluster stacked townhouses, cluster townhouses.</p> <p><b>Building Setbacks</b> - south property Line (Oxford Street West) 6.0 metres maximum / 0.0 metres minimum, west property line (Beaverbrook Avenue) 6.0 metres maximum / 3.0 metres minimum, north property line (Westfield Drive) 6.0 metres maximum / 3.0 metres minimum, east property line 6.0 metres.</p> <p><b>Maximum Density</b> - 305 units/ha.</p> <p><b>Maximum Height</b> - 60 metres (18 storeys) for towers with frontage on Oxford Street and internal to the site from established grade along Oxford Street. For towers with frontage on Westfield Drive 46.0 metres (14 storeys).</p> <p><b>Minimum Built Form percentage</b> along streetscape 50%.</p> <p><b>Minimum Building Stepback</b> after 4<sup>th</sup> storey 3.0 metres.</p> <p><b>Maximum Point Tower Floorplate</b> 1,000m<sup>2</sup> for towers with frontage on Oxford Street West.</p> <p><b>Minimum Tower Separation</b> 25.0 metres.</p> <p><b>Maximum Coverage</b> 45%.</p> <p><b>Minimum landscape open space</b> 30%.</p>
Block 2	h-80•h-100•R9-7(**)•D242•H46	<p><b>Additional Uses</b> - cluster stacked townhouses, cluster townhouses.</p> <p><b>Building Setbacks</b> - maximum front yard 6.0 metres and minimum 0.0 metres, exterior side yard 6.0 metres and minimum 3.0 metres, north property line 3.0 metres, east property line 6.0 metres, 12.0 metres above 8<sup>th</sup> storey minimum.</p> <p><b>Maximum Density</b> - 242 units/ha.</p> <p><b>Maximum Height</b> - 46 metres (14 storeys).</p> <p><b>Minimum Built Form percentage</b> along streetscape 50%.</p> <p><b>Minimum Building Stepback</b> after 4<sup>th</sup> storey 3.0 metres.</p> <p><b>Minimum Tower Separation</b> 25.0 metres.</p> <p><b>Maximum Coverage</b> 45%.</p> <p><b>Minimum landscape open space</b> 30%.</p>
Block 3	h-80•h-100•R9-7(**)•D230•H20	<p><b>Additional Uses</b> - cluster stacked townhouses, cluster townhouses.</p> <p><b>Building Setbacks – (apartments)</b> maximum front yard 6.0 metres minimum 3.0 metres, maximum exterior side yard 6.0 metres minimum 3.0 metres, interior side yard 5.0 metres and rear yard 5.0 metres; <b>(townhouse dwellings)</b> maximum front yard minimum 3.0 metres, exterior side yard 3.0 metres, interior side yard 1.5 metres and rear yard 3.0 metres.</p> <p><b>Maximum Density</b> - 230 units/ha.</p> <p><b>Maximum Height</b> - 20 metres (6 storeys).</p> <p><b>Minimum Built Form percentage</b> along streetscape 50%.</p> <p><b>Maximum Coverage</b> 45%.</p> <p><b>Minimum landscape open space</b> 30%.</p>
Blocks 4 & 5	h-80•h-100•R5-7(**)•D75•H13	<p><b>Additional Uses</b> - cluster stacked townhouses, cluster townhouses.</p>



		<p><b>Building Setbacks</b> – minimum front and rear yard 3.0 metres, exterior and interior side yard 1.5 metres.</p> <p><b>Maximum Density</b> - 75 units/ha.</p> <p><b>Maximum Height</b> - 13 metres (4 storeys)</p> <p><b>Maximum Coverage</b> 45%.</p> <p><b>Minimum landscape open space</b> 30%.</p>
Block 6	h-18•R9-7(**)•D240•H40/NF	<p><b>Additional Uses</b> - cluster stacked townhouses, cluster townhouses.</p> <p><b>Building Setbacks – (apartment buildings)</b> maximum front yard 6.0 metres minimum 3.0 metres, maximum exterior side yard 6.0 metres minimum 3.0 metres, maximum east interior side yard 3.0 metres and maximum south property line 6.0 metres; <b>(townhouse dwellings)</b> maximum front yard 3.0 metres, maximum exterior side yard 3.0 metres, maximum interior side 1.5 metres and maximum rear yard 3.0 metres.</p> <p><b>Maximum Density</b> - 240 units/ha.</p> <p><b>Maximum Height</b> - 40 metres (13 storeys) for towers with frontage on Oxford Street and internal to the site from established grade along Oxford Street. For towers with frontage on Westfield Drive 40.0 metres (13 storeys).</p> <p><b>Minimum Building Stepback</b> after 4<sup>th</sup> storey 3.0 metres.</p> <p><b>Minimum Tower Separation</b> 25.0 metres.</p> <p><b>Maximum Coverage</b> 45%.</p> <p><b>Minimum landscape open space</b> 30%.</p>
Block 7	h-18•h-80•h-100•R9-7(**)•D200	<p><b>Additional Uses</b> - cluster stacked townhouses, cluster townhouses.</p> <p><b>Building Setbacks – (apartment buildings)</b> maximum front yard 6.0 metres minimum 3.0 metres, minimum north property line 30.0 metres; <b>(townhouse dwellings)</b> maximum front yard 3.0 metres, maximum west property line 5.0 metres, north property line 3.0 metres.</p> <p><b>Maximum Density</b> - 200 units/ha.</p> <p><b>Maximum Height</b> - 13.0 metres (4 storeys) within 72 metres of the west property boundary; otherwise 40 metres maximum, (13 storeys).</p> <p><b>Minimum Built Form percentage</b> along streetscape 50%.</p> <p><b>Minimum Building Stepback</b> after 4<sup>th</sup> storey 3.0 metres.</p> <p><b>Minimum Tower Separation</b> 25.0 metres.</p> <p><b>Maximum Coverage</b> 45%.</p> <p><b>Minimum landscape open space</b> 30%.</p>

## 2.3 Proposed Plan of Subdivision



## 2.4 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Loss of wetlands;
- Building heights along Oxford Street;
- Integration of commercial block and apartments;
- Realignment of Mud Creek as a complete corridor;
- Compensation lands;

- Road network;
- Community garden; and,
- Street orientation within medium density blocks.

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

## 2.5 Public Engagement

Through the public circulation process 32 email responses, one (1) petition with 23 signatures, and two (2) letters were received from residents. As part of the application process, two public engagement meetings were held; the first meeting on September 1, 2023, and the second meeting on October 25, 2023. Both meetings were coordinated with the Mud Creek Rehabilitation City project. The main concerns expressed are summarized below in italics with Staff's responses to these concerns:

- *Concerns regarding increased traffic on Oxford Street West, excessive vehicle speeds, cut through traffic, road traffic noise, and safety for pedestrians.*

Several members of the public raised traffic concerns regarding the increase in traffic volumes on Oxford Street West as an issue, as well as the noise associated with this increase in traffic.

Oxford Street West and Wonderland Road North are high order transportation road corridors intended to facilitate the movement of large volumes of transportation modes. Vehicle traffic volumes are roughly 36,000 and 47,000 vehicles per day on Oxford Street West and Wonderland Road North, respectively.

A Transportation Impact Study (TIS) was submitted as part of application in 2021, with an updated addendum submitted in 2023 for the revised development concept. In the updated TIS, the effects of 3,817 dwelling units were taken into consideration for the study area. Under future 2035 traffic conditions, most intersection movements are forecasted to operate within capacity, with acceptable Levels of Service and reasonable delays. Capacity and Level of Service concerns were noted for specific movements.

The currently forecasted traffic conditions are based on existing traffic volumes and the anticipated increase due to forecasted population and employment growth. As a Transit Village, the area near Wonderland Road and Oxford Street West is expected to see significant growth and intensification over the coming years. The forecasted traffic conditions are also based on existing infrastructure and mobility services in the area. Through the Mobility Master Plan, there will be recommended infrastructure projects, programs and other actions to improve existing and forecasted mobility levels of service in this area and across the city. The development of the Mobility Master Plan is being informed by various existing City Strategies and Policies including The London Plan which calls for high quality transit which connects with the Transit Villages in support of intensification, urban regeneration and economic development.

To help inform the development of the Mobility Master Plan, as well as identify any short-term mobility improvements appropriate in support of the development, a staff recommendation is included that the Approval Authority be requested to consider an updated TIS which considers the accumulated impacts of all the various developments planned within this area be included as a draft plan condition. Based on public feedback, the review of the TIS is to address the cumulative development impacts of the surrounding area and potential cut through traffic.

The proposed development is being designed as an active transportation supportive neighbourhood with bike lanes along Beaverbrook Ave and sidewalks on both sides of all streets. Transportation Demand Management (TDM) measures which reduce reliance on personal vehicles by making it easier to choose to walk, cycle and take transit will be encouraged in the subdivision through the site planning process.

In addition, a review of traffic management and calming measures will be included as a draft plan condition. This review will be done as part of the TIS to determine if there are any near-term improvements warranted to accommodate increased traffic from the development. From this study, the results may include mitigation measures both within the development and external to the plan. If the TIS recommends mitigation measures external to the plan, these measures can be incorporated into a City project. These measures will be reviewed as part of the detailed design process to determine appropriate measures and their locations.

- *Impact of having that many people living in the proposed development.*

The proposed zones and uses mentioned above are all in keeping with the regulations of the Neighbourhoods Place Type, Rapid Transit Corridor Place Type and the High Density Overlay of the (1989) Official Plan and are considered appropriate for the proposed development. Overall, the proposed zones are compatible with surrounding lands uses and the proposed Blocks are of a sufficient size and shape to accommodate the proposed uses, requested intensity, and forms of land uses. Site plan will be required to address any future compatibility issues for the apartments and townhouse units.

The proposed development generally conforms to the policies of The London Plan for overall use, intensity and form. The recommended regulations to enhance the built form will align the proposed development with the City Building policies, and the Specific Policy Area will allow for greater intensity of the development through an increased height.

- *Increased ambient noise, noise pollution and air pollution.*

The London Plan is designed to promote street and pedestrian orientation and connectivity. The lands are envisioned to be enhanced by an urban built form, connected sidewalks on both sides of the street, transit and bicycle facilities. This street type accommodates high volume of pedestrian, bicycle, and vehicular traffic and prioritizes a high standard of urban design and quality of public realm. The identified connectivity will contribute to walkability of the neighbourhood to support lands to the north, west and east in the Rapid Transit Corridor, Transit Village and Green Space Place Types. The mix use in the surrounding area, live-work arrangements and services provide options that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity and help to reduce carbon emissions.

- *Loss of agricultural land, natural woodlands, and wildlife habitat.*

The subject lands are currently cultivated for agricultural uses, and also include a significant wooded area and an extensively altered creek system. These lands have been zoned and planned for residential development since 1999. The removal of these cultivated lands do not have a direct impact on protected farmland located outside the Urban Growth Boundary.

In accordance with the approved Mud Creek Environmental Assessment, the Mud Creek Channel will be realigned to mitigate the flooding impacts on developed and undeveloped public and private lands, and to reduce the frequency of flooding of the proposed Oxford Street Rapid Transit Corridor. Rehabilitation of the channel will improve the aquatic habitat in the short term and the terrestrial habitat in the long-term. Ecological enhancements proposed within the natural corridor include wetland and terrestrial habitat re-creation for Species at Risk, and other wildlife; and shading within the stream corridor to enhance the aquatic habitat and water quality. Habitat restoration will occur through the selective replanting of vegetation and the creation of pools, riffles and wetlands.

In addition, a multi-use pathway and 5 metre buffers along the west side of the corridor is proposed with the realignment of the sanitary trunk sewers to the road network to mitigate impacts from future sewer maintenance/replacement on wildlife and natural habitat.

Detailed public notice is included in Appendix E of this report.

## 2.6 Policy Context

### 2.6.1 *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 land use decisions affecting planning matters shall be consistent with the *PPS*.

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

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

### 2.6.2 *The London Plan, 2016*

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity, form, height, density, massing, scale, placement of buildings and environmental and natural heritage matters, as well as with consideration of the following (TLP 1577-1579\_, 1589-1590\_):

1. Consistency with the *Provincial Policy Statement 2020* 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.
8. Identify and assess the significance and boundaries of natural features and areas and their ecological functions consistent with the Provincial Policy Statement and in conformity with the policies of this Plan.
9. Natural Heritage, Natural and Human-made Hazards, Natural Resources, Civic Infrastructure, Parks and Recreation.

#### *Our Strategy*

Direction #5 is to *Build a Mixed-use Compact City by managing outward growth by supporting infill and intensification within the Urban Growth Boundary in meaningful ways* (TLP 59\_8). The proposed development is located within the Urban Growth Boundary and within an established community of the City. This residential development will develop a compact form of housing and provide opportunities for access to parks, green space and transit within the area.

Direction #7 is to *Build Strong, Healthy and Attractive Neighbourhoods for Everyone* through designing complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, and allowing for affordability and ageing in place (TLP 61\_2). The proposed subdivision will include the development of townhouses, low-rise apartments, and high-rise apartment buildings. The recommended official plan and zoning for the subdivision also provides a range of alternative residential land uses depending on market demands.

#### *Place Types*

The proposed subdivision is within the Neighbourhoods Place Type, with the block

fronting Green Space Place Types along a Rapid Transit Boulevard (Oxford Street West), and Neighborhoods Place Type along a Neighbourhood Connector (Proudfoot Lane and Beaverbrook Avenue). The westerly and easterly edge of the site abuts the high-density residential overlay from the 1998 Official Plan. The Rapid Transit Corridor place type permits a range of residential, retail, service, office, cultural, recreational, and institutional uses (TLP 837\_). The Neighbourhoods place type permits a range of residential uses in accordance with street classification, ranging from single detached up to apartment dwellings (TLP 921\_).

The Official Plan Amendment is to amend specific policies (864\_B,1066\_,1067\_ and 1067A\_) to revise the height permissions based on the proposed draft plan of subdivision. The London Plan sets out policies for Specific Areas that may be considered in limited circumstances where the following conditions apply (\_TLP 1729\_-1734\_). The proposal meets all other policies of the Plan beyond those that the specific policy identifies. The apartment buildings proposed in this plan of subdivision are consistent with the intended uses identified in the Neighbourhoods Place Type of The London Plan and by the Rapid Transit Boulevard Street classification.

The recommended amendments for a mixed-use, high-rise residential development and complementary commercial uses are in keeping with The London Plan Neighbourhoods Place Type. Intensification will respect existing neighbourhood character and offer a level of certainty, while providing for strategic ways to accommodate development to improve our environment, support local businesses, enhance our physical and social health, and create dynamic, lively, and engaging places to live (TLP 918\_13). In conformity with Tables 10 to 12 if a property is located at the intersection of two streets, the range of permitted uses may broaden further and the intensity of development that is permitted may increase (TLP 919\_4). The height increases for these lands are minor and are consistent in height with neighbouring high-density uses on the abutting lands.

The proposed Official Plan and Zoning By-Law Amendments are in keeping with these policies of The London Plan.

An excerpt from The London Plan Map 1 – Place Types is found in Appendix G.

### **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 Land Use**

The proposed residential development is in accordance with the policies outlined in the Provincial Policy Statement and aligns with the Neighbourhoods, Rapid Transit Corridors and Green Space Place Types as defined in The London Plan (TLP 921\_). Its primary objective is to provide a diverse range of housing options while enhancing pedestrian safety and connectivity to nearby areas, including commercial developments and the Rapid Transit Corridors as defined by The London Plan Place Types (TLP). These Place Types allow for the development of medium and high-density residential structures such as townhouses, low-rise, and high-rise apartments, which can be accommodated within the designated lands. Furthermore, these structures prioritize street and pedestrian orientation, promoting seamless connectivity and improving walkability to support adjacent lands within the Rapid Transit Corridors, Neighbourhood, and Green Space. The Mud Creek Area is identified on Map 7 – Special Policy Areas of The London Plan.

The proposed residential development integrates both the Rapid Transit Corridors Place Type and the Neighbourhoods Place Type by providing a variety of housing types that are consistent with the character and intent of the two place types. The proposed Official Plan and Zoning Amendments would permit higher density residential uses adjacent to

existing apartment buildings along the periphery of the site and focus the highest density uses within and adjacent to the Rapid Transit Corridors Place Type. The medium density zones which permit low-rise apartment buildings and townhouses are proposed to be internal to the subdivision on Neighbourhood Streets. The high and medium density zones are separated by a re-aligned Mud Creek as a Complete Corridor. The Complete Corridor will provide opportunity for naturalization, ecological compensation, and integrated of a multi-use pathway network.

## **4.2 Intensity**

The proposed level of intensity aligns with the policies of the PPS, encouraging residential intensification (PPS 1.1.3.3 and 1.4.3), efficient land use (PPS 1.1.3.2), and a diverse housing mix (PPS 1.4.3). The heightened development intensity on the site will leverage existing and planned mobility choices, nearby recreational facilities, local and regional institutions, as well as shopping, entertainment, and service amenities. To permit two high-rise buildings of 18-storeys, the applicant has requested an Official Plan Amendment to amend Specific Policies to the Rapid Transit Corridors Place Type within the subject lands.

The London Plan envisions residential intensification in suitable locations, emphasizing harmony with existing neighborhoods (8 TLP 3\_, 937\_, 939\_ 2. and 5., and 953\_ 1.). The Plan permits intensification in all areas allowing residential use (TLP 84\_), following the guidelines outlined in the City Structure Plan and the Residential Intensification policies within the Neighbourhoods Place Type.

A portion of the subject lands are identified as Rapid Transit Corridors Place Type in The London Plan. Rapid Transit Corridors serve as vital links between our Downtown and Transit Villages, presenting excellent opportunities for individuals to reside and work near high-quality transit options, enhancing their mobility choices.

Rapid Transit Corridors situated near transit stations may allow for more intense and taller development to support transit usage and offer convenient transportation for a larger population. High-rise buildings up to 16 stories may be allowed in accordance with the policies outlined in Our Tools section of this Plan. The Rapid Transit Corridors permits heightened heights and density on Block 1. The proposed towers within the blocks range from 14 storeys to 18 storeys, including 2 to 3-story podiums. Adequate height transitions have been considered to ensure a sensitive interface with future planned development and the existing Cherryhill Neighbourhood.

The subject lands are also included in the High-Density Residential Overlay from the 1989 Official Plans and within the Primary Transit Area, residential development may be authorized up to 14 storeys in height within this overlay. The High-Density Residential Overlay allows for heightened densities on Blocks 1, 2, 6 and 7.

In the Neighbourhoods Place Type, building heights are restricted to a maximum of 4 storeys. However, heights exceeding this, up to a maximum of 6 storeys, may be permitted in accordance with the Our Tools policies outlined in this Plan concerning Zoning to the Upper Maximum Height (TLP 1638\_ to 1641\_).

The Residential R9-7 Zone Variation allows for a maximum height of 46 metres and a maximum density of 305 units per hectare, which has been specially requested to increase the height and density in Block 1. Lower height and densities have been requested for Blocks 2, 3, 6 and 7. Additionally, the proposed zone for Residential R5-7 Zone Variation permits a height of 13 metres and a density of 75 units per hectare for Blocks 4 and 5.

Approximately 40% of the site's area is designated as the Green Space Place Type, either as open space or park land. Block 10 provides the formal active parkland while the other park blocks allow for pathway corridors and/or unprogrammed recreational activities. Blocks 8, 10 will protect existing ecological features while Blocks 13, 14 and 15 will be

developed as a Complete Corridor. These areas provide recreational and leisure opportunities with enhanced mobility options (TLP 916\_).

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

### 4.3 Form and Zoning Provisions

The proposed built form on the subject site is supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and is contemplated in the Rapid Transit Corridors, Neighbourhoods and Green Space Place Types in The London Plan (TLP 841\_). The proposed Oxford Street West Rapid Transit Corridor will be vibrant, mixed-use, mid-rise communities that borders the length of the rapid transit services. Not all the segments of the corridor will be the same in character, use and intensity. Some segments will be primarily residential in nature, allowing only for small-scale commercial uses. In other segments, where large amounts of commercial floor space already exist, opportunities will be made for new stand-alone commercial uses while opening new opportunities for mixed-use development (TLP 826\_). High rise buildings should be designed to express three defined components including a base, middle and top (TLP 289\_). The base should establish a human-scale façade with active frontages, the middle should be visually cohesive but distinct from the base and top, and the top should provide a finishing treatment (TLP 289\_). The top should provide a finishing treatment, such as roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design (TLP 289\_). By using podiums combined with the site being in a valley, it will reduce the apparent height and mass of the buildings on the pedestrian environment.

The recommended Official Plan and Zoning Amendments would facilitate the development of mid-rise and high-rise dwellings, which aligns with the form identified as appropriate in The London Plan, High Density Overlay, and is designed with street and pedestrian orientation in mind to promote connectivity. This connectivity will contribute to walkability to support lands to the east and west in the Rapid Transit Corridors and Transit Village Place Types.

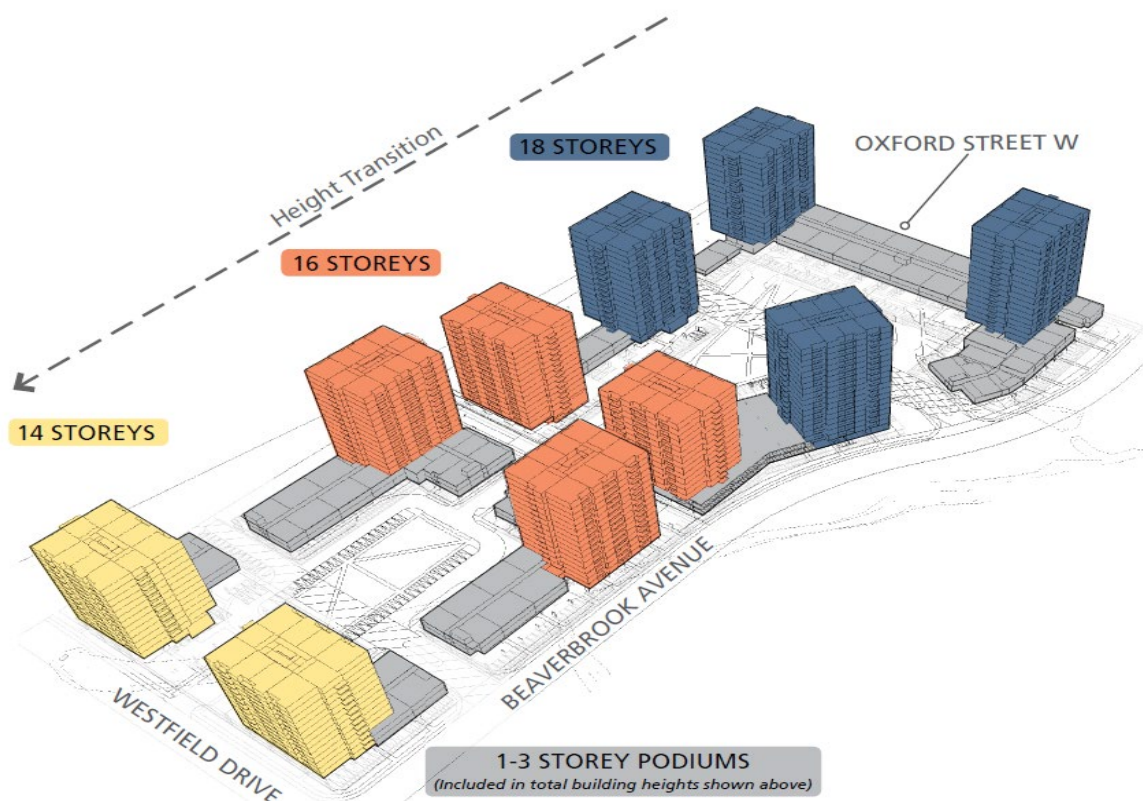


Figure 1 – Block 1 Height Transition and Massing Fronting Oxford Street West





Figure 2 – Blocks 3 and 4 Massing

The Residential R5-7 Zone requires a minimum lot area of 1000 square metres for cluster townhouse and cluster stacked townhouse dwellings. Blocks 4 and 5 of the Draft Plan of Subdivision satisfy these zoning requirements and the subject lands can accommodate the proposed development. The Residential R9-7 Zone requires a minimum lot area of 1000 square metres and regulates a wide range of medium and higher density residential developments in the form of apartment buildings. Blocks 1, 2, 3, 6 and 7 of the Draft Plan of Subdivision satisfy these zoning requirements and the subject lands can accommodate the proposed development.

The Neighbourhood Shopping Area (NSA) Zone is typically applied to neighbourhood-scale commercial lands. The NSA zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. NSA zone variations are differentiated based on uses and maximum permitted gross leasable floor area for certain defined uses. Shopping centres are the permitted form of development; however, stand-alone buildings may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen parking lots. The NSA3 Zone is proposed for Block 1 which permits any uses in the NSA1 Zone and apartment buildings with any or all of the other permitted uses on the first and/or second floor. The neighbourhood-scale retail, personal service and office uses will provide close shopping for residents in the buildings and in the neighbourhood.

The Neighbourhood Facility (NF) Zone provides for and regulates public and private facility uses which primarily serve a neighbourhood function. The Neighbourhood Facility (NF) Zone requires a minimum lot area of 700 square metres for places of worship, elementary schools, and day care centres. Block 7 of the Draft Plan of Subdivision satisfy these zoning requirements and the subject lands can accommodate the proposed developments.

The Open Space (OS) Zone is a two-tier zone. The OS1, OS2 and OS3 Zone variations are intended to be applied to areas located outside of conservation lands (hazard lands, floodplain, and steep slopes) and areas which are not environmentally significant. The OS1 Zone variation is typically applied to City and private parks with no or few structures.

The OS2 Zone variation is applied to City and private parks with structures and includes a broader range of larger uses which can generate more traffic and activity. The OS1 Zone is proposed for Blocks 9, 10, 11 and 12 which permits conservation lands within the proposed development.

The OS4 and OS5 Zone variations are the most restrictive open space zone variations and are applied to lands which have physical and/or environmental constraints to development.

The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide, regional, or provincial significance and identified as components of the Natural Heritage System. The OS5 Zone is proposed for Blocks 8, 13, 14 and 15 which have been identified and function as a Natural Heritage System within the proposed development.

The Applicant has requested zone changes to facilitate residential development, which is consistent with Neighbourhoods and Rapid Transit Corridors Place Types in The London Plan and surrounding development. Staff are recommending the following Holding Provision be included as part of the Zoning Amendment:

- h-18: the required archaeological studies have been completed and accepted, and any recommendations implemented;
- h-80: ensure the orderly development of lands and the adequate provision of municipal services, the “h-80” shall not be removed until full municipal services are available to the site. Interim Permitted Uses: Existing Uses;
- h-100: there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available.

The h-18 holding provision is applied to Blocks 6 and 7 as they were not assessed as part of the original report and retains archaeological potential.

The h-80 and h-100 will be applied to Blocks 1, 2, 3, 4, 5, 6 and 7 to make sure all blocks of lands have adequate provisions of municipal services, a looped water system and second public access available for each block prior to construction.

Several Special Provision Zones have been requested; they are as follows:

#### Reduced Setbacks – Blocks 1, 2, 3, 4, 5, 6 and 7

Front yard setbacks and exterior side yard setbacks are intended to provide sufficient space between buildings and lot lines to ensure there are adequate sight lines, landscaping, and to ensure there is sufficient separation between new and existing development.

The requested setbacks listed in Section 2.2 of this report help to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping. These setbacks facilitate a comprehensive transit-oriented development and aligns with the anticipated phasing of the Beaverbrook Community. Appropriate height transitions within the consolidated block provide a sensitive and holistic interface with the balance of the proposed community.

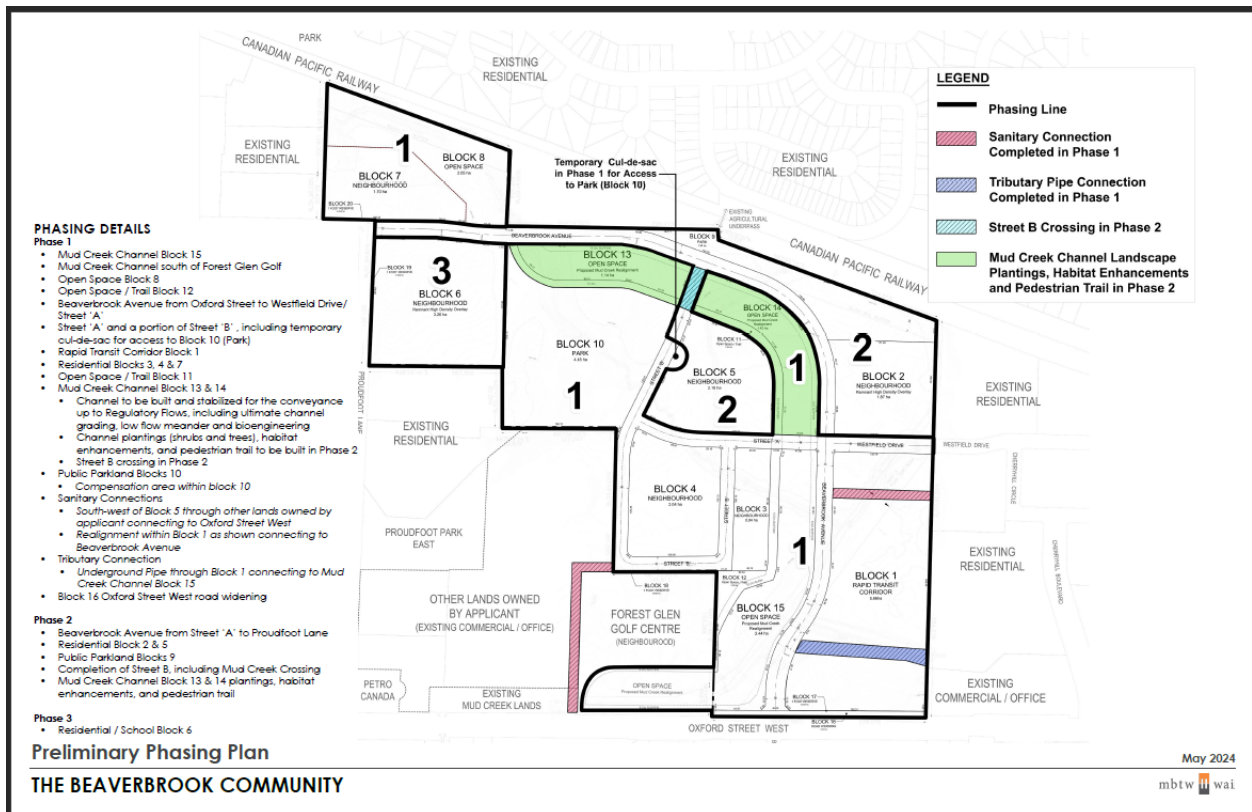


Figure 3 – Proposed Phasing of Subdivision

**Maximum Lot Coverage of 45 per cent – Blocks 1, 2, 3, 4, 5, 6 and 7**

Lot coverage is defined as percentage of a lot covered by the first storey of all buildings and structures on the lot including the principal building or structure, all accessory buildings or structures and all buildings or structures attached to the principal building or structure. The R9-7 Zone variation sets a maximum of 30%; plus, up to 10% additional coverage, if the landscaped open space provided is increased 1% for every 1% in coverage over 30%. A special provision for a maximum of 45% lot coverage has been requested, which is sufficient to ensure the site functions properly with 40% of the lands within the subdivision remaining as open space lands.

**Height – Blocks 1, 2, 3, 6 and 7**

As previously noted, greater building heights are being requested as detailed in Section 2.2 of this report. Blocks 1, 2 and 6 are of sufficient size and configuration to incorporate the proposed heights and help to mitigate potential impacts on adjacent lands. The subject site is in a growing residential community, ranging in built form and height in the surrounding area consisting of high-density residential apartments with heights ranging from 10 to 12 storeys.

Within Rapid Transit Corridors, The London Plan permits a mix of residential and a range of other uses along corridors to establish demand for rapid transit services, allowing for a wide range of permitted uses, greater intensities of development along Corridors close to rapid transit stations with pedestrian oriented development forms along these corridors (TLP 830\_). Development within Rapid Transit Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility. A site-specific amendment has been requested to permit 18 storeys for the proposed mixed-use subdivision in the Rapid Transit Corridors Place Type.

The London Plan requires applications that exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to the *Plan* (TLP 1638\_). These requests will be reviewed through a site-specific zoning by-law amendment (TLP 1640\_) and will be permitted where the resulting intensity and form represent good planning within its context (TLP 1641\_). This large area of land is capable of accommodating multiple buildings with variable heights that will include a diversity of

housing forms such as mid-rise multiple attached dwellings, low-rise and high-rise apartments. The proposed heights are consistent with the surrounding high-rise buildings in the area and is consistent with the heights in The London Plan. The requested heights are considered an appropriate form that is generally consistent with the abutting land and proposed future development.

#### Density – Blocks 1, 2, 3, 6 and 7

The proposed amendments and proposed draft plan is consistent with policies relating to the Rapid Transit Corridors Place Type. It should be noted that although the City's transportation network is being reviewed as part of the Mobility Master Plan, planning and design considerations for the Rapid Transit Corridors are still being considered for this application.

Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (TLP 935\_). The applicant has requested zoning which would permit residential development for Block 1 to a maximum density of 305 units per hectare, for Block 2 a maximum density of 242 units per hectare, for Block 3 a maximum density of 230 units per hectare, for Block 6 a maximum density of 240 units per hectare and Block 7 a maximum density of 200 units per hectare. Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Further it is preferable to zone the lands to the maximum intensity allowed now in order for this to be taken into consideration by potential future area residents.

Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Such intensification should add value to neighbourhoods by adding to their planned and existing character, quality, and sustainability (TLP 937\_). The underlying high-density residential overlay (from 1989 Official Plan) permits high-rise apartment buildings to play a significant role in supporting the fundamental goal of linking our land use plans to our mobility plans. This type of development generates significant densities which can create a high demand for transit services. Directing these uses to the Downtown, Transit Village, and Rapid Transit Corridors Place Types is a key strategy to create the context for a viable and cost-efficient transit system (TLP 954\_).

The densities and heights requested are in keeping with the High-Density policies and are considered appropriate for lands which exhibit numerous locational advantages for high-density residential and infill development. The requested zoning densities for Blocks 1, 2, 3, 6 and 7 is recommended. Further it is preferable to zone the lands to the maximum intensity allowed now in order that this can be taken into consideration by potential future area residents. This infill development is intended to develop more new residential units on vacant and underutilized lands, by adding residential units through the proposed plan of subdivision.

#### **4.4 Heritage and Archaeology**

Archaeological Potential is identified on the subject lands as described in the submitted Initial Proposal Report (IPR). Soil disturbance is anticipated due to development activity. The IPR indicates that a "Stage 1" Archaeological Assessment was completed by Golder Associates (December 2, 2015), as part of the 2017 Mud Creek Sub-watershed Class Environmental Assessment. The subject lands are identified as a parcel of the Assessment Area not requiring a Stage 2 Archaeological Assessment.

However, Blocks 6 and 7 were not assessed as part of the above report and retains archaeological potential. Staff are recommending an h-18 holding provision be applied to these blocks which will require appropriate archaeological study prior to any development.

## Conclusion

The development proposal provides for a mix of housing affordability that will meet the projected requirements of current and future residents. The recommended Official Plan and Zoning By-law Amendments with special provisions permit townhouse units, low-rise and high-rise apartment buildings that are considered appropriate and compatible with existing and future land uses in the surrounding area. Therefore, staff are satisfied that the proposal represents good planning in the broad public interest and recommend approval.

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Senior Planner, Subdivision Planning

Archi Patel  
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  
Mike Harrison, Manager, Subdivision Engineering  
Britt O'Hagan, Manager, Current Development  
Mike Corby, Manager, Site Plans  
Brent Lambert, Manager, Development Engineering

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## 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, relating to 323 Oxford Street West, 92 and 825 Proudfoot Lane.

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, 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 amend the policies within the Specific Policies for the Rapid Transit and Urban Corridor Place Type, Neighbourhoods Place Type and the High Density Overlay of the of the (1989) Official Plan to permit 18 storeys (60 metres) in Block 1, 6 storeys (20 metres) in Block 3, 13 storeys (40 metres) in Block 7, 14 storeys (46 metres) in Block 2, 13 storeys (40 metres) in Block 6 and 16 storeys (51 metres) in the northly portion of Block 1.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 323 Oxford Street West, 92 Proudfoot Lane and 825 Proudfoot Lane in the City of London.

**C. BASIS OF THE AMENDMENT**

The site-specific amendment would permit 18 storeys (60 metres) in Block 1, 6 storeys (20 metres) in Block 3, 13 storeys (40 metres) in Block 7, 14 storeys (46 metres) in Block 2, 13 storeys (40 metres) in Block 6 and 16 storeys (51 metres) in the northly portion of Block 1. 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; The recommended amendment conforms to The London Plan, including but not limited to Key Directions, City Design and Building policies, and will facilitate a built form that contributes to achieving a compact, mixed-use City; The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development at an intensity that is appropriate for the site and surrounding neighbourhood.

**D. THE AMENDMENT**

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

1. Specific Policies for the Transit Village Place Type of Official Plan, The London Plan, for the City of London is amended by adding the following:

323 Oxford Street West and 92 Proudfoot Lane

864B\_ In the Rapid Transit Corridors Place and Urban Corridor Place Types located at 323 Oxford Street West, development with height of up to 18 storeys (60 metres) may be permitted.

1066\_ In the Neighbourhoods Place Type located at 323 Oxford Street West, development with heights up to 6 storeys (20 metres) may be permitted, 92 Proudfoot Lane and 825 Proudfoot Lane, development with heights up to 13 storeys (40 metres) may be permitted.

1067\_ In the High Density Residential Overlay (from 1989 Official Plan) located at 323 Oxford Street West, development with heights of up to 14 storeys (46 metres) may be permitted and 92 Proudfoot Lane, development with heights up to 13 storeys (40 metres) may be permitted.

1067A\_ In the High Density Residential Overlay (from 1989 Official Plan) located at 323 Oxford Street West, development with heights up to 16 storeys (51 metres) may be permitted only on the portion of the site that is south of Westfield Drive and east of Beaverbrook Drive.



## Appendix B – Zoning Bylaw Amendment

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 323 Oxford Street West, 92 and 825 Proudfoot Lane.

WHEREAS Sam Katz Holdings Inc. has applied to rezone an area of land located at 323 Oxford Street West, 92 and 825 Proudfoot Lane, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform 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 323 Oxford Street West, 92 & 825 Proudfoot Lane as shown on the attached map comprising part of Key Map No. A102, **FROM** a Holding Residential R5/R6/R7/R8 (h-1•R5-3/R6-5/R7•D75•H13/R8-4) Zone, Residential R5/R6/R7/R8, Neighbourhood Facility (R5-3/R6-5/R7•D75•H13/R8-4/NF1), Holding Residential R8 (h-1•R8-4), Holding Residential Special Provision R8 (h-1•R8-4(9)), Residential R9 (R9-7•H40), Residential R9 (R9-7•H46), Holding Residential Special Provision R9 (h-1•R9-3(8)•H22), Open Space (OS1), and Open Space (OS4) Zones **TO** a Holding Residential R5 Special Provision (h-80•h-100•R5-7(\*\*)•D75•H13), Holding Residential R9 Special Provision/Neighbourhood Shopping Area (h-80•h-100•R9-7(\*\*)•D305•H60/NSA3), Holding Residential R9 Special Provision (h-80•h-100•R9-7(\*\*)•D242•H46), Holding Residential R9 Special Provision (h-80•h-100•R9-7(\*\*)•D230•H20), Holding Residential R9 Special Provision/Neighbourhood Facility (h-18•R9-7(\*\*)•D240•H40/NF), Holding Residential R9 Special Provision (h-18•h-80•h-100•R9-7(\*\*)•D200), Open Space (OS1), and Open Space (OS5) Zone.
2. Section Number 9.4 of the R5 Zone is amended by adding the following Special Provisions:

R5-7(\*\*) 323 Oxford Street West (Block 4 & 5)

a. Additional Permitted Uses

- i) Cluster stacked townhouse

b. Regulations

- |                                 |                       |
|---------------------------------|-----------------------|
| i) Front Yard<br>(maximum)      | 3.0 metres (9.8 feet) |
| ii) Exterior Yard<br>(maximum)  | 1.5 metres (5 feet)   |
| iii) Interior Yard<br>(minimum) | 1.5 metres (5 feet)   |
| iv) Rear Yard<br>(minimum)      | 3.0 metres (9.8 feet) |

v)	Density (maximum)	75uph (30 units/acre)
iv)	Height (maximum)	13.0 metres (43 feet) (4 storeys)
v)	Lot Coverage (maximum)	45%
vi)	Landscape Open Space (minimum)	30%

3. Section Number 13.4 of the R9 Zone is amended by adding the following Special Provisions:

R9-7(\*\*) 323 Oxford Street West (Block 1)

a. Additional Permitted Uses

- i) Cluster stacked townhouse
- ii) Cluster townhouses
- iii) Uses permitted in the NSA3 Zone variation

b. Regulations

i)	South Property Line (Oxford Street West) (maximum) (minimum)	6.0 metres (19.68 feet) 0.0 metres (0.0 feet)
ii)	West Property Line (Beaverbrook Avenue) (maximum) (minimum)	6.0 metres (19.68 feet) 3.0 metres (9.84 feet)
iii)	North Property Line (Westfield Drive) (maximum) (minimum)	6.0 metres (19.68 feet) 3.0 metres (9.84 feet)
iv)	East Property Line (maximum) (minimum)	6.0 metres (19.68 feet) 12.5 metres (41.0 feet) above 8th storey
v)	Density (maximum)	305uph (123 units/acre)
vi)	Height Street (maximum)	For apartments with frontage on Oxford West 60.0 metres (197 feet) (18 storeys) For apartments with frontage on Westfield Drive 46.0 metres (151 feet) (14 storeys) Other apartments with development block 51.0 metres (maximum) (16 storeys)
vii)	Built Form Along Streetscape (minimum)	50%
viii)	Building Stepback After 4th Storey (minimum)	3.0 metres (9.8 feet)

ix)	Point Tower Floorplate For Towers with frontage on Oxford Street (maximum)	1,000 square metres (10,763.91 sq ft)
x)	Tower Separation (minimum)	25.0 metres (82 feet)
xi)	Lot Coverage (maximum)	45%
xii)	Landscape Open Space (minimum)	30%

R9-7(\*\*) 323 Oxford Street West (Block 2)

a. Additional Permitted Uses

- i) Cluster stacked townhouse
- ii) Cluster townhouses

b. Regulations

i)	Front Yard (maximum) (minimum)	6.0 metres (19.7 feet) 0.0 metres (0.0 feet)
ii)	Exterior Yard (maximum) (minimum)	6.0 metres (19.7 feet) 3.0 metres (9.8 feet)
iii)	North Property Line (minimum)	3.0 metres (9.8 feet)
iv)	East Property Line (maximum) (minimum)	6.0 metres (19.7 feet) 12.5 metres (41.0 feet) above 8th storey
v)	Density (maximum)	242uph (98 units/acre)
vii)	Height (maximum)	46.0 metres (151 feet) (14 storeys)
viii)	Built Form Along Streetscape (minimum)	50%
ix)	Building Stepback After 4th Storey (minimum)	3.0 metres (9.8 feet)
x)	Tower Separation (minimum)	25.0 metres (82 feet)
xi)	Lot Coverage (maximum)	45%
xii)	Landscape Open Space (minimum)	30%

R9-7(\*\*) 323 Oxford Street West (Block 3)

a. Additional Permitted Uses

- i) Cluster stacked townhouse
- ii) Cluster townhouses

b. Regulations

Setbacks for Apartment Buildings

- |                                 |                        |
|---------------------------------|------------------------|
| i) Front Yard<br>(maximum)      | 6.0 metres (19.7 feet) |
| (minimum)                       | 3.0 metres (9.8 feet)  |
| ii) Exterior Yard<br>(maximum)  | 6.0 metres (19.7 feet) |
| (minimum)                       | 3.0 metres (9.8 feet)  |
| iii) Interior Yard<br>(minimum) | 5.0 metres (16.4 feet) |
| iv) Rear Yard<br>(minimum)      | 5.0 metres (16.4 feet) |

Setbacks for Townhouse Dwellings

- |   |                                   |
|---|-----------------------------------|
| v) Front Yard<br>(minimum)                        | 3.0 metres (9.8 feet)             |
| vi) Exterior Yard<br>(minimum)                    | 3.0 metres (9.8 feet)             |
| vii) Interior Yard<br>(minimum)                   | 1.5 metres (5.0 feet)             |
| viii) Rear Yard<br>(minimum)                      | 3.0 metres (9.8 feet)             |
| ix) Density<br>(maximum)                          | 230uph (93 units/acre)            |
| xiii) Height<br>(maximum)                         | 20.0 metres (66 feet) (6 storeys) |
| xiv) Built Form<br>Along Streetscape<br>(minimum) | 50%                               |
| xv) Lot Coverage<br>(maximum)                     | 45%                               |
| xvi) Landscape Open Space<br>(minimum)            | 30%                               |

R9-7(\*\*) 323 Oxford Street West (Block 6)

a. Additional Permitted Uses

- i) Cluster stacked townhouse
- ii) Cluster townhouses

b. Regulations

Setbacks for Apartment Buildings

i)	Front Yard (maximum) (minimum)	6.0 metres (19.7 feet) 3.0 metres (9.8 feet)
ii)	Exterior Yard (maximum) (minimum)	6.0 metres (19.7 feet) 3.0 metres (9.8 feet)
iii)	East Interior Yard (minimum)	3.0 metres (9.8 feet)
iii)	South Rear Yard (minimum)	6.0 metres (19.7 feet)

Setbacks for Townhouse Dwellings

iv)	Front Yard (minimum)	3.0 metres (9.8 feet)
v)	Exterior Yard (minimum)	3.0 metres (9.8 feet)
vi)	Interior Yard (minimum)	1.5 metres (5.0 feet)
vii)	Rear Yard (minimum)	3.0 metres (9.8 feet)
viii)	Density (maximum)	240uph (97 units/acre)
ix)	Height (maximum)	40.0 metres (131.0 feet) (13 storeys)
x)	Building Stepback After 4th Storey (minimum)	3.0 metres (9.8 feet)
xi)	Tower Separation (minimum)	25.0 metres (82 feet)
xii)	Built Form Along Streetscape (minimum)	50%
xiii)	Lot Coverage (maximum)	45%
xiv)	Landscape Open Space (minimum)	30%

R9-7(\*\*) 323 Oxford Street West (Block 7)

a. Additional Permitted Uses

- i) Cluster stacked townhouse
- ii) Cluster townhouses

b. Regulations

Setbacks for Apartment Buildings

i)	Front Yard (maximum) (minimum)	6.0 metres (19.7 feet) 3.0 metres (9.8 feet)
ii)	North Rail Line (minimum)	30.0 metres (98.0 feet)
iii)	North Property Line (minimum)	3.0 metres (9.8 feet)

Setbacks for Townhouse Dwellings

iv)	Front Yard (minimum)	3.0 metres (9.8 feet)
v)	West Property Line (minimum)	5.0 metres (16.4 feet)
vi)	North Property Line (minimum)	3.0 metres (9.8 feet)
vii)	Density (maximum)	200uph (81 units/acre)
xiii)	Height (maximum)	13.0m (4 storeys) within 72 metres of the west property boundary; otherwise, 40 metres (13 storeys)
viii)	Building Stepback After 4th Storey (minimum)	3.0 metres (9.8 feet)
ix)	Tower Separation (minimum)	25.0 metres (82 feet)
x)	Built Form Along Streetscape (minimum)	50%
xi)	Lot Coverage (maximum)	45%
xii)	Landscape Open Space (minimum)	30%

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





## Appendix C - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Vacant
Frontage	298 metres (977.7 feet) along Oxford Street and 202 metres (662.7) along Proudfoot Lane
Depth	~679 metres (~2227.7 feet)
Area	31.82 hectares (78.63 acres)
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

#### Surrounding Land Uses

North	Low-Rise Residential
East	High-Rise Residential
South	Open Space and Restricted Office
West	Low-Rise and High-Rise Residential

#### Proximity to Nearest Amenities

Major Intersection	Beaverbrook Avenue and Oxford Street West (0 metres)
Dedicated cycling infrastructure	Wonderland Road N, 925 metres
London Transit stop	Oxford Street West, 0 metres
Public open space	Proudfoot Park East, 0 metres (abutting lands)
Commercial area/use	Cherryhill Village Mall 300 metres
Food store	Metro 300 metres
Community/recreation amenity	Fit4Less and Fleetway, 0 metres (abutting lands)

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods, Open Space, High Density Residential Overlay (form 1989 Official Plan), Rapid Transit Boulevard (Oxford Street West) and Neighbourhood Connector (Proudfoot Lane)
Current Special Policies	N/A
Current Zoning	Holding Residential R5/R6/R7/R8 (h-1•R5-3/R6-5/R7•D75•H13/R8-4), Residential R5/R6/R7/R8, Neighbourhood Facility (R5-3/R6-5/R7•D75•H13/R8-4/NF1), Holding Residential R8 (h-1•R8-4), Holding Residential Special Provision R8 (h-1•R8-4(9)), Residential R9 (R9-7•H40), Residential R9 (R9-7•H46) Holding Residential Special Provision R9 (h-1•R9-3(8)•H22), Open Space (OS1), and Open Space (OS4) Zones

#### Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Holding Residential R5 Special Provision (h-80•h-100•R5-7(**)•D75•H13), Holding Residential R9 Special Provision/Neighbourhood Shopping Area (h-80•h-100•R9-7(**)•D305•H60/NSA3), Holding

	Residential R9 Special Provision (h-80•h-100•R9-7(**)•D242•H46), Holding Residential R9 Special Provision (h-80•h-100•R9-7(**)•D230•H20), Holding Residential R9 Special Provision/Neighbourhood Facility (h-18•R9-7(**)•D240•H40/NF), Holding Residential R9 Special Provision (h-18•h-80•h-100•R9-7(**)•D200), Open Space (OS1), and Open Space (OS5) Zone
--	--

### Requested Special Provisions

Lots	Zone String	Special Provisions Requested
Block 1	h-80•h-100•R9-7(**)•D305•H60/NSA3	<ul style="list-style-type: none"> <li>A special provision for additional permitted uses: cluster stacked townhouse dwelling, cluster townhouses, and uses permitted within the NSA3 Zone variation, building setbacks for apartments, south property Line (Oxford Street West) 6.0 metres maximum / 0.0 metres minimum, west property line (Beaverbrook Avenue) 6.0 metres maximum / 3.0 metres minimum, north property line (Westfield Drive) 6.0 metres maximum / 3.0 metres minimum, east property line 6.0 metres, density maximum of 305 units/ha, height (maximum) 60.0 metres (18 storeys), for towers with frontage on Oxford Street West: from established grade along Oxford Street West 60.0 metres (18 storeys), from established grade in development block 60.0 metres (18 storeys), for towers with frontage on Westfield Drive 46.0 metres (14 storeys), for towers internal to the development block 60.0 metres (18 storeys), built form percentage along streetscape 50% minimum, building step back after 4<sup>th</sup> storey 3.0 metres minimum, maximum point tower floorplate 1,000m<sup>2</sup> for towers with frontage on Oxford Street West, Tower Separation 25.0 metres minimum, coverage 45% maximum and a landscape open space 30% minimum. The NSA Zone the NSA Zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents.</li> </ul>
Block 2	h-80•h-100•R9-7(**)•D242•H46),	<ul style="list-style-type: none"> <li>A special provision for additional permitted uses: cluster stacked townhouse dwelling and cluster townhouses, building setbacks, front yard 6.0 metres maximum and 0.0 metres minimum, exterior side yard 6.0 metres and 3.0 metres minimum, north property line 3.0 metres, east property line 6.0 metres, 12.0 metres</li> </ul>

		above 8 <sup>th</sup> storey minimum, density maximum of 242 units/ha, height maximum 46.0 metres (14 storeys), built form percentage along streetscape 50% minimum, building stepback after 4 <sup>th</sup> storey 3.0 metres minimum, tower separation 25.0 metres minimum, coverage 45% maximum and landscape open space 30% minimum.
Block 3	h-80•h-100•R9-7(**)•D230•H20	<ul style="list-style-type: none"> <li>• A special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; together with a special provision for additional permitted uses: cluster stacked townhouse dwelling and cluster townhouses; setbacks for apartment buildings, front yard 6.0 metres maximum/3.0 metres minimum, exterior side yard 6.0 metres maximum/3.0 metres minimum, interior side yard 5.0 metres and rear yard 5.0 metres; setbacks for townhouse dwellings, front yard 3.0 metres maximum, exterior side yard 3.0 metres, interior side yard 1.5 metres and rear yard 3.0 metres, density maximum of 230 units/ha, height 20.0 metres (maximum), (6 storeys), built form percentage along streetscape 50% minimum, coverage 45% maximum and landscape open space 30% minimum.</li> </ul>
Blocks 4 & 5	h-80•h-100•R5-7(**)•D75•H13	<ul style="list-style-type: none"> <li>• A special provision for additional permitted use(s): cluster stacked townhouse dwelling; with building setbacks, front and rear yard 3.0 metres, exterior and interior side yard 1.5 metres, Density of 75 units/ha, height 13.0 metres maximum, (4 storeys), coverage 45% maximum and landscape open space 30% minimum.</li> </ul>
Block 6	h-18•R9-7(**)•D240•H40/NF	<ul style="list-style-type: none"> <li>• special provision for additional permitted uses: cluster stacked townhouse dwelling and cluster townhouses; setbacks for apartment buildings, front yard 6.0 metres maximum/3.0 metres minimum, exterior side yard 6.0 metres maximum/3.0 metres minimum, east interior (Open Space) side yard 3.0 metres maximum and south property line 6.0 metres maximum; setbacks for townhouse dwellings, front yard 3.0 metres maximum, exterior side yard 3.0 metres maximum, interior side 1.5 metres maximum and rear yard 3.0 metres maximum, density maximum of 240 units/ha, height 40.0 metres maximum, (13 storeys), building stepback after 4<sup>th</sup> storey 3.0 metres minimum, tower separation</li> </ul>

		<p>25.0 metres minimum, built form percentage along streetscape 50% minimum, coverage 45% maximum and landscape open space 30% minimum. The Neighbourhood Facility zone provides for and regulates public and private facility uses which primarily serve a neighbourhood function. They include small to medium scale uses which have minimal impact on surrounding land uses and may be appropriate adjacent to or within residential neighbourhoods. The NF Zone variation permits the lowest impact uses permitted in the zone and typically uses are developed independently. The following are permitted uses in the NF Zone variation, places of worship, elementary schools, and day care centres.</p>
Block 7	h-18•h-80•h-100•R9-7(**)•D200	<ul style="list-style-type: none"> <li>• A special provision for additional permitted uses: cluster stacked townhouse dwelling setbacks for apartment buildings, front yard 6.0 metres maximum/3.0 metres minimum, north property line 30.0 metres; setbacks for townhouse dwellings, front yard 3.0 metres maximum, west property line 5.0 metres maximum, north property line 3.0 metres, density maximum of 200 units/ha, height 13.0 metres (4 storeys) within 72 metres of the west property boundary; otherwise 40.0 metres maximum, (13 storeys), building setback after 4<sup>th</sup> storey 3.0 metres minimum, tower separation 25.0 metres minimum, built form percentage along streetscape 50% minimum, coverage 45% maximum and landscape open space 30% minimum.</li> </ul>
Blocks 9, 10, 11 and 12	OS1	<ul style="list-style-type: none"> <li>• Park/Open Space/Trail</li> </ul>
Blocks 8, 13, 14 and 15	OS5	<ul style="list-style-type: none"> <li>• Park/Open Space/Trail/Mud Creek Channel</li> </ul>

## C. Development Proposal Summary

### Development Overview

The Draft Plan of Subdivision provides for three (3) high density blocks, four (4) medium density blocks, one (1) school block, two (2) park blocks, six (6) open space blocks, one (1) road widening block and four (4) one-foot reserves. Blocks 1, 2 and 6 are proposed for apartment buildings, blocks 4 and 5 are proposed townhouse units in a mixed form, cluster and freehold street townhouse units. Block 3 is proposed to have low rise four (4) storey apartments abutting the Mud Creek Channel. The proposed Draft Plan will be served by the extension of Westfield Drive (Neighbourhood Connector), and Beaverbrook Avenue (Neighbourhood Connector). Please note that the Draft Plan of Subdivision may be further refined and reviewed prior to Draft Approval.

### Proposal Statistics

Land use	Residential
Form	Highrise and Low-rise Apartment Buildings, Townhouses and Cluster Townhouses
Height	Varies
Residential units	~3,817
Density	Varies
Parkland	5%

# Appendix D – Additional Plans and Drawings

## Conceptual Demonstration Plan



## Appendix E – Internal and Agency Comments

### Internal Department Comments - Notice of Application - October 27<sup>th</sup>, 2021

#### Ecology

#### MEMORANDUM

**TO** Kevin Edwards, Manager, Long Range Planning, Research and Ecology, City of London

**FROM** Margot Ursic, Principal Planning Ecologist

**CC** Sean Meksula, Senior Planner, City of London  
Bruce Page, Manager, Subdivision Planning City of London  
Shane Butnari, Ecologist, City of London

**DATE** May 1, 2022

**Re:** Ecology Review of 323 Oxford St. West, 92 and 825 Proudfoot Lane EIS  
(MTE June 30, 2021)

Submitted electronically to:

kedwards@london.ca; smeksula@london.ca; bpage@london.ca; sbutanri@london.ca

#### CONTEXT

The following environmental planning comments are provided based on a review of the Environmental Impact Study (EIS) for 323 Oxford Street West, 92 Proudfoot Lane, and 825 Proudfoot Lane prepared by MTE Consultants for Sam Katz Holdings Ltd. dated June 30, 2021.

This review has also considered relevant elements from the following related documents:

- Mud Creek Subwatershed Environmental Assessment (EA) City of London Subject Lands Status Report and Environmental Impact Statement by LGL Ltd. for CH2M, Dec. 2016
- Local Planning Appeal Tribunal (LPAT) Decision for PL170100, Dec. 19, 2019
- The Beaverbrook Community Final Proposal Report by MBTW-WAI for Sam Katz Holdings Ltd., Aug. 2021, and
- Functional Servicing and Stormwater Management Report by TMIG A.T.Y. LIN International and Palmer Environmental Consulting Ground Inc., Version 1, June 2021.

It is understood that the history of this application - at least on the 323 Oxford St. W. portion of the lands – dates back to the 1990's and that there is an approved EA related to realignment of the Mud Creek corridor.

It is also understood that a decision related to the entire subject property (i.e., 323 Oxford Street West, 92 Proudfoot Lane, and 825 Proudfoot Lane) was made through the LPAT (PL170100, Dec. 19, 2019) that added policies to the City's new Official Plan requiring development on lands regulated by the Conservation Authority (i.e., most lands on the subject property) to proceed in accordance with the approved Mud Creek EA (2017) and as approved by the Conservation Authority. In addition, the LPAT

decision stipulated the creek realignment be approved and implemented prior to other development proceeding in the area.

As a result of this planning history and context (as per the Record of Pre-Application Consultation in Appendix A of the EIS), for the review of the above-referenced EIS it is recognized that the 1989 Official Plan is in force policy and that the EIS must be consistent with the direction and agreements from both the Mud Creek EA (2017 CH2M) and the Dec. 19, 2019 LPAT decision. However, as also noted in Record of Pre-Application Consultation (June 23, 2020), the EIS must speak to “the establishment of buffers for all natural heritage features within the plan” and “delineate the boundary of the natural heritage system and the required buffer” (B. Page, Parks and Recreation).

## COMMENTS

Environmental planning comments on the 323 Oxford St. West, 92 and 825 Proudfoot Lane EIS (MTE June 30, 2021) are provided below from an ecological perspective. ***An EIS Addendum including a comment response matrix that indicates how and where these comments have been addressed is requested.*** If a virtual meeting to discuss these comments would be helpful, please reach out to arrange one.

Further comments, including but not limited to applicable environmental technical and policy may be provided once these comments have been addressed.

### UNCLEAR NHS and PATHWAY / TRAIL NETWORK

- A clear and succinct description of the proposed NHS and its components – including wetlands, significant woodlands, significant valley lands and associated buffers, along with a map clearly showing these components appears to be lacking in the EIS. Please provide such a description and map as part of an Addendum.
- The proposed trails / pathways in relation to the NHS is also not clear in the EIS. Please indicate where trails are proposed over the NHS map and confirm where these are to be “pathways” (i.e., generally 2.4 to 3 m wide paved or crushed limestone) versus “trails” (which may be narrower and woodchip).
- Please review the impact assessment and mitigation measures identified to ensure they are adequate in relation to the proposed trails, and update if needed.
- Note that trails and/or pathways are permitted in buffers and that a total width allowance of 5 m (including a 1 m mow zone on each side) should be assumed for them.

### UNCLEAR NHS VERSUS PARKLAND, AND INAPPROPRIATE ZONING

NHS and parklands provide two distinct functions in the City and, for that reason, are generally zoned differently. Typically an active park is zoned as OS1 or OS2 while NHS lands are typically zoned OS4 or OS5, each with differing permitted uses.

Based on the EIS and the MBTW (2021) reports for the subject property, it appears that Block 10 includes both proposed NHS and open parklands but is entirely zoned as OS1.

- COMMENT: Please review and update the mapping and zoning for Block 10 so that NHS lands are clearly distinguished from park lands, such that this is reflected in the EIS mapping as well as the proposed re-zoning.

Based on the EIS and the MBTW (2021) reports it appears as if Block 8 is zoned entirely for residential (i.e, R8-4) however, both the conceptual plans by MBTW and the



EIS indicate that about a third of this block is NHS (significant woodland) that will be subject to invasive species management.

- COMMENT: Please review and update the mapping and zoning for Block 8 so that NHS lands are clearly distinguished from residential lands, and that this is reflected in the EIS mapping as well as the proposed re-zoning.

#### INADEQUATE HABITAT REPLACEMENT

The EIS by LGL Ltd. (Dec. 2016) in the Mud Creek EA (CH2M 2017) commits to the: “Restoration or replacement of any impacted terrestrial communities in a minimum one-for-one land basis at a 3:1 tree replacement ratio to be determined in consultation with the City at detail design” (Section 6.3.1.1).

However, the lack of consistency between the ELC in the 2017 EA (Figure 3) and in the 2021 EIS, and the absence of a final proposed NHS map (as noted above) including clearly mapped proposed NHS components including and proposed buffers make it challenging to determine if this requirement is being met.

- Based on our review and calculations derived from the EIS it appears that slightly more than 1:1 compensation is being achieved for wetlands, which is acceptable, but that there is a substantive shortfall for significant woodlands. Specifically, our math is as follows:

EXISTING NATURAL AREAS	PROPOSED NATURAL AREAS
<ul style="list-style-type: none"> <li>• <b>Wetlands</b></li> <li>- Unit 10, 1.9 ha SWT3-MAM3-5</li> <li>- NOTE: The LGL EIS (2016) identifies a small area of SWT2 along Oxford St W. on the subject property est. at 0.2 ha that is lumped into CUW1 in the EIS</li> <li>- <b>TOTAL: 2.10 ha</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Wetlands</b></li> <li>- 0.12 ha of Unit 10 retained</li> <li>- 2.21 ha of created wetland in realigned Mud Creek corridor</li> <li>- <b>TOTAL: 2.33 ha</b></li> </ul> <p><b><i>SO an estimated net gain of 0.23 ha of wetland</i></b></p>
<ul style="list-style-type: none"> <li>• <b>Significant Woodlands</b></li> <li>- 0.4 ha FOD7</li> <li>- 2.5 + 2.7 + 6.0 ha of CUW1 = 11.2 ha (not 10.8 as in the EIS, Table 5 and Table 7)</li> <li>- 1.54 FOD on adjacent lands retained</li> <li>- NOTE: The LGL EIS (2016) mapped almost all wooded areas as some type of FOD (FOD4, FOD5-7) with one CUW unit abutting Oxford St. W. But in general the areas appear comparable except for the est. 0.2 ha of SWT2 noted above.</li> <li>- TOTAL: 0.4 ha + 11.2 ha – 0.2 ha = <b>12.94 ha</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Significant Woodlands</b></li> <li>- 4.06 ha retained (0.35 FOD7 + 3.71 CUW1)</li> <li>- 1.54 FOD on adjacent lands retained</li> <li>- 3.23 woodland creation in Mud Creek corridor</li> <li>- 0.98 woodland creation in CPR derailment zone</li> <li>- <b>TOTAL: 9.81 ha</b></li> </ul> <p><b><i>SO an estimated shortfall of 3.13 ha</i></b></p>

COMMENT: We request a review of the proposed natural area replacement / compensation to ensure that, overall, a minimum one-for-one land basis is achieved, as per the approved EA direction.

- Please note we are willing to accept some small net gains of wetland for comparable net losses of woodland, but in general the proposed replacement should be wetlands for wetlands and upland woodlands for upland woodlands.
- We may also be willing to accept some reasonable reduction to the woodland compensation in recognition of the relatively large area (over 2 ha) of woodland proposed for invasive species management in woodland Unit 6.
- Notably, additional native woodland creation might be explored in some of the unwooded open spaces on the subject property, but if a mutually acceptable agreement related to habitat replacement cannot be reached within the constraints of the subject lands, some off-site compensation for woodland creation and / or cash-in-lieu may be required.
- A new conceptual map or plan that clearly identifies all proposed natural areas for protection and for replacement with associated feature types and areas (i.e., a Conceptual Habitat Restoration Plan) should be provided in an EIS Addendum. Thsoi Plan should include approximate locations for the various habitat compensation / mitigation measures identified in the EIS including any hibernacula, bat boxes and turtle nesting areas.
- Please note that the City has concerns about creating turtle nesting habitats and encouraging turtles to nest in what is to be a highly urbanized zone of the City and is willing to forego this enhancement within the subject property with he understanding that such habitats may already existing or could be created south of Oxford St. W. where there are more favourable habitat conditions.
- Note for all replacement wetlands and woodlands, site-appropriate native target vegetation communities (based on ELC) should be identified in the EIS Addendum and a commitment to planting site-appropriate native species should also be included along with the commitment of restoring trees removed at a 3:1 ratio for the woodland creation areas (from the EA).

## BUFFERS

- **MUD CREEK:** The City will defer to the UTRCA on this matter, but we generally suggest the buffer and trail be outside the meander belt width and the established erosion hazard setback.
- **SIGNIFICANT WOODLANDS:** Based on our review it appears as if no buffers are provided to any of the significant woodlands being retained, restored or created on the subject lands. Although the current EMGs require a 30 m buffer to significant woodlands of at least 2 ha, we recognize that given the planning context for this file, these guidelines are not in force. However, we request minimum buffers of 10 m be applied to all significant woodlands being retained, and that for features being restored or created that trails be outside of the restoration / compensation area within a 5 to 10 m buffer area, except where a trail / pathway connection through the feature is required.
- **TRAILS / PATHWAYS IN BUFFERS:** To the greatest extent possible, for the subject property, inclusion of trails or pathways in buffers should not result in a remaining naturalized buffer of less than 5 m to a significant woodland and 15 m to a wetland. In all cases, the naturalized buffer should abut the protected feature and the trail or pathway should abut the proposed development (i.e., be on the outer side of the buffer).

## MONITORING FRAMEWORK

The EIS by LGL Ltd. (Dec. 2016) in the Mud Creek EA (CH2M 2017) commits to: “The creation of two monitoring plans ... a construction monitoring plan as well as a long term monitoring plan to monitor the restoration efforts post-construction” (Section 6.4). The framework for each of these monitoring plans is not clearly outlined in the EIS. Monitoring of the functioning of the newly aligned Mud Creek will be critical (e.g., flows, stability and water quality) as well monitoring of the extensive habitats to be restored and created.

- COMMENT: While the development of both of these monitoring plans can be deferred to the site plan / detailed design stage, an EIS Addendum should clearly outline that two distinct plans are required and what the components of each will be including objectives of the monitoring, the types of monitoring to occur and the approximate locations of such monitoring as well as the anticipated duration.
- The long term monitoring framework should include all the components listed in Section 6.4 of the EIS by LGL Ltd. (Dec. 2016) as well as target vegetation community types (using ELC) for the wetlands and woodlands being created and restored.
- Monitoring for encroachments into established buffers and retained and created natural features should also be noted as a component of the required monitoring plan to be developed.

### Parks

**To: Sean Meksula**

**Senior Planner - Development Services**

**From: Parks Planning and Design**

**Date: January 10, 2022**

**RE: 39T-21505, 323 Oxford Street West, 92 and 895 Proudfoot Lane**

Parks Planning and Design has reviewed the submission for the above noted plan of subdivision and offers the following comments:

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of PP&D that the required parkland dedication will be satisfied through the combination of dedicated parkland, possible future dedicated parkland on abutting lands, and the payment of cash-in-lieu of parkland.
- The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:
  - **2.1.3 Land - for park purposes - conveyance – Hazard, Open Space and Constrained Land**  
The Corporation retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the Corporation’s use of the land. Where the Corporation does not request the Owner to convey table land, the Corporation may in lieu accept constrained land at the following ratios:

- 1) Hazard land - 27 hectares of hazard land for every 1 hectare of table land.
- 2) Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.

- All proposed pathway corridors and walkway blocks are to be a minimum of 15m wide, as per City of London Design Specifications and Requirements Manual and the Contract Documents Manuals and Section 1750 of The London Plan.
- Staff are generally satisfied with the location of the main north-south pathway alignment along the west side of the mud creek realignment. However, the proposed 5m linear pathway does not meet the requirement of the City of London Design Specifications and Requirements Manual and the Contract Documents Manuals.
- In conjunction with the first submission of engineering drawings, the Owner shall provide a pathway corridor design that includes the proposed buffer blocks that can accommodate the proposed pathway in conformity with the City of London Design Specifications and Requirements Manual and the Contract Documents Manuals.
- All lands located within the 250-year flood line in the proposed Mud Creek realignment will be acquired through Stormwater acquisition. The proposed vegetative buffer blocks will be considered as a portion of parkland dedication based on the Council approved rate of 16:1 and the 5m pathway corridor blocks at the tableland rate of 1:1.
- Subject to the City Ecologist and completion of an EIS for the existing woodland features on Blocks 10 and 11 compensations for parkland dedication for natural features of 1:16 and hazard lands of 1:27 will be finalized. Portions of Block 10 and 11 will be considered as a portion of the parkland dedication based on the Council approved rate of 16:1 for lands deemed significant woodland and 1:1 for identified table land and if a significant hazard slope is identified through the EIS these lands will be compensated at the Council approved 27:1 rate.
- Due to the existing significant woodland and a significant portion of Block 10 removed through the EA process to accommodate Mud Creek, Block 10 does not provide for sufficient tableland area to accommodate a Neighbourhood Park. Subject to the City Ecologist and completion of an EIS for the existing woodland features the amount of table land will be determined.
- To accommodate a Neighbourhood Park, Block 5 should be dedicated to the City as required parkland dedication.
- To satisfy the required parkland dedication consideration should be given to accepting a dedication of land from the north portion of 720 Proudfoot Lane to accommodate pathway connections from Block 10 to Proudfoot Park East.
- In conjunction with the first submission of engineering drawings, the Owner's Landscape Architect shall prepare and submit a conceptual plan for the pathway connection through Block 9 under the Canadian Pacific Railway to University Heights Park including securing all permission if required from Canadian Pacific Railway.
- In conjunction with the first submission of engineering drawings, the Owner shall provide a pathway connection to be extended along the west side of Street "B" connecting from the intersection of Street "B" and Beaverbrook to the south side of the stream corridor and Block 10.

- In conjunction with the first submission of engineering drawings, the Owner shall provide a safe pedestrian crossing as required at the intersection of Street “B” and Beaverbrook Avenue connecting to Block 9 and the pathway connection on the west side of Street “B”.
- In conjunction with the first submission of engineering drawings, the Owner shall provide for safe pedestrian crossing at all Streets that intersect with the recreational pathway and park system.
- In conjunction with the first submission of engineering drawings, the Owner shall provide for a pathway connection to be extended west along the south side of Beaverbrook Avenue connecting from the intersection of the stream corridor to Proudfoot Lane.
- The table below summarizes the parkland information as per the submitted proposed zoning for the plan of subdivision.

Block	Area (ha)	Density (units) Based on Requested Zoning		Expected Dedication (ha)
1	3.41	R9-7 ( ) @ 250uph (853)	1/300	2.84
2	2.31	R9-7 ( ) @ 175uph (405)	1/300	1.35
3	3.32	R9-7 @ 150uph (498)	1/300	1.66
4	0.48	R9-7 @ 150uph (72)	1/300	0.24
5	2.51	R5-7 @ 60uph (151)	1/300	0.5
6	1.75	R5-7 @ 60uph (105)	1/300	0.35
7	3.27	R9-7 @ 150uph (491)	1/300	1.64
8	3.75	R8-4 @ 75uph (282)	1/300	0.94
Total	20.8	2857	1/300	9.52

- In conjunction with the first submission of engineering drawings, the Owner shall remove all servicing easements from the City Park Block 10, or if a demonstrated need for easements is obtained by the City any easement shall align with future pathway location in the park to the satisfaction of the City.
- In conjunction with the first submission of engineering drawings, the Owner’s Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway alignments
- The Owner shall construct 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park, Open Space Blocks and Pathways. Fencing shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.
- In conjunction with the first submission of engineering drawings, the Owner’s qualified consultant shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks and completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be

established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.

- In conjunction with the first submission of engineering drawings, the Owner's qualified consultant shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for Blocks 10 and 11. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.
- The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Parks Planning and Design monthly during development activity along the edge of the woodlot.
- Parks Planning and Design Staff are willing to meet with the applicant and Development Services to discuss these comments if required.

### **Long Range Planning, Research and Ecology Planning & Development**

The City Landscape Architect has reviewed the submitted documentation/reports for the above noted subdivision and provides the following comments consistent with the Official Plan:

1. A **Professional Forester Assessment Report** is required to determine overall health of existing woods, and to be used as the basis for a tree management plan [identified in EIS prepared by MTE in June 2021]. The Forester, as a member of the Ontario Professional Foresters Association (OPFA), will assure the highest professional standards of practice in forestry. [Professional Foresters Act, 2000](#).
2. The Assessment Report will identify woods and specimen trees to be retained and managed. This report shall be used to inform the grading plans of development. Retaining trees and tree canopy must be a high priority in this development of subdivision fulfilling Key Direction #4 of the City's London Plan to become one of the greenest cities in Canada and in supporting the City's Urban Forest Strategy - to strengthen the urban forest by protecting and maintaining more trees.
3. A **Tree Management Plan** is to be provided and implemented based on the Professional Forester Assessment Report. The report must address invasive management, **hazard tree removals**, and tree planting.
4. **Boundary trees** will need to be located along property lines. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. Surveys under canopies can have errors due to reception through leaves and woody material. It is imperative that the GPS users employ the best possible data collection techniques to achieve the highest quality data with lowest margins of error.

## **Engineering**

**DATE:** December 20, 2021      **FILE:** T-21505/Z-9416  
**TO:** S. Meksula, Senior Planner  
**FROM:** M. Feldberg Manager, Subdivisions and Development Inspections  
**RE:** DRAFT PLAN OF SUBDIVISION  
323 OXFORD STREET WEST, 92 & 825 PROUDFOOT LANE  
SAM KATZ HOLDINGS INC.

Please find attached the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Wastewater and Drainage Engineering Division, the Water Engineering Division, the Stormwater Engineering Division and the Pollution Control Engineering Division.

### **Zoning By-law Amendment**

Development Services and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the entering of a subdivision agreement.
2. 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
3. 'h-80' holding provision is implemented until the Mud Creek channel improvements and stormwater works are constructed and operational and the sanitary trunk sewer outlet has been relocated and is operational

### **Required Revisions to the Draft Plan**

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

- i) Revise Westfield Drive to be 23.0 metres in width as a neighbourhood connector as per The London Plan with 30 m taper from the existing.
- ii) Remove reference to proposed easements on the draft plan as the locations are not finalized
- iii) Add 0.3 metre reserve along proposed Beaverbrook Avenue 75 metres northerly
- v) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City.
- vi) Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.
- ix) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

Road Allowance  
20.0 m

S/L Radius  
9.0 m

**Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.**

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

## Urban Design

Please find below the draft UD Comments for OP/ZBA at **323 Oxford Street West, 92 and 825 Proudfoot Lane**.

- These lands are located within the Rapid Transit Corridor, Neighbourhoods and Green Space Place Type(s) of The London Plan **[TLP]** area along a Rapid Transit corridor and an Neighbourhood connector. The maximum height with bonus for neighbourhoods place types will be 4 storeys and for Rapid Transit Corridor Place Type is 16 storeys. 'Blocks 2, 3 and 7' within Neighbourhoods Place Type also falls within the High Density Residential overlay identified in Map 2 of **TLP** and the Primary Transit Area **[PTA]**. Considering the policy and surrounding built-form context, there may be opportunities to pursue a high-rise form for 'Blocks 2, 3 and 7' with height permissions (up to 12 storeys of residential development within **PTA**) and as such the following form and site design policies of the plan apply:
- **Zoning comments:**
- Overall the proposed conceptual plan is in keeping with urban design related policies of The London Plan and 1989 Official Plan. The applicant should provide for a zoning framework that will ensure that future development of the various blocks is in a manner that closely resembles the concept. In order to achieve this:
  - Ensure the proposed zoning for each block implements the policies of The London Plan. This may include, but is not limited to: special provisions for setbacks (minimum and maximum), step-backs, heights, orientation, garage maximum widths, minimum and maximum densities, etc.;
  - Ensure that the proposed building/built form is oriented to street frontages with primary and individual unit entrances and establishes a pedestrian-oriented built edge with street oriented units **[TLP 286, 288]**.
    - Include a minimum and maximum setback for buildings along the streets.
    - Include a minimum percentage of built form along street frontages for blocks with Mid-rise and taller buildings.
  - Limit the amount of surface parking to the minimum required. Remove any parking proposed along street frontages and exterior side yard parking between the building and the street.
    - Any proposed parking should be located along rear or interior side yard. **[TLP 247]**.
    - On street parking opportunities could be explored on local and private streets.
  - Provide step backs or terracing of a minimum of 3m above 3<sup>rd</sup> to 4<sup>th</sup> storey for buildings (medium and high-rise) along street frontages (public and private) to create a consistent street-wall/podium and enhance the pedestrian scale and environment.
  - Design the high-rise buildings (above 8 stories) as "slender, point" towers and limit the maximum floor plate size up to 1000 square metres within a 1.5:1 length: width ratio) in order to reduce "slab-like" appearance of the towers, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces.
  - Limit the heights of the mid-rise buildings (potentially including differing height limits through the blocks – i.e. Block 1 has taller mid-rise buildings along Oxford).
  - Ensure adequate setbacks are provided between buildings (especially tower portions), and buildings and shared property lines to provide transition to low-rise single development as well to mitigate privacy concerns, shadow impacts and access to sky views.



- Provide tower separation of a min of 25m between high-rise towers to allow sunlight penetration, and avoid shadow and privacy conflicts.
- A minimum setbacks from shared property lines of 4-6m for mid-rise buildings and podiums and 12.5m for the high-rise portion of towers to provide adequate separation for privacy, landscaping, mid-block connections and shadowing.
- Maximum heights on 'Block 7' should ensure an appropriate transition between the existing 1 storey townhomes to the west. The zoning for the site could be split to include more appropriate lower heights on the west half and include tallest heights on the east half.
- Include either a holding provision or special provision in the zoning for all multi-unit and mixed-use blocks to ensure orientation to the street, park, or open-space frontages.
  - Ensure any proposed residential uses are oriented to their respective street frontage with any surface parking located behind the building.
    - The low-density blocks should require primary pedestrian entrances with walkway connections along public streets and condo streets while locating individual garage entrances along private rear lane ways.
    - The medium and high density blocks also should require street-facing entrances to lobbies and ground floor residential units connected to sidewalks along both private and public streets.
  - Include a holding provision for all low, medium and high density blocks that are adjacent to the open space and pathways to ensure enhanced façade elevations with enhanced architecture and walkway connections( if possible) to the individual units on the ground floor to have eyes on the public open space and enhance the views on to and from the open spaces and public realm.
- Ensure that the proposed building(s) have regard for its corner location. The massing/articulation or other architectural features should emphasize the intersection(s) and oriented to the higher order street **[TLP 261]**.
- Provide a minimum amount of area for outdoor amenity space per block, based generally on the concept.
- Submit an urban design brief with a component that established the vision and character of the proposed subdivision, as required in Policy 198 of The London Plan.
- If any bonus zone is envisaged for the development, detailed plans and elevations should be submitted through the rezoning process.
- For all the blocks proposing zoning for buildings taller than 4-storeys, they are required to attend the Urban Design Peer Review Panel (UDPRP):
  - UDPRP meetings take place on the third Wednesday of every month. Once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant's agent will be notified.

## **Bell**

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application and have no objections to the application as this time. However, we hereby advise the Owner to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during detailed design to confirm the provisioning of communication/telecommunication infrastructure needed to service the development. We would also ask that the following paragraph be included as a condition of approval:

“The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

It shall also be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell’s development tracking system, which includes the intake of municipal circulations. WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell’s behalf. WSP is not responsible for Bell’s responses and for any of the content herein.

If you believe that these comments have been sent to you in error or have questions regarding Bell’s protocols for responding to municipal circulations and enquiries, please contact [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca).

### **CP Rail**

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP’s approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Thank you,

CP Proximity Ontario

### **Enbridge Gas**

Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the Attachment Centre at 1-866-772-1045.

Should you require any further information, please contact the undersigned.

## **Hydro One**

Hello,

We are in receipt of Application 39T-21505 dated October 26, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:  
<http://www.hydroone.com/StormCenter3/>

## **London Hydro**

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

## **Thames Valley District School Board**

Good morning Sean,

Sorry for the delay in providing these comments. We are requesting that an 8 acre school block be provided within this Draft Plan. Given the size and location of Block 7, this block seems suitable for a dual zoning that would allow it to be used as a school block.

The proposed Draft Plan is located within the attendance area for Eagle Heights Public School, which is currently operating above capacity. As a result, TVDSB also requests that the following clause be included as a condition of Draft Plan Approval for the proposed development:

“The Owner shall inform all Purchasers of residential lots by including a condition in all Purchase and Sale and/or Lease Agreements stating that the construction of additional public school accommodation is dependent upon funding approval from the Ontario Ministry of Education, therefore the subject community may be designated as a "Holding Zone" by the Thames Valley District School Board and pupils may be assigned to existing schools as deemed necessary by the Board.”

The Board regularly reviews accommodation conditions across all elementary and secondary schools and will provide updated comments as necessary. We would appreciate it if you could please keep us updated regarding this application. Should clarification be required, please do not hesitate to contact the undersigned.

## UTRCA

### UPPER THAMES RIVER CONSERVATION AUTHORITY

*"Inspiring a Healthy Environment"*



June 23, 2022

City of London – Planning & Development  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Sean Meksula** [sent via e-mail]

Dear Mr. Meksula:

**Re: File No. 39T-21505/Z-9416 – Draft Plan of Subdivision & Zoning By-Law Amendment**  
**Applicant – Sam Katz Holdings Inc.**  
**323 Oxford Street West and 92 & 825 Proudfoot Lane, London**

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The Upper Thames River Conservation Authority (UTRCA) has reviewed these applications as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*.

#### **PROPOSAL & BACKGROUND**

A plan of subdivision comprised of medium and high density residential blocks, park blocks and new roads/streets is proposed for the subject lands.

UTRCA staff participated in the pre-consultation for this proposed development and provided comments in correspondence dated September 18, 2017 and June 4, 2020 [enclosed]. Conservation Authority staff also participated in the Mud Creek EA Process and identified a number of concerns in correspondence dated May 16, 2017 [enclosed].

#### **DELEGATED RESPONSIBILITY & STATUTORY ROLE**

##### Provincial Policy Statement 2020

The UTRCA has the provincially delegated responsibility for natural hazards and we ensure that development applications are consistent with the PPS. Our role in the planning process is comprehensive and also considers the requirements of the *Conservation Authorities Act* and the policies of the UTRCA's Environmental Planning Policy Manual (2006). This approach makes sure that the principle of development is established through the *Planning Act* approval process and that a permit application can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

##### Section 28 Regulations - Ontario Regulation 157/06

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of riverine flooding and erosion hazards as well as wetlands and the surrounding areas 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.

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.

**UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)**

The UTRCA's Environmental Planning Policy Manual is available online at:

<http://thamesriver.on.ca/wp-content/uploads/PlanningRegulations/EnvPlanningPolicyManual-update2017.pdf>

**NATURAL HAZARDS**

In Ontario, prevention is the preferred approach for managing hazards in order to minimize the risk to life and property. The UTRCA's natural hazard policies are consistent with the PPS and the applicable policies include:

***3.2.2 General Natural Hazard Policies***

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the PPS.

***3.2.3 Riverine Flooding Hazard Policies***

These policies address matters such as the provision of detailed flood plain mapping, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

***3.2.4 Riverine Erosion Hazard Policies***

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

As shown on the enclosed regulation mapping, there are riverine erosion hazards on the subject lands. As was conveyed in our pre-consultation comments, a geotechnical/ slope stability assessment is required to address the erosion hazards in regards to Blocks 7 and 8, the proposed Mud Creek Channel/Complete Corridor and the proposed design and alignment of Beaverbrook Avenue.

Please submit a geotechnical/slope stability assessment as was requested by the UTRCA through the pre-consultation process [requirement of a complete application].

***3.2.5 Watercourse Policies***

The conversion of open surface watercourses and/or drains to closed drains is discouraged. Alterations to a watercourse may be permitted subject to satisfying a number of conditions which are subject to UTRCA approvals.

It appears that Tributaries A, B and C are proposed to be enclosed. Please provide justification for the proposed enclosures including but not limited to the compensation that will be provided.

***3.2.6 & 3.3.2 Wetland Policies – Natural Hazards & Natural Heritage***

New development and site alteration is not permitted in wetlands. Furthermore, new development and site alteration may only be permitted in the area of interference and/or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and/or ecological function of the wetland feature and no potential hazard impact on the development.

### UTRCA TECHNICAL REVIEW COMMENTS

The UTRCA has undertaken comprehensive reviews of the supporting technical reports for this application and we offer the following comments.

#### Environmental Impact Study

*Environmental Impact Study 323 Oxford Street West, 92 Proudfoot Lane and 825 Proudfoot Lane, London, ON prepared by MTE dated June 30, 2021.*

1. We note that Section 2.4 states -

*"In correspondence regarding the Mud Creek EA, UTRCA provided support in principal for the concept proposed for the Beaverbrook Lands [Appendix A1], including the re-alignment of Mud Creek [Appendix A3]."*

Please also include that the UTRCA's May 16, 2017 correspondence regarding the Mud Creek EA also clearly articulated that "Technical justification of the concepts has not been provided in the MBTW /WAI material and as a result, it is difficult to determine the degree to which the new alternative management strategy is compliant with or contrary to UTRCA policies. We have provided support in principle to the approach taken but further technical support is needed."

In this regard, the May 16, 2017 correspondence [enclosed] identified a number of matters/concerns including the following which still need to be resolved -

*During our May 3/17 meeting, it was noted that there may be conflicting information regarding wetland boundaries on lands north of Oxford Street. Specifically, Conservation Authority wetland mapping shows a wetland community immediately north and west of the area recently cleared of vegetation. This wetland community does not appear on any of the information produced in support of the EA. The reason this is raised here is that UTRCA policy calls for the protection of all wetlands – regardless of whether they are deemed Provincially Significant or not. Nevertheless, a Class EA is a legitimate means of considering all viable alternatives in addressing the problem statement. We will work with all parties to ensure accurate information is available to properly characterize existing conditions and where necessary, outline a process whereby compensation for wetland loss can be considered for approval by our UTRCA Hearing Board.*

A site visit has been scheduled for July 6, 2022 at which time the vegetation removal can be discussed and the wetland boundaries can be reviewed in the field.

2. Please use consistent terminology. All figures show Beaverbrook "Avenue", while Section 1.0 refers to Beaverbrook "Lane" and Section 6.0 refers to Beaverbrook "Drive". Is this the same road?
3. Table 1 in Section 4.3.1 classifies vegetation community 10 as a SWT3 / MAM3-5, yet the classification should include SWD 6 as well since there is a Maple/Poplar Swamp located in the western portion of this community.
4. Section 4.3.2 states that "A spring botanical inventory will be completed in May 2021 to update the EIS". Given that the report was completed June 30, 2021, was this inventory completed and was the information added to the species list and considered in the recommendations?
5. Were culverts surveyed for Barn Swallow?
6. In addition to the location of acoustic monitors 1 and 2 placed in proximity to candidate bat maternity roost trees 3 and 4 in vegetation community 6 and candidate bat maternity roost trees 6 and 7 in

vegetation community 9 by MTE in 2018; we would have wanted additional monitors located between candidate bat maternity roost trees 1 and 2, as well as near candidate bat maternity roost trees 5. Without these additional points, we encourage a conservative approach that bat maternity roost habitat for protected bat species occurs in vegetation communities 2 and 6. Furthermore, we encourage a conservative approach that bat maternity roost habitat for protected bat species occurs in vegetation community 8 based on the acoustic monitoring completed by LGL in 2015 that recorded calls of the protected Little Brown Myotis and Northern Myotis.

7. Other than bats, were any mammal species observed by MTE during field investigations? Section 4.4.4 only lists mammals observed by LGL in 2015.
8. Is this the location of the dug channel described in Table 1 as originating "from the parking lot to the east of this community (vegetation community 8) carrying flows to the creek at the west edge of the site"? Please identify the location of the dug channel and discuss why this channel is considered man-made.
9. Community 8 appears to have some wetland features in Figure 4. Please provide information supporting the ELC type for vegetation Community 8 including:
  - a. Please overlay the vegetation community boundaries onto the soils map (Figure 5 in the 2021 Palmer report in Appendix B). It appears that organic deposits (i.e. wetland soils) are found throughout all of Community 8.
  - b. Provide a floral species list separated for each vegetation community (Appendix C only has a complete floral list for the whole site), to support ELC community classifications.
10. Table 1 indicates that a tributary to Trott Award Drain/Mud Creek flows through vegetation communities 7 and 8. However, Section 4.5 states that the Trott Award Drain joins Mud Creek downstream of the Subject Lands (i.e. is located to the west of vegetation communities 7 and 8). Please make the appropriate edits.
11. Section 7.1.4 states that Mud Creek provides limited habitat for fish. However, the fish species listed in Section 4.5.1 reflect the following water temperature preferences according to Morphological and ecological characteristics of Canadian freshwater fishes. Canadian Manuscript Report of Fisheries Aquatic Sciences 2554: iv+89p. by Coker, G.A., C.B. Portt and C.K. Minns. (2001):
  - 1 Cool-Warm water species
    - Central Stoneroller (*Campostoma anomalum*)
  - 2 Warm-Water species
    - Fathead Minnow (*Pimephales promelas*)
    - Spotfin Shiner (*Cyprinella spiloptera*)
  - 3 Cool-Water species
    - Brook Stickleback (*Culaea inconstans*)
    - Creek Chub (*Semotilus atromaculatus*)
    - White Sucker (*Catostomus commersonii*)
12. Please describe why the four bat maternity roost trees in community 8 are considered low-quality candidate bat maternity roost trees. In Section 7.1.3, please identify the four bat maternity roost trees that will be retained in the significant woodland by their identification number (from Figure 6). Furthermore, it is unclear how it can be argued that the retention of a portion of this significant woodland sufficiently compensates for the loss of three of the seven bat maternity roosting habitats

- found in communities 2 and 6 as well as the additional loss of four bat maternity roosting habitats in Community 8.
13. Section 4.5.2 notes that water quality in Mud Creek is poor. However, the City of London is completing a significant amount of work in the Mud Creek watershed to improve the creek. Please describe how this work is being incorporated into the current development proposal and how the protections / mitigations / enhancements compare to / complement the City initiatives.
14. In Section 4.6.1, please include the following Candidate SWH:
- a. Bat Maternity Colonies - Vegetation Communities 2, 6 and 8, as well as the Big Brown Bat colony assumed in vegetation community 9.
  - b. Species of Conservation Concern: in addition to Vegetation Community 9, please assume that candidate SWH for Eastern Wood Pewee is found in the deciduous and mixed woods of Polygons 6, 7 and 8.
15. The following comments pertain to Tables 5 - 7 and Section 7.1.1.
- a. The compensation calculations appear to include 1.54 ha of existing woodland on adjacent lands that is being dedicated to the City (identified as green space on Figure 3), and 0.98 ha of woodland being created within the 30m derailment zone along the CP rail lands. Compensation calculations shall not include these areas which are already protected from development. Please demonstrate how a net environmental benefit is being achieved.
  - b. The removal of 1.78 ha of wetland habitat is 0.14ha more than approved in the 1999 Draft Plan of Subdivision. The UTRCA is of the opinion that a greater compensation ratio [typically we require a compensation ratio of 3:1] should be applied given that the majority of the recreated wetlands will be placed within the floodplain, while the wetland habitat being removed is not entirely in the floodplain. Please address/provide justification.
  - c. Please provide area calculations to support the statement that "foraging habitat will be increased in the broad Mud Creek valley system" and that "movement habitat will be retained". Are these statements in reference to existing habitats, or habitat approved in the 1999 Draft Plan of Subdivision?
  - d. According to Table 1, Section 4.3.1, the combined area of the CUW1 polygons (vegetation communities 6, 7 and 8) is 11.2 ha; not 10.8 ha.
  - e. Please confirm the size of the cultural woodlands being retained since CUT1 and CUM1-1 vegetation communities are not woodlands and should not be included in the calculation of woodland area being retained.
  - f. Please compare the 11.2 ha of woodland (FOD 7 and CUW1) being removed with that being created within the Mud Creek valley system.
  - g. Please provide area calculations to compare the existing mud creek corridor to the greenway corridor in the 1999 Draft Plan of Subdivision and to the proposed 60m wide natural corridor along 1 km stretch of Mud Creek
  - h. How much candidate and confirmed SWH occurs on the subject lands for bat Maternity Colonies, E Wood Pewee and Stiff Goldenrod? How much of these habitats are to be retained in the current proposal? Please include vegetation communities 2, 6, 7, 8 and 9 (see EIS comments 6 above and 21 below) in calculations of candidate bat maternity colonies.



- i. Please discuss how realigning Mud Creek, as opposed to retaining it (as approved in the 1999 Draft Plan of Subdivision) will provide an environmental benefit in terms of water quality, quantity and timing, as well as what measures will be included to maintain / protect or enhance the cool water fish species. (see EIS comment 11)
  - j. Please include how the features and functions of Tributaries A, B and C will be protected, replicated and/or compensated for.
16. Sections 6.0 and 7.1.1 mention that an 11m wide servicing easement will be constructed through the Significant Woodland to connect services between neighbourhood blocks and that it could / will function as a trail corridor through the proposed woodland Park Block. Figure 9 shows this servicing easement located on the western edge of the significant woodland and bisecting the woodland between the subject property and the adjacent property, yet there is no discussion about whether this location is appropriate given the natural features and functions in this area. Furthermore, we do not agree with the statement in Section 7.1.1 that “the 11m wide servicing corridor within the significant woodland will provide an opportunity for invasive plant management” since trails can be a significant source of invasive plant material. If trails are placed in sensitive areas, they can lead to edge effects and impact sensitive species such as breeding birds and bats. For this reason, it is our opinion that trails should be situated along the edge of, and not within, natural features. The UTRCA recommends that the need for this trail and its placement be determined prior to detailed design to ensure that it can be suitably located/accommodated. Please address.
17. Please include the following items when describing the re-created Mud Creek Natural Corridor and Significant Valleyland in Section 6.1:
- a. What is the distance from the top of slope/ bank to the development limit?
  - b. What is the distance from the development limit to the outermost limit of the recreated wetland and terrestrial natural features and the top of slope / bank, whichever is greater?
  - c. How far is the multi-use pathway situated from the outermost limit of the recreated wetland and terrestrial natural features and the top of slope / bank, whichever is greater?
  - d. Is the “buffer” shown in Figure 9 that varies from 5 – 10 m in width, the same as the “vegetated upland at the top of the valley walls”?
18. Section 6.2 states that the Significant Woodland on the Subject Lands will be retained, yet Figure 9 shows portions of this woodland being removed for the development. Furthermore, there is no discussion of buffers for this Significant Woodland, for the woodlands located in the northern part of the subject lands as well as for the features located adjacent to the subject lands in the north and to the west. Note that the ISR in Appendix A for the EIS also identifies that the natural heritage features north / northwest of the site need to be evaluated.
19. Table 6 in Section 7.0 seems redundant as it provides the same information as Table 5 in Section 5.0.
20. What is the date of the satellite image in Figure 4 as it appears different than that of Figures 5 – 9.
21. Recommendation 11 states that eight bat maternity roost trees will be removed, yet Section 7.1.3 mentions only seven (i.e. the four in Community 8 and the three in communities 2 and 6). Please confirm the number and ensure compensation is provided for all bat maternity roost trees being removed. (see EIS comment 6 and comment 15g above)

22. Recognizing that 4 of the 6 fish species indicate cool water ([see EIS comment 11 above](#)), please add a recommendation in Section 7.3.3 about establishing a continuously treed riparian corridor along the re-created Mud Creek Natural Corridor.
23. Please remove the statement in Section 7.2.1 that the most critical time for the protection of natural heritage features is during the construction phase, unless this statement can be supported.
24. Please recommend that all established soil stockpiles will be surveyed for bird (e.g. bank swallows) and significant floral species prior to their removal to ensure the appropriate ministry is notified and/or that adequate mitigation or compensation is provided.
25. Please ensure that any wildlife habitat being created for amphibians, birds, turtles and bats (e.g. rock piles, bird nesting boxes, bat roosting boxes, turtle nesting beds, barn swallow nesting structures, pools and riffles, etc.) are not located near trails, lookouts, river access points or other areas where humans will be concentrating and will not be impacted by roads, including road salt.
26. Section 7.3.1 states that maintenance and monitoring be conducted during the plant establishment period. What is this period? Is it two years as discussed in Section 7.4? Depending on the length of the establishment period, additional maintenance and monitoring may be required. For example, maintenance and monitoring of habitat restoration and enhancement efforts in Section 7.3.1 should mimic the 2 phase monitoring recommended in Section 7.4 for invasive species management.
27. Section 7.3.1 references Sections 7.5 and 7.6. Should this be Sections 7.4 and 7.5 as there is no Section 7.6?
28. Please provide references in Section 7.3.2 to support the likelihood that the proposed methodology for salvaging and / or planting Stiff Goldenrod as a mitigation measure will be successful.
29. Figure 4 shows several possible wetland pockets in adjacent lands: in the OS1 lands north of the subject lands and south of the railroad; in the land west of Proudfoot Land; and in areas zoned CR and OS4 to the west of the subject lands and north of Oxford Street West. How will water quality and quantity be maintained post development to these adjacent wetland features? Note that the ISR in Appendix A for the EIS also noted that the natural heritage features north / northwest of the site need to be evaluated.
30. Please provide a figure that overlays the development limit and the re-created Mud Creek Valley on the existing vegetation community boundaries.
31. Based on the development shown in Figure 9, we have the following concerns:
  - a. The extension of Beaverbrook Avenue is located immediately adjacent to the new valley. Please explain how impacts of this road on the features and functions of the new corridor will be mitigated.
  - b. The extension of Beaverbrook Avenue will sever the connection of the Mud Creek Valley to natural features in the northwest portion of the subject lands and the natural features north of the subject lands. Please explain how impacts of this road on the features and functions of the new corridor will be mitigated.
  - c. The location of the transplanted Stiff Goldenrod shown in Figure 8 appears to be located within the extension of Beaverbrook Avenue.

32. Please confirm the date of the hydrogeology report by Palmer. Table 5, Table 7, Figure 5 and Appendix B all refer to a 2020 study, yet the report in Appendix B and other references in the EIS refer to a 2021 study.
33. Figure 5: Mud Creek Hydrology and UTRCA Regulated Lands appears to be missing the overlay identifying the regulated lands. Please revise.

#### Hydrogeological Assessment

While the UTRCA has deferred the review and approval of the Hydrogeological Assessment to the City of London, we offer the following comments [based on our review of the EIS] for the consideration of the City's ecologist and hydrogeologist.

The UTRCA is seeing clarification regarding the hydrogeological information and the biological information provided in Section 4.5 of the EIS. The groundwater study by Palmer (2021) found that groundwater was variably above (0.12 mags) and below (-0.60 mags) the creek bed in the lower reach of Mud Creek, as it bends toward Oxford Street West, and concluded that this portion of the creek is losing water to the water table (i.e. groundwater). However, the biological study by MTE identified watercress on the banks of Mud Creek in vegetation Community 8 where it bends along Oxford Street West, which indicates that rather than losing water to the water table, it is receiving water from the water table. It is MTE's opinion that seepage from the road bed of Oxford Street West may be contributing to the system and providing suitable growing conditions for watercress.

The EIS states that a site-specific hydrogeological study was undertaken by Palmer (2021) to characterize the hydrogeological conditions of the site, including groundwater elevation and the interaction with the design of the proposed development, and to develop a pre-to-post development water budget to evaluate the potential impacts from site development on groundwater levels, aquifer units and Mud Creek. Excerpts of this study are located in Appendix B of EIS.

- A. Given that the summary on the Palmer (2021) report in Section 3.3 (Appendix B) states that "*BH18-1 and BH18-2 are missing continuous data from January 2019 to April 2019 due to a logger malfunction.*" How should this information be interpreted given that this is usually the period of high GW levels and that they are the two boreholes closest to the lower reach of Mud Creek.
- B. Can one still make conclusions about groundwater and surface water interactions if:
  - A datalogger malfunction occurred during the winter months that resulted in a loss of data, which is what Palmer reports happened at MP1, 2 and 3.
  - A blockage in MP1 in November 2018 renders the data unreliable
  - The water in MP1 and MP3 were frozen in place in January 2019, and therefore, the manual data could not be collected.
- C. Is there agreement that this site has a high hydraulic conductivity and the infiltration rate that can readily accept infiltration and subsequent groundwater recharge? If so, where? Furthermore, is there agreement that the central and eastern portion of the site have sufficient unsaturated thickness and highly permeable soils to accept infiltration and that the water table depth and the high permeability soils at the site will support a wide variety of LID measures to balance the pre-to-post development water budget?
- D. Is there agreement with Section 4.1.4 of the EIS that states –

*"The upper reach of Mud Creek receives groundwater input for most of the year, with groundwater depths variably above the creek bed (0.59 metres above ground surface (mags)) to below the creek bed (-0.10 mags). Near the confluence of Tributary A and within the marsh/thicket wetland (polygon*

10), groundwater was measured close to surface; however, a downward hydraulic gradient indicates that this portion of the creek and the wetland may be perched on lower permeability soils. In the lower reach of Mud Creek, as it bends toward Oxford Street West, groundwater was variably above (0.12 mags) and below (-0.60 mags) the creek bed. Monitoring results here suggest that this portion of the creek has a neutral to downward hydraulic gradient and, therefore, is losing water to the water table.”

Section 7.1.1 of the EIS uses this information to support their position that - “wetlands (created) in the north of the corridor may receive groundwater input, while wetlands (created) in the mid and lower reaches of the corridor will be fed by overland flow from the creek after rainfall events or where deeper pools (>0.5 mbgs) intercept shallow groundwater.” Has this been accepted?

- E. Is there agreement with Section 7.1.1 of the EIS that the existing 1.9 ha marsh / thicket, (Vegetation community 10) characterized as containing a very high presence of a groundwater indicator species (e.g. Skunk Cabbage), is perched above groundwater as described in Section 4.1.4 of the Palmer 2021 hydrology study?
- F. Is there agreement with Table 5 and Section 7.1.5 of the EIS that states “the proposed realigned path of Mud Creek will be at a similar elevation and grade as the existing channel so that it continues to receive groundwater discharge and intercept the seasonal water table”?
- G. Given the temperature sensitive fish species in the creek, is there agreement that no hydrogeological impacts to Mud Creek are expected from the proposed realignment?
- H. Is there agreement with Recommendation #22 in the EIS which states that groundwater barriers can and should be constructed in adequate numbers to prevent groundwater migration down sewer trenches, and that this can wait until detail design stage?

#### Stormwater Management/Service/Water Balance

*Functional Servicing (FSR) and Stormwater Management Report - The Beaverbrook Community – 323 Oxford Street West, 92 Proudfoot Lane, and 825 Proudfoot Lane, London, Ontario* prepared by TMIG dated June, 2021

*Hydrogeological Assessment – 323 Oxford Street West City of London, Ontario - Water Balance* prepared by Palmer dated April 14, 2021.

- 34. While we appreciate the response table [addressing pre-consultation comments] that was generated, the UTRCA requires detailed responses to our June 4 , 2020 SWM comments [enclosed] to ensure that the issues have been/will be addressed in the detailed design of the SWM for the site.
- 35. Section 2.8 of the report mentions hydraulic and regulatory floodlines. Please confirm that the geomorphology, cross-sections, and the proposed meander belt analysis were considered in the revised/updated hydraulic analysis and for the floodplain modeling in the reaches of the Mud Creek.
- 36. Section 4.2.2.2 mentions that the riparian storage in the proposed valley is not required to match existing conditions because the existing Mud Creek is a highly altered system and the CPR embankment currently prevents the full regulatory storm flow from reaching the site. This statement is not clear/confusing. Does this refer to the riparian storage in the new channel or the existing Mud Creek? The UTRCA does not recommend storage within the riparian zone.  
  
The runoff from the upstream areas is routed through the existing culverts and into Mud Creek. Also, the proposed site generates flows from a 37 hectare area during storm events. The UTRCA strongly recommends that quantity control be required under the proposed conditions. Please consider.
- 37. Section 6.2.1 mentions that for water quantity control, post-development peak flows are to match pre-development peak flow rate, up to the 100-year storm event. The UTRCA regulatory storm is the 250-year storm event. Please address.

38. The UTRCA does not support the use of the proposed right of way LID for quantity control. The LID efficiency depends on regular operation and maintenance, public education and owner dedications. In the absence of effective operation and maintenance and monitoring program, the efficiency of the proposed SWM LID will reduce over period of time which may cause local flooding and ponding. The use of the SWM LIDs for quantity control for such a large development in the absence of the combination of other SWM control measures such as dry pond etc. is discouraged.
39. Section 6.1 of the report mentions that the SWM strategy for the Beaverbrook Lands includes the implementation of on-site controls on the development blocks and low impact development practices for road rights-of-ways. The UTRCA strongly recommends considering the quality of the runoff when considering the LID in the road right of way. The dissolved pollutants may affect the groundwater and the local soils.
40. Please consider the performance of the proposed infiltration based LID and the groundwater recharge elevation.
41. Section 6.2.3 mentions that the hydrogeological assessment completed by Palmer indicated that the infiltration is reduced by 52% under the post-development conditions and to mitigate the infiltration deficit, the 5 mm rainfall event is proposed for volume capture and infiltration through LIDs.
- However, the report mentions that the SWM LID will be used for quantity control. How will only capturing the 5 mm on site provide quantity control and balance the infiltration?
- The proposed 5 mm infiltration may provide balance for the infiltration deficit but may not provide quantity control. Please provide justification.
42. In Section 4 water balance is mentioned however, it was undertaken for the entire development site under the pre- and post-development conditions and did not consider the natural heritage features on the subject lands.
- Table 10 shows the pre- and post-development conditions water balance and shows 52 % deficit in the infiltration and 326 % increase in the runoff volumes under the proposed conditions. The proposed SWM LIDs may not be able to retain/control the volume during major storm event depending on the rainfall depth and duration which may cause flooding. Infiltration based SWM LID's may not be able to retain the quantity of runoff because the conveyance of flow occurs faster than the infiltration.
- Please consider site specific parcel/block based water balance under the proposed conditions by setting infiltration and runoff targets under the pre-development conditions. Also please consider retention strategies for SWM under the proposed conditions in combination with the proposed SWM LIDs to ensure that the flows under various storm events from the site are controlled to pre-development flows.
- Please use correct runoff coefficients under the proposed conditions using the proposed land use for each catchment area at the detailed design stage of the development.

#### Zoning/The London Plan

In accordance with the London Plan policies for the Mud Creek Area 774A and 961 A which are acknowledged in the Final Proposal Report [August, 2021] –

*...no development shall occur within the lands regulated by the Conservation Authority prior to the completion of creek channel and stormwater works until such time as the creek channel and stormwater works have been completed in accordance with the recommendations of the accepted environmental assessment for the lands, and the as-built drawings have been accepted by the Conservation Authority...*

Please incorporate the necessary holding provisions into the zoning for the proposed development

### **RECOMMENDATION**

Given the outstanding matters, the UTRCA recommends that the applications be deferred. The Conservation Authority will require a detailed response letter to the comments contained herein along with revised reports.

### **UTRCA REVIEW FEES**

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of Planning Act applications and the peer review of technical reports. Our fee for the review of the planning applications is \$10,395.00. Our technical peer review fee is \$2260.00 [\$1130.00 x 2 – EIS & SWM/Functional Servicing Report]. We will invoice the applicant for the amount of \$12,655.00 under separate cover.

Thank you for the opportunity to comment. If there are any questions please contact the undersigned.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
IS/TT/SP/CC/cc

Enclosures -

Regulation Mapping [please print on legal size paper to ensure that the scales are accurate]

May 16, 2017 – UTRCA Correspondence - *Mud Creek Subwatershed Class Environmental Assessment - Review of Revised Draft Report by CH2M Hill Canada Limited*

September 18, 2017 – *UTRCA Comments – September 13, 2017 Proposal Review Meeting* 323 Oxford Street West, London, Ontario

June 4, 2020 - *UTRCA Comments – March 2020 Initial Proposal Report – The Beaverbrook Lands - 323 Oxford Street West and 92 & 825 Proudfoot Lane, London, Ontario*

c.c. Sent via email -  
Applicant – Sam Katz Holdings Inc. c/o MBTW - Yasaman Soofi [[yasaman@mbtw.com](mailto:yasaman@mbtw.com)]  
UTRCA – Jessica Schnaithmann, Land Use Regulations Officer & Deb Kirk

# Regulated Areas

Regulation under s.28 of the Conservation Authorities Act  
Development, interference with wetlands, and alterations to shorelines and watercourses. O.Reg 157/06, 97/04.

## Legend

- Assessment Parcel (MPAC)
- Watercourse (UTRCA)
- Open
- Tied
- Wetlands (MNRF)
- Evaluated-Provincial
- Evaluated-Other
- Not Evaluated
- Regulated Wetland
- Flooding Hazard Limit
- Erosion Hazard Limit
- Regulation Limit 2021

The mapping is for information screening purposes only, and shows the approximate regulation limits. The text of Ontario Regulation 157/06 supersedes the mapping as represented by this data layer. This mapping is subject to change. A site specific determination may be made by the UTRCA.  
This layer is the approximate limit for areas regulated under Ontario Regulation 157/06 - Upper Thames River Conservation Authority: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, which came into effect May 4, 2006.  
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UPPER THAMES RIVER  
OBSERVATION AUTHORITY



\*Please note: Any reference to scale on this map is only approximate when the printed landscape is regulated (8.5" x 11") paper.

Notes:  
323 Oxford Street West and 92 & 825 Proudfoot Lane, London  
Created By: CC June 17, 2022

**Internal Department Comments - Revised Notice of Application – August 30<sup>th</sup>, 2023**

**Ecology**

**Date** October 17, 2023

**To** Bruce Page, Manager, Subdivision Planning, City of London

**From** *Margot Ursic, Planning Ecologist*  
(on behalf of the City of London Long Range Planning, Research and Ecology division)

**CC** *Sean Meksula, Senior Planner, City of London*  
Kevin Edwards, Manager, Long Range Planning, Research and Ecology, City of London  
Shane Butnari, Ecologist, City of London

*Submitted electronically to: [bpage@london.ca](mailto:bpage@london.ca)*

*Copied to: [smeksula@london.ca](mailto:smeksula@london.ca); [kedwards@london.ca](mailto:kedwards@london.ca); [sbutanri@london.ca](mailto:sbutanri@london.ca)*

**Re** **Ecology Comments on Draft Plan of Subdivision and Zoning By-law Amendment for 323 Oxford St. West, 92 and 825 Proudfoot Lane (39T-21505/Z-9416) (“Beaverbrook Community”)**

The following comments are provided in my role providing ecology / environmental planning support to the City of London for the City’s Long Range Planning, Research and Ecology division.

**Documents Reviewed**

The following comments relate to the following Environmental Impact Study (EIS):

- Mud Creek – Beaverbrook Avenue Environmental Impact Study (EIS) prepared for Sam Katz Holdings Ltd. by MTE Consultants Inc. (MTE) dated February 28, 2023 (referred to herein as the 2023 EIS), including the:
  - Hydrogeological Assessment for 323 Oxford Street West prepared for the ESAM Group by Palmer dated Apr. 14, 2021 (referred to herein as the 2021 Hydrogeological Assessment)

Additional key background sources also reviewed and considered in support of this review includes the following:

- Mud Creek Subwatershed (SWS) Class Environmental Assessment (EA) prepared for the City of London by CH2M Hill Canada Limited and dated Sept. 18, 2017 including the:
  - Subject Lands Status Report (SLSR) and Environmental Impact Statement (EIS) by LGL Limited dated December 2016
- Local Planning Appeal Tribunal (LPAT) decision for case PL170100 dated Dec. 19, 2019
- The Beaverbrook Community Final Proposal Report (FPR) Addendum Letter prepared for Sam Katz Holdings Ltd. by MBTW-WAI, last updated June 2023 (referred to herein as the 2023 FPR Addendum)
- Functional Servicing and Stormwater Management (FS-SWM) Report Addendum for Beaverbrook Community, London, Ontario / 323 Oxford Street West, 92 Proudfoot Lane, 825 Proudfoot Lane to Jacob Katz of Litera Group from Tony Dang and Monica Ruiz of TYLin dated June 12, 2023 (referred to herein as 2023 FS-SWM Addendum)



- Preliminary Slope Assessment for Beaverbrook Community, 323 Oxford Street West, 92 & 825 Proudfoot Lane, London, Ontario prepared for Sam Katz Development Limited by Palmer, dated June 30, 2023 (referred to herein as the 2023 Preliminary Slope Assessment)

## General Comments

The 2023 SLSR-EIS submitted by MTE for 323 Oxford St. West, 92 and 825 Proudfoot Lane (the subject lands) addresses many of the comments provided by the City on the original EIS for these lands (submitted by MTE Consultants and dated June 30, 2021). The inclusion of new text to explain the planning context as well as the rationale for and details of the recommended natural heritage system protection and compensation, supported by revised maps and tables, is greatly appreciated.

The City continues to recognize (as per previous comments) that much of the wooded and wetland vegetation on site has been heavily disturbed over the past few decades, and that re-development of the site presents an opportunity to improve both the local stormwater management and the local natural heritage and urban forest functions by re-aligning the existing creek and re-creating and restoring woodlands and wetlands.

However, the 2023 EIS remains deficient in the following key areas:

1. **APPLICABLE POLICIES:** The EIS should be amended to (a) clearly distinguish between the policies / regulations / guidelines that this EIS must comply with versus those that it should consider.
2. **HABITAT FOR ENDANGERED AND THREATENED BATS:** Confirmation of assessments from the Ministry of Environment, Conservation and Parks (MECP) is requested.
3. **SIGNIFICANT WILDLIFE HABITAT (SWH):** Candidate SWH should be considered confirmed.
4. **FEATURE STAKING:** Staking the limits of NHS features to be retained should be completed as part of the EIS.
5. **BUFFERS:** Ecological buffers to the proposed Natural Heritage System (NHS) features on the subject lands have not been determined or clearly delineated on the proposed NHS mapping.
6. **WOODLAND COMPENSATION:** The proposed woodland compensation includes some lands which are not acceptable as woodland compensation.
7. **ZONING FOR NATURAL HERITAGE:** As noted previously, NHS lands, including lands to be restored as wetlands and/or woodlands, are to be zoned as passive open space.
8. **CONSTRUCTION STAGING:** A recommendation to obtain a Wildlife Scientific Collector's Authorization (WSCA) permit should be added.
9. **MONITORING PROGRAM:** The current framework is missing a few key components.

**A revised EIS or an addendum to this EIS addressing these outstanding matters is requested.** The points above are described in more detail below. Please do not hesitate to reach out for a virtual meeting and/or to schedule a site meeting to discuss these comments and/or to provide any additional information or clarification.

## Specific Comments

1. **CLARIFYING THE APPLICABLE POLICIES / REGULATIONS / GUIDELINES:** As noted in the 2023 EIS (Section 1), the subject lands have a long and complex planning history dating back to the 1990's. Based on this history, it is understood that the current EIS for the subject lands, must:

- a. Comply with the LPAT decision (PL170100) from Dec. 2019, including approved revisions to London Plan Map 5 which outlines the location and extent of significant woodland and significant valleyland on 323 Oxford, and acknowledged unevaluated vegetation patches on 92 and 825 Proudfoot (whose extent and significance still require evaluation);
  - b. Consider and update / refine the natural heritage data, assessments and recommendations from the SLSR-EIS by LGL Ltd. (Dec. 2016) in the Mud Creek SWS EA (CH2M 2017), while respecting the 2019 LPAT decision;
  - c. At the municipal level, comply with the City's 1989 Official Plan policies in accordance with the 2019 LPAT decision while still considering the City's current London Plan policies and supporting Environmental Management Guidelines (EMGs), particularly on the 92 and 825 Proudfoot parcels where the significance and extent of the natural features has not yet been confirmed;
  - d. At the provincial level, comply with the current Provincial Policy Statement (PPS) as well as Ontario's Endangered Species Act (2007) and Conservation Authority Act (as amended through Bill 23 in 2022); and
  - e. At the federal level, comply with the Fish and Fish Habitat Protection Policy Statement (2019) and Migratory Birds Convention Act.
- While the overview of the planning history for the subject lands provided in Section 1.0 of the EIS is acceptable, Section 2 and Section 5 should be amended to (a) clearly distinguish between the policies / regulations / guidelines that this EIS must comply with versus those that it should consider. Providing this information in table format (e.g., in Section 2) would be acceptable.
  - Although the text in Section 5 indicates the current London Plan policies are being "considered" and Table 5 illustrates how, Table 5 gives the impression that these are the applicable policies, when (as noted above) they are not. Listing the 2007 EMGs in this section also confuses what is applicable versus what is being considered. We suggest a complete summary of applicable versus considered policies / regs / guidelines be provided in Section 2, and that Section 5 refer back to this table and focus on a summary of NHS components being considered through this EIS.
2. **HABITAT FOR ENDANGERED AND THREATENED BATS:** We appreciate that bat habitat assessments have been completed and that the data and assessments are provided in Section 4.4.3 of the EIS. Please confirm that MECP has been consulted, concurs with these findings as they relate to Little Brown Myotis, and is not seeking any habitat compensation beyond what is proposed in the EIS.
  3. **SIGNIFICANT WILDLIFE HABITAT (SWH):** We concur with the SWH assessments provided in Section 4.6.1 of the EIS. These should be considered confirmed SWH rather than candidate SWH based on the field work completed in support of the EIS.
  4. **FEATURE STAKING:** Staking (and surveying) the limits of NHS features to be retained, including any agreed to restoration areas, should be completed as part of the EIS and not deferred to the Site Plan stage (as implied through EIS Recommendation 1). Having a confirmed NHS, including feature limits and agreed-upon buffers, will help ensure that these constraints are carried over into other plans (e.g., grading and servicing plans) as required. For example, Drawings G-1 and S-1 in the 2023 FS-SWM Addendum by TYLin do not appear to have properly accounted for the significant woodland or an associated buffer in the Block 6 lands.
  5. **BUFFERS:** As noted above, as the 1989 Official Plan is in force on this site, the more robust and explicit requirements related to buffers in the current Environmental Management Guidelines (2021) do not apply and a more flexible approach to the identification of buffers will be considered. However, previous comments have also

been explicit that buffers to the various NHS features being retained and/or replaced do need to be identified and mapped as part of the EIS. These cannot be deferred to the Sirte Plan process as suggested in Recommendation 8.

- The current EIS recognizes the need for buffers (i.e., Recommendation 2) but does not prescribe or map any specific buffers beyond the 5 to 13 m wide “buffers” to the created valley corridor (which also accommodate a multi-use trail on one side of the new valley). As part of the proposed NHS, please:
  - include minimum 10 m buffers to the Block 8 and Block 10 significant woodlands, and
  - provide a 10 m buffer to the off-site significant woodlands.

6. HABITAT COMPENSATION: The City is in general agreement with the rationale for and approach to natural heritage compensation outlined in the 2023 SLSR-EIS, which is understood to be based on the following principles:
- i. Significant woodlands and other (non-significant) woodlands are to be replaced on a one-for-one land basis include:
    - a. Significant woodlands as identified in the LPAT settlement (PL170100, Dec. 19, 2019) and carried forward into The London Plan Map 5 on the 323 Oxford lands;
    - b. Other woodlands, as identified in the 2023 SLSR-EIS, within the Mud Creek EA (CH2M 2017) preferred alternative corridor on the 323 Oxford lands; and
    - c. Significant woodlands, as identified in the 2023 SLSR-EIS, on the 92 and 825 Proudfoot Lane lands.
  - ii. Wetlands, as identified in the 2023 SLSR-EIS on the subject lands, are to be replaced on a one-for-one land basis.
  - iii. Other woodlands, as identified in the 2023 SLSR-EIS and outside of the Mud Creek EA (CH2M 2017) preferred alternative corridor on the 323 Oxford lands, are to be compensated for with a combination of measures (e.g., additional restoration lands, restoration works within existing degraded woodland features, and the dedication of woodlands outside but adjacent to the study area to the City).

Notably, the details of which species are to be planted and at what densities as part of wetland and woodland creation and restoration works are to be confirmed through detailed landscaping/naturalization/restoration plans to be provided at the Site Plan process. However, these should provide for tree replacements at a minimum 3:1 ratio (as per the 2017 EA).

- However, a few clarifications and revisions are required, as follows.
  - a. Has significant woodland polygon 6A been accounted for? And if so, how?
  - b. The block to be dedicated to the multi-use trail on the west side of the new, naturalized corridor is not acceptable as woodland compensation.
  - c. The community gardens are not acceptable as woodland compensation.
  - d. The areas proposed for within significant woodland feature restoration should be identified as an overlay on Figure 13.

Please note that given the unique planning context and history on this site the City is willing to: accept the dedication of the off-site (“Fleetway”) woodland, consider additional areas of within feature woodland restoration, and count naturalized buffers towards habitat compensation requirements to help mitigate the impacts of the proposed development.

7. ZONING FOR NATURAL HERITAGE: As noted previously, NHS lands, including lands to be restored as wetlands and/or woodlands, are to be zoned as passive open space, not as active park lands. Therefore, the zoning proposed for Block 8 is appropriate. However, the portions of Block 10 that are to be retained as significant woodland, including a buffer, and the portions of Block 9 to be restored as woodland, including any buffers to the off-site significant woodlands, should also be zoned as passive open space. Please note that preferred zoning for the complete corridor blocks still needs to be confirmed in consultation with other City staff.
8. CONSTRUCTION STAGING: Given that some frogs, toads and/or other species (such as crayfish) are expected to be found in the wetlands identified for removal and replacement, a recommendation to obtain a WSCA permit for the collection, transportation, and release of wildlife should be added. This should include a well-coordinated plan that considers the methods, timing and locations for these activities.
9. MONITORING PROGRAM: As per EIS Recommendation 7, an ecological monitoring program is required. The monitoring framework provided in Section 7.5 is generally acceptable. However, it should be an integrated multi-disciplinary framework that includes:
  - a. Amphibian calling surveys within the created wetlands / naturalized corridor; and
  - b. Measures confirming the newly created Mud Creek is functioning as intended, including: (i) surface water quality (including temperature), levels and flow monitoring; (ii) key fluvial measures of stream form and stability; and (iii) aquatic habitat monitoring (including fish community and passage).

It should also be noted in the EIS Section 7.5 that:

- the monitoring plan is to be based on the recommended and approved NHS; and
- there may also be additional requirements from other City departments and/or agencies related to Species at Risk habitat mitigation (e.g., SAR bats), groundwater (e.g., any feature-based water balances) or other disciplines that relate to the NHS and its functions that will need to be incorporated into the monitoring plan.

#### Minor Comments / Corrections

- Section 2.1: The last paragraph includes several inaccuracies which should be corrected. For example, no development is permitted within PSWs, and permissions in fish habitat must be in accordance with the applicable federal regulations while permissions in habitat of provincially endangered or threatened species must be in accordance with the applicable provincial regulations (not the “no negative impact” test).
- Section 4.2.1: It would be helpful to have unevaluated wetland patches #06012 and #06013 shown on a map.
- Section 4.3.1: Although the vegetation community mapping in this EIS is similar to and generally aligned with what was included in the 2016 SLSR-EIS by LGL, they are not entirely consistent. The text should be revised to reflect this.
- Table 1: The descriptions in this table do not include units 6A, 7A or 8A which are listed in the table on Figures 6, 7, 8, 10, 12 and 13. These should be added along with their respective areas.
- Section 4.4.1: The text indicates both polygons 7 and 9 are assumed breeding habitat (and therefore significant wildlife habitat) for Eastern Wood-Pewee, but Figure 8 only shows polygon 9. Please revise.

## Parks

**To:** Sean Meksula  
Senior Planner - Development Services  
**From:** Parks Long Range Planning and Design  
**Date:** October 16, 2023.  
**RE:** **39T-21505, Revised- 323 Oxford Street West, 92 and 895 Proudfoot Lane**

Parks Long Range Planning and Design has reviewed the submission for the above noted plan of subdivision and offers the following comments:

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of PLRP&D that the required parkland dedication will be satisfied through the combination of dedicated parkland or the payment of cash-in-lieu of parkland.
- The Official Plan requires parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-25 establishes and implements these rates as follows:
  1. Hazard land - 45 hectares of hazard land for every 1 hectare of table land.
  2. Open space or other constrained lands - 30 hectares of open space or constrained lands for every 1 hectare of table land.
- The table below summarizes the parkland information as per the submitted proposed zoning for the plan of subdivision.

Land	Area (ha)		Expected Dedication (ha)
<b>323 Oxford Street</b>	<b>23.07<sup>1</sup></b>	<b>5%</b>	<b>1.15ha</b>

<sup>1</sup> All lands in subdivision excluding lands to be acquired by the City for parkland, open space blocks and the SWM corridor.

Provided Parkland Dedication	Area	Classification	Rate	Dedication
<b>Block 8</b>	<b>1.92</b>	<b>Constrained</b>	<b>30:1<sup>2</sup></b>	<b>0.06</b>
<b>Block 9</b>	<b>1.64</b>	<b>Constrained</b>	<b>30:1<sup>2</sup></b>	<b>0.06</b>
<b>Block 10</b>	<b>4.45</b>	<b>Constrained</b>	<b>30:1<sup>3</sup></b>	<b>0.15</b>
<b>Block 11</b>	<b>0.32</b>	<b>Constrained</b>	<b>30:1<sup>4</sup></b>	<b>0.01</b>
<b>Block 12</b>	<b>0.56</b>	<b>Constrained</b>	<b>30:1<sup>4</sup></b>	<b>0.02</b>
<b>Total Dedication</b>	<b>8.89</b>			<b>0.3ha</b>
<b>Outstanding Parkland</b>				<b>0.85ha</b>

<sup>2</sup>Consists of ecological features and includes lands located within the required 30m CPR corridor, are not developable lands and taken at the constrained land rate.

<sup>3</sup>Consists of ecological features including hazard slopes and contains opens space lands that have slopes greater than the minimum requirements for park use as identified in the City of London Design Specification and Requirements Manual. Portion of the lands may be suitable for residential development but are constrained lands for park use and would be taken at the constrained land rates.

<sup>4</sup>Blocks are required ecological buffer land to the Mud creek complete corridor. Pending the completion of and acceptance of the required EIS the City pathway may be

accommodated within the buffer area. The buffer lands are not developable lands and taken at the constrained land rate.

The following lands are ineligible for parkland dedication purposes, Blocks 13, 14 and 15 – Stormwater management site; compensation to be provided for land acquisition by Development Charges reserve funds; not eligible for consideration as parkland for dedication requirements

- All lands located within the 250-year flood line in the proposed Mud Creek realignment will be acquired through Stormwater acquisition. The proposed vegetative buffer blocks will be considered as a portion of parkland dedication based on the Council approved rate of 30:1.
- Due to the existing significant woodland, hazard land (steep slope) and topography exceeding minimum slope requirements for park use, Block 10 does not provide for sufficient tableland area to accommodate a Neighbourhood Park.
- To accommodate a Neighbourhood Park, Block 3 should be dedicated to the City as required parkland dedication.

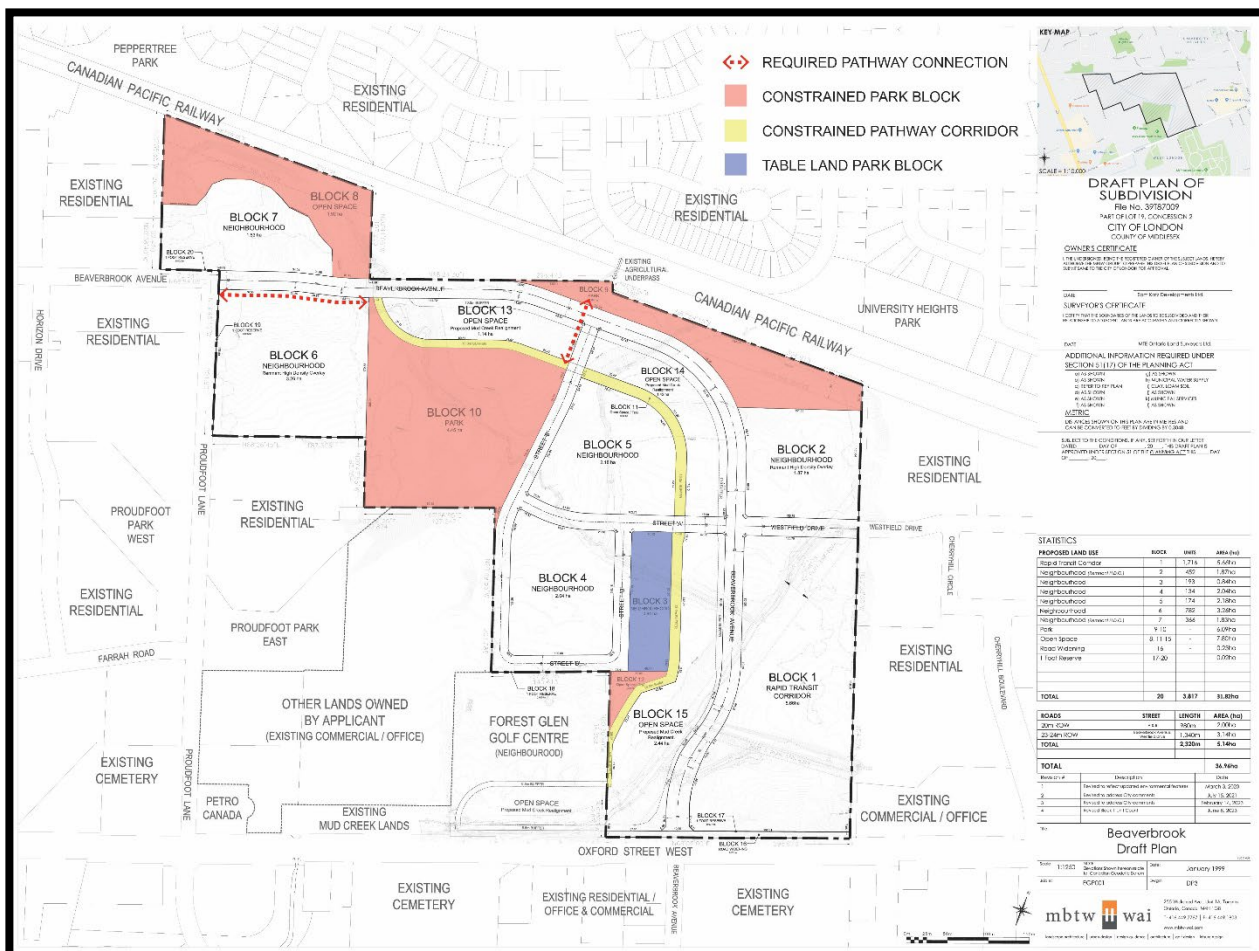
(see attached diagram below for parks plan)

- **Draft Comments**

- The Owner shall convey up to 5% of the lands included within this plan to the City of London for park purposes, or as cash in lieu, in accordance with By-law CP-25. Staff may accept constrained, hazard and natural heritage lands at a compensated rate as defined in Parkland Dedication By-law CP-25.
- In conjunction with the Focused Design Studies the Owner's Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway alignments in conformity with the City of London Design Specifications and Requirements Manual and the Standard Contract Documents for Municipal Construction, and an excepted EIS which includes:
  - the proposed buffer blocks.
  - neighbourhood park, block 3
  - connection through Block 9 under the Canadian Pacific Railway to University Heights Park including securing all permission if required from Canadian Pacific Railway.
  - connection to be extended along the west side of Street "B" connecting from the intersection of Street "B" and Beaverbrook to the south side of the stream corridor and Block 10.
  - connection to be extended west along the south side of Beaverbrook Avenue connecting from the intersection of the stream corridor to Proudfoot Lane.
  - provide for safe pedestrian crossing at all Streets that intersect with the recreational pathway and park system.
- In conjunction with the Focused Design Studies, the Owner shall remove all servicing easements from the City Park Block 10, or if a demonstrated need for easements is obtained by the City any easement shall align with future pathway location in the park to the satisfaction of the City.
- The Owner shall construct 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park, Open Space Blocks and Pathways. Fencing shall be completed to the satisfaction of the City, within one (1) year of the registration of the plan.

- In conjunction with the first submission of engineering drawings, the Owner's qualified consultant shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for Blocks 3 and 10. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.
- The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.
- Parks Long Range Planning and Design Staff are willing to meet with the applicant and Planning and Economic Development to discuss these comments if required.

## Parks Plan



**To:** Sean Meksula  
 Senior Planner - Development Services

**From:** Craig Smith  
 Parks Long Range Planning and Design

**Date:** April 2, 2024.

**RE:** 39T-21505, Revised (Mar. 24)- 323 Oxford Street West, 92 and 895 Proudfoot Lane

The following lands are ineligible for parkland dedication purposes, Blocks 11, 13, 14 and 15 – Stormwater management site; compensation to be provided for land acquisition by Development Charges reserve funds; not eligible for consideration as parkland for dedication requirements

- All lands located within the proposed Mud Creek complete corridor realignment will be acquired through Stormwater acquisition and includes lands required for an access pathway (Block 11).
- **Draft Comments as per Standard Draft Plan Conditions Memo March 11, 2024**
  - Parkland dedication has been calculated at a rate in accordance with the current City by-laws. Prior to final approval, the Owner shall dedicate Blocks 9, 10 and 12 to satisfy the required parkland dedication, all to the satisfaction of the City.
  - In conjunction with Focused Design Studies, the Owner's Landscape Architect shall prepare and submit a conceptual parks plan for Blocks 9, 10 and 12, to the satisfaction of the City. This is to include all conceptual pathway alignments with safe pedestrian crossings at all streets and corridors that intersect with the park and pathway system including:
    - connection through Block 9 under the Canadian Pacific Railway to University Heights Park including securing all permission if required from Canadian Pacific Railway.
    - connection to be extended along the west side of Street "B" connecting from the intersection of Street "B" and Beaverbrook to the south side of the stream corridor and Block 10.
    - connection to be extended west along the south side of Beaverbrook Avenue connecting from the intersection of the stream corridor to Proudfoot Lane
  - In conjunction with first submission of engineering drawings, the Owner shall have a qualified arborist prepare a tree preservation report and plan as required by the Tree Inventory for all works required to accommodate the proposed draft plan of subdivision, to the satisfaction of the City. All recommendations shall be incorporated in the engineering drawings and subdivision agreement.
  - In conjunction with the first submission of engineering drawings, the Owner's qualified consultant shall incorporate detailed grading and servicing of all park and pathway designs in accordance with the accepted conceptual plans and City standards to the satisfaction of the City.
  - And includes the General Provisions- Subdivision Agreements as Feb 15, 2024.

#### **24.13 PLANNING**

- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City. Park Blocks and Open Space Blocks shall not be used for stockpiling of any kind.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the approved engineering drawings and City Standard S.P.O.-4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.
  - Within one (1) year of registration of this Plan, the Owner shall have its



consultant provide a certificate to the City that identifies that the fencing has been installed as per the approved engineering drawings.

- The Owner shall not grade into any park or open space area. Where Lots abut lands zoned as open space, all grading of the developing Lots at the interface with the park or open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the park or open space zones shall be to the satisfaction of the City.

Parks Long Range Planning and Design Staff are willing to meet with the applicant and Planning and Economic Development to discuss these comments if required.

**To:** Sean Meksula, Senior Plannere  
Planning and Economic Development  
**From:** Craig Smith  
Parks Long Range Planning and Design  
**Date:** April 22, 2024.

**RE: 39T-21505, Revised (Mar. 24)- 323 Oxford Street West, 92 and 895 Proudfoot Lane**

The following lands are ineligible for parkland dedication purposes: Blocks 11, 13, 14 and 15 – Stormwater management site. Compensation is to be provided for land acquisition by Development Charges reserve funds.

- All lands located within the proposed Mud Creek complete corridor realignment will be acquired through Stormwater acquisition and includes lands required for an access pathway (Block 11).

**Draft Comments as per Standard Draft Plan Conditions Memo March 11, 2024**

- Parkland dedication has been calculated at a rate in accordance with the current City by-laws. Prior to final approval, the Owner shall dedicate Blocks 9, 10 and 12 or an equivalent suitable block of table land to accommodate a neighbourhood park to satisfy the required parkland dedication, all to the satisfaction of the City.
- In conjunction with Focused Design Studies, the Owner's Landscape Architect shall prepare and submit conceptual plans for Blocks 9, 10 and 12, to be accepted prior to the approval of any phase of the draft plan of subdivision to the satisfaction of the City. This is to include all conceptual pathway alignments with safe pedestrian crossings at all streets and corridors that intersect with the park and pathway system including:
  - connection through Block 9 under the Canadian Pacific Railway to University Heights Park including securing all permission if required from Canadian Pacific Railway.
  - connection to be extended along the west side of Street "B" connecting from the intersection of Street "B" and Beaverbrook to the south side of the stream corridor and Block 10.
  - connection to be extended west along the south side of Beaverbrook Avenue connecting from the intersection of the stream corridor to Proudfoot Lane
- In conjunction with the first submission of engineering drawings, the Owner's qualified consultant shall incorporate detailed grading and servicing of all park and pathway designs in accordance with the accepted conceptual plans and City standards to the satisfaction of the City.

- And includes the General Provisions- Subdivision Agreements as Feb 15, 2024.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City. Park Blocks and Open Space Blocks shall not be used for stockpiling of any kind.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the approved engineering drawings and City Standard S.P.O.-4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.
- The Owner shall not grade into any park or open space area. Where Lots abut lands zoned as open space, all grading of the developing Lots at the interface with the park or open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the park or open space zones shall be in accordance with the approved engineering drawings and to the satisfaction of the City.

Parks Long Range Planning and Design Staff are willing to meet with the applicant and Planning and Economic Development to discuss these comments if required.

### Engineering

**DATE: October 11, 2023 FILE: T-21505/Z-9416**  
**TO: S. Meksula, Senior Planner**  
**FROM: I. Abushehada, Manager, Subdivision Engineering**  
**RE: DRAFT PLAN OF SUBDIVISION**  
**323 OXFORD STREET WEST, 92 & 825 PROUDFOOT LANE**  
**SAM KATZ HOLDINGS INC.**

Please find attached the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Planning and Development (engineering) division, the Transportation Planning and Design division, the Sewer Engineering division, the Water Engineering division, the Stormwater Engineering division, and the Pollution Control Engineering division.

### **Zoning By-law Amendment**

Sewer Engineering has the following concerns with proposed zoning:

1. The City of London (Sewer Engineering Division) will undertake a capacity assessment for the Mud Creek trunk sewer to ensure sufficient capacity for the anticipated density and future intensification in the area. It is anticipated that this development will be developed in phases.

Sewer Engineering recommends coming to agreeable density through zoning process before proceeding to PEC.

Planning and Development (engineering) and **all other divisions have no objection** to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

2. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the entering of a subdivision agreement.

3. 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
4. 'h-80' holding provision is implemented until the Mud Creek channel improvements and stormwater works are constructed and operational and the sanitary trunk sewer outlet has been relocated and is operational.
5. 'h-#' holding provision is implemented until a more comprehensive sanitary analysis including external drainage area plans and design sheets to demonstrate if there is available capacity taken further downstream along the 1050mm Mud Creek Trunk Sewer from the site down to MH WT1763 at the Riverside and Wonderland intersection.

### **Required Revisions to the Draft Plan**

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

- iv) Add 0.3 metre reserve along proposed Beaverbrook Avenue from the centreline of Oxford Street to 75 metres north.
- ii) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City and the Upper Thames River Conservation Authority.
- iii) Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.
- iv) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:
 

•	<u>Road Allowance</u>	<u>S/L Radius</u>
•	20.0 m	9.0 m
- v) Provide confirmation of the radius on Beaverbrook Avenue (Neighbourhood Connector).
- vi) Identify the length of straight sections along the back-to-back curves between Oxford Street West and Street A on Beaverbrook Avenue.
- vii) Confirmation on the right-of-way width of Beaverbrook Avenue (Neighbourhood Connector) at Oxford Street West and identify the tapers (as per DSRM 2.1.6.1). Please see Condition.
- viii) Revise the alignment of Street 'B' to shift the road to somewhere between the original proposed location and the revised proposed alignment to account for the following:
  - a. Street 'B' at Street 'A' (west) to be connected perpendicularly with 10 metre straight tangents in all directions, to the satisfaction of the City
- ix) Revise the Street 'A' and Street 'B' intersection should the sight decision distance analysis identify a revision

**Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.**

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

### **Urban Design**

Hi Sean,

Please find below the Urban Design comments for the Draft Plan of Subdivision and ZBA at **323 Oxford Street West (39T-21505/Z-9416)**:

Urban Design is generally supportive of the proposed layout and intensities as demonstrated in the Urban design Brief and has the following comments:

## **Matters for Zoning**

The following zoning provisions are supported and should be carried forward:

### **Zoning provision for all Blocks should include:**

- 1. A minimum front yard setback** 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. Maximum front and exterior side yard setbacks to discourage window streets, restrict parking between the buildings and the public streets** yet ensure a sense of enclosure to the street. [TLP, 269, 272, 288]
- 3. A minimum setback from the multiuse pathway along the Mud Creek valley corridor** to provide a landscape buffer and separation for delineating public from private space and avoid a rear yard condition
- 4. A minimum built form percentage along the street and the open space block** should ensure an active frontage and passive surveillance. [TLP, 291, 228]
- 5. Orient built forms to the adjacent public street, park or open space frontages and principal entrances should face the streets** with direct walkway access to the public sidewalks. [TLP, 285, 286, 288, 291]
- 6. For the High-rise Blocks 1, 2 & 6,**
  - **Wrap any podium parking in active uses (e.g., commercial/ residential/ amenity) along the sides visible to the public streets.** [TLP, 276]
  - **A minimum and maximum podium heights should ensure a continuous street wall and enclosure along the streets**
  - **A setback of 12.5m from the shared property line to the east and south respectively is required for any portion of the building above the 8th storey to not hinder future development of similar intensity on the adjacent property**
  - **A building step back of minimum 3.0 metres after 4th storey is supported and should be carried forward.** [TLP, 292]
  - **The high-rise buildings (above 8 stories) should be designed as slender/point towers. The maximum point tower floorplate 1000m<sup>2</sup> and Tower Separation of minimum 25.0 metres is supported and should be carried forward throughout the block.** [TLP, 293]
- 7. Noise walls and non-transparent fencing (i.e., board on board) shall not be permitted** between the blocks and along the street frontages and open space blocks. Refer to The London Plan, Policy 241
  - **Fencing will be limited to only decorative transparent fencing with a maximum height of 4ft (1.2m) or landscaping with provision for pedestrian access along public streets, amenity spaces and the open space block.**

### **Zoning provision for Block 1**

1. Urban Design would encourage a mixed-use form of development along the Rapid Transit Boulevard within the Rapid transit Corridors Place type
  - The ground floor height for the built forms fronting Oxford Street West should be set to a minimum of 4m to ensure that the ground floor could be converted to commercial uses in the future

### **Zoning provision for Block 2 & 6**

1. An appropriate setback from the OS1 should be provided for delineating public and private space

### **Zoning provision for Block 3, 4 & 5**

1. Provide a 3m step-back above the second or third storey for the mid-rise, medium-density apartment form along Street A and Street B to create a pedestrian scale environment
2. For low-rise townhouse development, zoning should ensure a front door orientation to the higher order street and garages oriented to the lower order street for corner lots.

- 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]

### Zoning provision for Block 7

1. Zoning should ensure an appropriate setback from the rail buffer to the north

## **Matters for Site Plan**

### General Comments

1. The location of buildings along the perimeter of the sites within Block 1,2 & 6 with minimum setbacks from the streets and close to the intersections and providing a central courtyard-like common outdoor amenity space is supported
  - Ensure there are direct a safe walkway connecting the principal entrances of the buildings and to the amenity space
2. The transition of heights from Block 1 to 2 and the higher intensities being located at the intersection of the public streets is supported
3. Orient the built forms to the adjacent streets, park, or open-space frontages with principal doors facing the street and any surface parking located behind the building
  - Design the private amenity spaces of individual units at grade as open courtyards or front porches extending into the front setback to create a pedestrian-oriented streetscape along street frontage
  - The low-rise blocks should require primary pedestrian entrances with walkway connections along public streets and condo streets while locating individual garage entrances along private rear lane ways.
  - The medium and high-rise blocks also should require street-facing entrances to lobbies and ground floor residential units connected to sidewalks along both private and public streets.
4. The proposed development should have regard for its corner location at the intersection of the public streets. The massing, articulation and other architectural features should emphasize the intersection(s) and orient to the higher order street [TLP 261].
5. Address the proposed primary and secondary gateways by providing enhanced elevations emphasizing the corners with wrap-around features, massing, articulation and principal entrances with canopies and forecourts
  - Enhanced elevations are required along all public streets throughout the subdivision.
6. Provide façade treatment, massing and landscape features that creates a focal point and enhanced view and vistas from the locations as indicated in the Open Space Map
7. Provide for pedestrian, cycling and transit-oriented amenities (e.g., wide sidewalk, bike racks, benches, landscaping, and other streetscape elements) close to the principal entrances along Oxford Street West
8. Limit the amount of surface parking to the minimum required. Remove any parking proposed along street frontages and exterior side yard parking between the building and the street.
  - For high and mid-rise developments, structured parking is encouraged
  - Any proposed surface parking should be located along the rear or interior side yard. [TLP 247].
  - On-street parking opportunities could be explored on local and private streets.

Following are the comments related to Site Plan for various Blocks:

### Block 1

1. The podium design should address the corner at the intersection of Beaverbrook Avenue with Oxford Street West and Westfield Drive in the form of enhanced massing and articulation. [TLP, 290]

2. The transition of Built form from higher heights fronting onto Oxford Street West towards the interior of the subdivision is supported and should be carried forward. *[TLP, 298]*

### Block 2 & 6

1. Urban Design is generally supportive of high-rise development for Block 2. If mixed intensities are proposed within the block, ensure a seamless transition within the block and towards the adjacent properties to the East with a gradual increase in the height in the built form from west to east.
2. The podium design should address the corner at the intersection of Beaverbrook Avenue with Westfield Drive (for Block 2) and Beaverbrook Avenue with Proudfoot Lane (for Block 6) in the form of enhanced massing and articulation. *[TLP, 290]*
3. The shared access from Block 6 to the Open Space block is supported. Design the private amenity spaces of the individual units at grade facing the open space block as open courtyards or front porches extending into the setback to create a pedestrian-oriented streetscape and offer passive surveillance.

### Block 3, 4 & 5

1. Urban Design is generally supportive of a mid-rise medium-density apartment form of development in Block 3
2. The Condominium Courtyard Parkette in Block 5 north of Street A is not supported. Move the built form closer to the street and relocate the parkette away from the street and in a more central location.
  - Consider using a grid/modified grid street pattern to allow continuous movement within the block and to support pedestrian circulation.

### Block 7

1. If high-rise development is considered to the east of the block, ensure a seamless transition within the block. Ensure there is a gradual reduction in the height of the built forms from east to west and towards the adjacent low-rise townhouses to the west. *[TLP, 298]*

Provide a full set of dimensioned elevations for all sides of the proposed buildings in each block. Further urban design comments may follow upon receipt of the elevations.

### Complete Application Requirements

- All the blocks that are 5+ storeys will require Urban Design Peer Review Panel (UDPRP) review and response prior to the receipt of a complete Site Plan Application. Please submit all required materials to [UD@london.ca](mailto:UD@london.ca) to be scheduled for the next available meeting.
  - The Urban Design Brief submitted is acknowledged. Ensure the Brief is prepared in accordance with the Urban Design Brief Terms of Reference and includes the following Conditional Requirements:
    - Massing Model
    - Shadow Study
    - Conceptual Plan for each Block
    - Section Drawings - across the site in east-west and north-south directions showing the towers in relation to each other and the surrounding context
    - Master Plan highlighting the Phase-wise development of the site
  - Provided all the required content is included, a Planning and Design Report may be accepted in satisfaction of the Urban Design Brief.
- Following the UDPRP meeting, the applicant is to forward the following information to the Planner and Urban Designer:
  - Applicant response to the UDPRP memo.

- Updated drawings to reflect the revisions made to address UDPRP comments.

### Heritage and Archaeology

An Archaeological Assessment is still required for Blocks 6 & 7 for this application.

### Exon

A delightful afternoon to you.

Please be informed, there is no Imperial infrastructure in the vicinity of these locations, and there is no need for further engagement.

Many thanks and wishing you a blissful day!

Best regards,

### **Michael Fatogun**

Analyst - Land Operations

Commercial & Power, Upstream

### Hydro One

Hello,

We are in receipt of your Plan of Condominium application, 39T-21505/Z-9416 dated August 30<sup>th</sup>, 2023. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [Subdivision@HydroOne.com](mailto:Subdivision@HydroOne.com) or 1-866-272-3330.

### London Hydro

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

## UTRCA



"Inspiring a Healthy Environment"



October 19, 2023

City of London – Planning & Development  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Sean Meksula** (sent via e-mail)

Dear Mr. Meksula:

**Re: UTRCA Comments**  
**File No. 39T-21505/Z-9416 – Draft Plan of Subdivision & Zoning By-law Amendment - REVISED**  
**Applicant – Sam Katz Holdings Inc.**  
**323 Oxford Street West and 92 & 825 Proudfoot Lane, London**

Further to our comments dated June 23, 2022, the Upper Thames River Conservation Authority (UTRCA) has reviewed the following information:

- i. *The Beaverbrook Community Final Proposal Report Addendum Letter* prepared by MBTW Wai dated March 2023 and Updated June, 2023;
- ii. *City of London Proposal Review Meeting Summary & Record of Consultation – Comment Response Table* dated March 2023 and Updated June 2023;
- iii. *Mud Creek- Beaverbrook Avenue Environmental Impact Study (EIS) 323 Oxford Street West, 92 Proudfoot Lane and 825 Proudfoot Lane, London* prepared by MTE dated February 28, 2023;
- iv. *The Beaverbrook Community, London, Ontario 323 Oxford Street West, 92 Proudfoot Lane, 825 Proudfoot Lane Functional Servicing and Stormwater Management Report Addendum* prepared by TYLin dated February 23, 2023 and June 12, 2023; and
- v. *Preliminary Slope Assessment - Beaverbrook Community, 323 Oxford Street West and 92 & 825 Proudfoot Lane, London, Ontario* prepared by Palmer dated June 30, 2023.

We offer the following comments.

### Environmental Impact Study

As per *Ontario Regulation 596/22* which came into effect on January 1, 2023, Conservation Authorities have been prohibited from providing comments related to natural heritage matters. Accordingly, the UTRCA will not provide any further natural heritage comments and will defer any responses or outstanding natural heritage matters to the City of London.

1. **Addressed.** The UTRCA is satisfied with the updates to the EIS.
2. **Addressed.** Thank you.



3. **Addressed.** Thank you.
4. **Addressed.** Thank you.
5. **Addressed.** Thank you.
6. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
7. **Addressed.** Thank you.
8. **Addressed.** Thank you.
9. **Addressed.** Thank you.
10. **Addressed.** The UTRCA is satisfied with the updates to the EIS.
11. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
12. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
13. **Addressed.** Thank you.
14. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
15. The following comments pertain to Tables 5 - 7 and Section 7.1.1.
  - a. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - b. **Addressed.** Given the EA process and negotiated settlement agreement, the UTRCA accepts the >1:1 compensation ratio, with enhanced quality, proposed for wetland replacement.
  - c. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - d. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - e. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - f. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - g. **Addressed.** The UTRCA is satisfied with the updates to the EIS.
  - h. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - i. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
  - j. **Outstanding.** Please explain how the features and functions of Tributaries A, B and C will be protected, replicated and/or compensated for.
16. **Deferred.** This comment relates to natural heritage and no further comments will be provided.

17. **Mud Creek Natural Corridor and Valleyland:**
  - a. Provided that UTRCA Planning and Engineering staff are satisfied with the hazard setbacks determined through the slope assessment, this comment can be considered to be addressed.
  - b. **Addressed.** Thank you.
  - c. In agreement with the City's comments, the UTRCA requires that the pathway be located outside of the erosion hazard setbacks. Exact measurements should be reviewed by UTRCA through the permit process when detailed designs are available.
  - d. **Addressed.** Thank you.
18. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
19. **Addressed.** The UTRCA is satisfied with the updates to the EIS.
20. **Addressed.** The UTRCA is satisfied with the updates to the EIS.
21. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
22. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
23. **Addressed.** Thank you.
24. **Addressed.** Thank you.
25. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
26. **Addressed.** Thank you.
27. **Addressed.** Thank you.
28. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
29. **Addressed.** The UTRCA acknowledges that this information is being addressed through the Hydrogeological Assessment. Therefore, the UTRCA defers to the City's review of the Hydrogeological Assessment.
30. **Addressed.** The UTRCA is satisfied with the updates to the EIS.
31. **Deferred.** This comment relates to natural heritage and no further comments will be provided.
32. **Addressed.** Thank you.
33. **Addressed.** The UTRCA is satisfied with the updates to the EIS.

**Hydrogeological Assessment**

**Addressed.** Thank you. As indicated in our June 23, 2022 correspondence, the UTRCA has deferred the review and approval of the Hydrogeological Assessment to the City of London. We are satisfied with the information provided in the response table to address our comments.

**Stormwater Management/Service/Water Balance**

34. **Addressed.** Thank you.
35. **Addressed.** Thank you.
36. **Addressed.** Thank you.
37. **Partially Addressed.** This is the 100-year control vs the 250-year control when considering quantity control.
38. **Acknowledged.**
39. **Addressed.** Details will be required at Detailed Design which show that only clean runoff will be infiltrated.
40. **Addressed.** Water balance and details will be required at Detailed Design showing that only clean runoff will be infiltrated.
41. **Not Addressed.** The capture and infiltration of only 5 mm rainfall may not be adequate in compensating for the 52% deficit in infiltration.
42. **Acknowledged.**

It is not clear how quantity control will be provided for this proposed development. It is noted that quantity control will be provided for individual blocks under the proposed conditions however, the necessary details have not been provided. The UTRCA recommends that quantity control be based on the target flows/volumes, imperviousness etc. for each block under the existing conditions and that control of the flows/volume from those blocks be provided under the proposed conditions using the target flows/volumes to avoid local flooding.

**Slope Stability Assessment**

43. One cross-section is not sufficient to identify the development limit for the site. Please consider a minimum of two cross-sections to identify the development limit on the site.
  - a) Please confirm that the cross-sections were considered at the critical location on the site representing the steep and critical section of the slope.
  - b) Please confirm that the toe and top of the slope were identified in the field through survey and were not based on digital contours of the site.
  - c) Please submit the MNR rating chart for each cross-section considered on the site.
  - d) Please resubmit the cross-sections on 11x17 paper duly signed, sealed and dated by a P.Eng and label the existing toe of slope, the proposed 5 metre toe erosion, the bank of the creek, the existing top of slope, the 250-year flood elevation if applicable, the stable top of slope and the 6 metre erosion access limit. Please show the existing and proposed inclination (H: V) on the cross-sections.
44. Please resubmit Drawing No. 1 showing the existing toe of slope, the 5 metre toe erosion, the bank of the creek, the existing top of slope, the 250-year flood line if applicable, the stable top of slope and the 6 metre erosion access limit.
45. Please provide details regarding the active erosion reported under Section 2 of the report. Please revise Drawing No. 1 showing the location of the active erosion. Also, please confirm if the deep-

seated instability and erosion reported under Section 2 of the report were considered in the stable slope analysis.

**Final Proposal Report Addendum** (June 2023)

In accordance with the London Plan policies 774A, 864C and 961A for the Mud Creek Area:

*In the Green Space Place Type (774A), in the Rapid Transit Corridor Place Type (864C) and in the Neighbourhood Place Type (961A) "for the lands within the Mud Creek Area generally bounded by Oxford Street West to the South, Proudfoot Lane to the west, the CP rail line to the north and Cherryhill Boulevard to the east, no development shall occur within the lands regulated by the Conservation Authority prior to the completion of creek channel and stormwater works until such time as the creek channel and stormwater works have been completed in accordance with the recommendations of the accepted environmental assessment for the lands, and the as-built drawings have been accepted by the Conservation Authority. For greater certainty, any Zoning By-law amendment approved prior to the works being completed shall contain a Holding Provision which requires the creek channel and stormwater works to be completed prior to any development occurring."*

In Section 6.6 of *The Beaverbrook Community Final Proposal Report Addendum Letter* (June 2023) – Subdivision Phasing & Staging – Phase 1 includes a footnote wherein it is indicated that:

*the Mud Creek Channel may be developed in multiple phases as per discussions with the City and through focused design studies.*

46. The UTRCA is of the opinion that the proposed phasing of the Mud Creek Channel works may not be in keeping with the intent of the London Plan policies nor with the Conservation Authority's policies and requirements. Accordingly, we will require the entirety of the Mud Creek Channel works to be completed and the as-built drawings provided for our review and acceptance, in keeping with the aforementioned policies of the London Plan. Only when the drawings have been accepted, and the regulation limit has been revised to reflect the new limits of the flood plain/natural hazard lands, can the required Section 28 approvals be issued for works proposed within lands that are currently regulated as shown on the enclosed mapping.

47. Additionally, and in keeping with the aforementioned policies of the London Plan, the UTRCA is of the opinion that holding provisions shall be implemented to ensure these works have been completed to our satisfaction prior to proceeding with development.

**CONSERVATION AUTHORITIES ACT – SECTION 28 APPROVALS**

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. Landowners are required to obtain written approval from the Authority prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

A Section 28 permit is required for the proposed development and also for the proposed Mud Creek Channel works.

**RECOMMENDATION**

As indicated, the UTRCA has outstanding concerns related to establishing the limits of the natural hazards lands that thereby, the extent of safe developable areas on the subject lands. Prior to providing a formal

File No. 39T-21505 & Z-9416 - REVISED  
323 Oxford Street West and 92& 825 Proudfoot Lane, London

recommendation on this application, we require that our comments be addressed in a response letter/table along with revised reports.

Please contact the undersigned if there are any questions.

Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton  
Land Use Planner  
IS/SH/JS/SP/CC/cc

Encl. Regulation Mapping (please print on legal size paper to ensure that the scales are accurate)

c.c. Sent via email -  
Yasaman Soofi – on behalf of Sam Katz Holdings Inc. [[yasaman@mbtw.com](mailto:yasaman@mbtw.com)]  
Jessica Schnaithmann, Land Use Regulations Officer - UTRCA

# Regulated Areas

Regulation under s.28 of the Conservation Authorities Act  
 Development, interference with wetlands, and alterations  
 to shorelines and watercourses. O.Reg 157/06, 97/04.

- Legend**
- Assessment Parcel (MPAC)
  - Watercourse (UTRCA)
  - Open
  - - - Tied
  - Regulated Wetland
  - Flooding Hazard Limit
  - Erosion Hazard Limit
  - Regulation Limit 2021

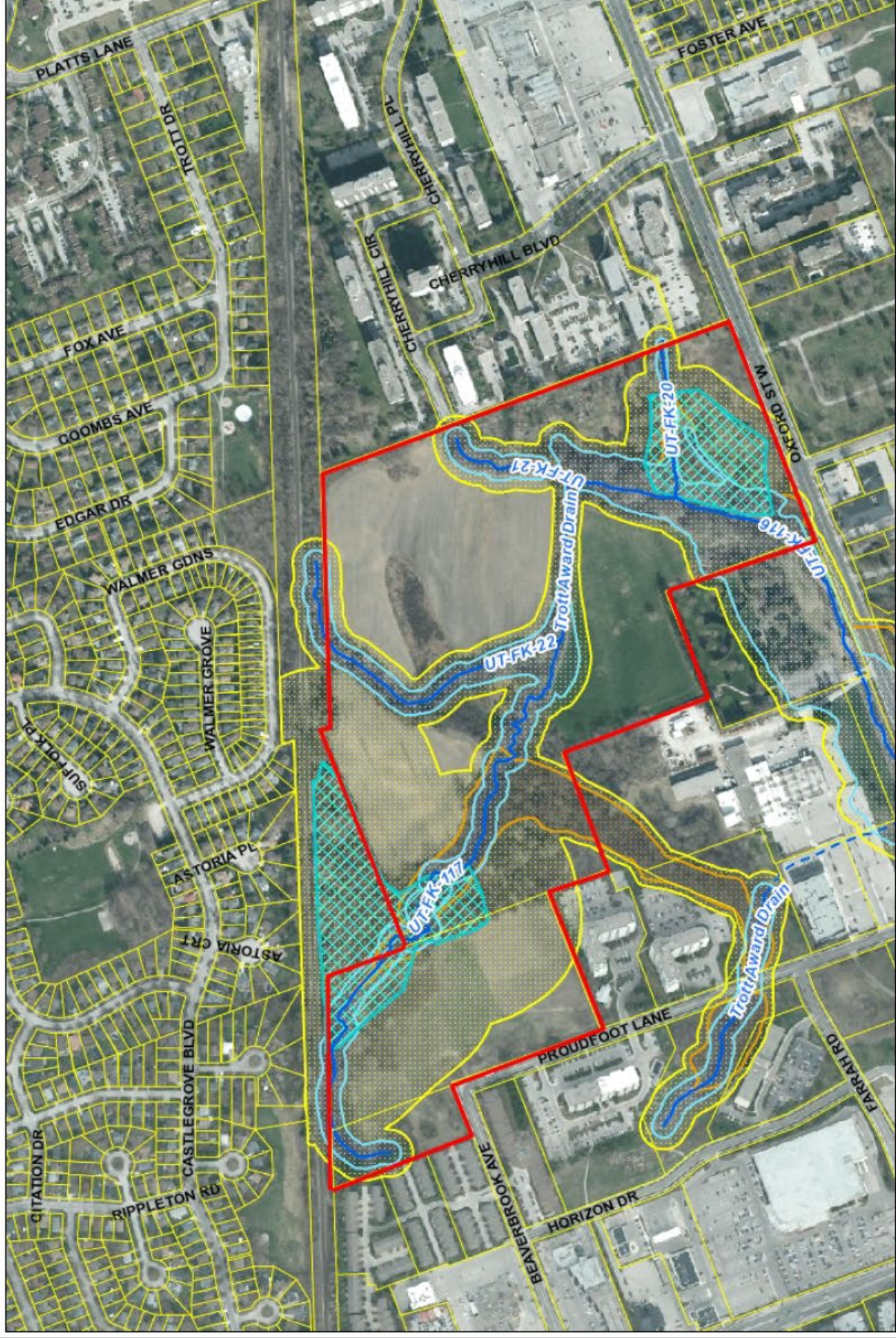
The mapping is for information screening purposes only, and shows the approximate regulation limits. The text of Ontario Regulation 157/06 supersedes the mapping as represented by this data layer. This mapping is subject to change. A site specific determination may be made by the UTRCA.

This layer is the approximate limit for areas regulated under Ontario Regulation 157/06 - Upper Thames River Conservation Authority (UTRCA) - Alterations to Shorelines and Watercourses, which came into effect May 4, 2006.

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This document is not a Plan of Survey.

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\* Please note: Any reference to scale on this map is only approximate when it is printed hereafter on legal-sized (8 1/2" x 11") paper.

Notes:  
 323 Oxford Street West and 92 & 825 Proudfoot Lane, London  
 Created By: CC July 27, 2023

UPPER THAMES RIVER  
 CONSERVATION AUTHORITY  
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## Appendix F – Public Engagement

### Community Engagement

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

- Notice of Public Participation Meeting was published in Public Notices and Bidding Opportunities section of The Londoner on May 23<sup>rd</sup>, 2024.
- Notice of Application was sent to property owners within 120 metres of the subject property on October 27<sup>th</sup>, 2021.
- Notice of Revised Application was sent to property owners within 120 metres of the subject property and published in the Public Notices and Bidding Opportunities section of The Londoner on October 28<sup>th</sup>, 2021
- Notice of Revised Application was sent to property owners within 120 metres of the subject property on August 30<sup>th</sup>, 2023.
- Notice of Revised Application was sent to property owners within 120 metres of the subject property and published in the Public Notices and Bidding Opportunities section of The Londoner on August 31<sup>st</sup>, 2023.
- Notice of Public Participation Meeting was sent to property owners within 120 metres of the subject property and interested parties on May 14<sup>th</sup>, 2024.
- Two planning application signs were also placed on the site and updated accordingly with the revised applications.
- There were two (2) public engagement meetings for the subject site:
  - The first meeting was held by the City of London with the Ward Councillor on August 11<sup>th</sup>, 2022, at the public library in Cherry Hill Mall.
  - The second meeting was held by the City of London and the applicant for the Mud Creek Flood Reduction and Rehabilitation 323 Oxford Street West, 92 & 825 Proudfoot Lane Zoning and Subdivision on October 25<sup>th</sup>, 2023, in the Fleetway Bowling Alley: The Spare Room.

**Responses:** Through the public circulation process thirty-two (32) email responses, one petition with twenty-three (23) signatures, and two (2) letters were received from abutting and surrounding properties.

Information about the Application were posted on the website on October 27<sup>th</sup>, 2021

**Londoner Notice: 323 Oxford Street West, 92 & 825 Proudfoot Lane, located on the north side of Oxford Street West, east of Proudfoot Lane; approx. 36.9 hectares (91.2 acres)** - The purpose and effect of this application is to consider a proposed draft plan of subdivision, and zoning amendments to allow a residential subdivision consisting of medium density cluster dwellings, street townhouse dwellings, apartment buildings, parks, open spaces, and multi-use pathways, served by four (4) local streets. **Draft Plan of Subdivision** – Consideration of a draft plan of subdivision consisting of three (3) medium density residential blocks; three (3) high density blocks; four (4) one-foot reserve blocks; serviced by four (4) local streets (Streets A, B, Beaverbrook Avenue, and Westfield Drive). **Zoning By-law Amendment** -

Consideration of an amendment to the zoning by-law to change the zoning from a Holding Residential R5/R6/R7/R8 (h-1/R5-3/R6-5/R7/D75/H13/R8-4), Residential R5/R6/R7/R8, Neighbourhood Facility (R5-3/R6-5/R7/D75/H13R8-4/NF1), Holding Residential R8 (h-1/R8-4), Holding Residential Special Provision R8 (h-1/R8-4(9)), Residential R9 (R9-7/H40), Residential R9 (R9-7/H46) Holding Residential Special Provision R9 (h-1/R9-3(8)/H22), Open Space (OS1), and Open Space (OS4) Zones to a Holding Residential R5 Special Provision (h-1/h-80/h-100/R5-7(\*\*)/D75/H13), Holding Residential R9 Special Provision/Neighbourhood Shopping Area (h-1/h-80/h-100/R9-7(\*\*)/D305/H60/NSA3), Holding Residential R9 Special Provision (h-1/h-80/h-100/R9-7(\*\*)/D242/H46), Holding Residential R9 Special Provision (h-1/h-80/h-100/R9-7(\*\*)/D230/H20), Holding Residential R9 Special Provision/Neighbourhood Facility/Open Space (h-1/R9-7(\*\*)/D240/H40/NF/OS1), Holding Residential R9 Special Provision (h-1/h-80/h-100/R9-7(\*\*)/D200), OS1 and Open Space (OS5) Zone - to permit apartment buildings, lodging house class 2, senior citizen apartment buildings,

handicapped person's apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses: cluster stacked townhouse dwelling, cluster townhouses, and uses permitted within the NSA3 Zone variation, building setbacks for apartments, south property line (Oxford Street West) 6.0 metres maximum / 0.0 metres minimum, west property line (Beaverbrook Avenue) 6.0 metres maximum / 3.0 metres minimum, north property line (Westfield Drive) 6.0 metres maximum / 3.0 metres minimum, east property line 6.0 metres, density maximum of 305 units/ha, height (maximum) 60.0 metres (18 storeys), for towers with frontage on Oxford Street West: from established grade along Oxford Street West 60.0 metres (18 storeys), from established grade in development block 60.0 metres (18 storeys), for towers with frontage on Westfield Drive 46.0 metres (14 storeys), for towers internal to the development block 60.0 metres (18 storeys), built form percentage along streetscape 50% minimum, building step back after 4<sup>th</sup> storey 3.0 metres minimum, maximum point tower floorplate 1,000m<sup>2</sup> for towers with frontage on Oxford Street West, Tower Separation 25.0 metres minimum, coverage 45% maximum and a landscape open space 30% minimum. The NSA Zone the NSA Zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents; to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities together with a special provision for additional permitted uses: cluster stacked townhouse dwelling, cluster townhouses, and uses permitted within the NSA3 Zone variation, building setbacks for apartments, south property line (Oxford Street West) 6.0 metres maximum / 0.0 metres minimum, west property line (Beaverbrook Avenue) 6.0 metres maximum / 3.0 metres minimum, north property line (Westfield Drive) 6.0 metres maximum / 3.0 metres minimum, east property line 6.0 metres, density maximum of 305 units/ha, height (maximum) 60.0 metres (18 storeys), for towers with frontage on Oxford Street West: from established grade along Oxford Street West 60.0 metres (18 storeys), from established grade in development block 60.0 metres (18 storeys), for towers with frontage on Westfield Drive 46.0 metres (14 storeys), for towers internal to the development block 60.0 metres (18 storeys), built form percentage along streetscape 50% minimum, building step back after 4<sup>th</sup> storey 3.0 metres minimum, maximum point tower floorplate 1,000m<sup>2</sup> for towers with frontage on Oxford Street West, Tower Separation 25.0 metres minimum, coverage 45% maximum and a landscape open space 30% minimum. The NSA Zone the NSA Zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents; to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling and cluster townhouses, building setbacks, front yard 6.0 metres maximum and 0.0 metres minimum, exterior side yard 6.0 metres and 3.0 metres minimum, north property line 3.0 metres, east property line 6.0 metres, 12.0 metres above 8<sup>th</sup> storey minimum, density maximum of 242 units/ha, height maximum 46.0 metres (14 storeys), built form percentage along streetscape 50% minimum, building stepback after 4<sup>th</sup> storey 3.0 metres minimum, tower separation 25.0 metres minimum, coverage 45% maximum and landscape open space 30% minimum; to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling; cluster townhouses; together with a special provision for additional permitted uses: cluster stacked townhouse dwelling and cluster townhouses; setbacks for apartment buildings, front yard 6.0 metres maximum/3.0 metres minimum, exterior side yard 6.0 metres maximum/3.0 metres minimum, interior side yard 5.0 metres and rear yard 5.0 metres; setbacks for townhouse dwellings, front yard 3.0 metres maximum, exterior side yard 3.0 metres, interior side yard 1.5 metres and rear yard 3.0 metres, density maximum of 230 units/ha, height 20.0 metres (maximum), (6 storeys), built form percentage along streetscape 50% minimum, coverage 45% maximum and landscape open space 30% minimum; to permit such uses as townhouses and stacked townhouses up to a maximum density of 75 units per hectare and maximum height of 12 metres, together with a special provision for additional permitted use(s): cluster



stacked townhouse dwelling; with building setbacks, front and rear yard 3.0 metres, exterior and interior side yard 1.5 metres, Density of 75 units/ha, height 13.0 metres maximum, (4 storeys), coverage 45% maximum and landscape open space 30% minimum; to permit apartment buildings, lodging house class 2, senior citizen apartment buildings, handicapped person's apartment buildings, and continuum-of-care facilities, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling and cluster townhouses; setbacks for apartment buildings, front yard 6.0 metres maximum/3.0 metres minimum, exterior side yard 6.0 metres maximum/3.0 metres minimum, east interior (Open Space) side yard 3.0 metres maximum and south property line 6.0 metres maximum; setbacks for townhouse dwellings, front yard 3.0 metres maximum, exterior side yard 3.0 metres maximum, interior side 1.5 metres maximum and rear yard 3.0 metres maximum, density maximum of 240 units/ha, height 40.0 metres maximum, (13 storeys), building setback after 4<sup>th</sup> storey 3.0 metres minimum, tower separation 25.0 metres minimum, built form percentage along streetscape 50% minimum, coverage 45% maximum and landscape open space 30% minimum. The Neighbourhood Facility zone provides for and regulates public and private facility uses which primarily serve a neighbourhood function. They include small to medium scale uses which have minimal impact on surrounding land uses and may be appropriate adjacent to or within residential neighbourhoods. The NF Zone variation permits the lowest impact uses permitted in the zone and typically uses are developed independently. The following are permitted uses in the NF Zone variation, places of worship, elementary schools, and day care centres. The OS1 Zone permits such uses as conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities and maximum height of 16 metres, together with a special provision for additional permitted uses: cluster stacked townhouse dwelling setbacks for apartment buildings, front yard 6.0 metres maximum/3.0 metres minimum, north property line 30.0 metres; setbacks for townhouse dwellings, front yard 3.0 metres maximum, west property line 5.0 metres maximum, north property line 3.0 metres, density maximum of 200 units/ha, height 13.0 metres (4 storeys) within 72 metres of the west property boundary; otherwise 40.0 metres maximum, (12 storeys), building setback after 4<sup>th</sup> storey 3.0 metres minimum, tower separation 25.0 metres minimum, built form percentage along streetscape 50% minimum, coverage 45% maximum and landscape open space 30% minimum; to permit such uses as conservation lands, conservation works, golf courses, public and private parks, recreational buildings associated with conservation lands and public parks, campgrounds, and managed forests; and, to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

### **Public Comments - Notice of Application - October 27<sup>th</sup>, 2021**

**From:** Bernice FRASER

**Sent:** Saturday, October 30, 2021 12:31 PM

**To:** Meksula, Sean **Subject:** Draft Plan 323 Oxford West etc.

Sean Meksula

Re: Zoning Amendment File 39T-2150/Z-9416, Oxford, Proudfoot, Beaverbrook

I am an owner and director of MCC474, abutting and west of the proposed subdivision Block 8.

I fully support this rezoning and subdivision proposal. It respects the existing style and density of the neighbourhood and supports the density requirements of the future London vision.

The proposal for Block 8 describes a 30M setback from the CPR "corridor". I presume that means the existing property limit of CPR. There is ESA designated lands along the

railway shown but not identified in this application, lands that include wetlands, deer route and some old growth tree species (black walnut, ash, maple, pine and a single oak).

My questions are: When the site plans for development of that block come forward, what is the weight of the ESA designation? Does the 30M setback prevent grading, berms and tree removal? Will there be public input opportunity regarding the ESA at the site development, tree preservation plan stage?

I accept that the 30M setback allows for sound and vibration attenuation however it does not address the preservation of the topography and ground cover in that area.

The definition of R8-4(\*\*) Zone includes "height 13 metres (4 storeys) within 140 of the west property boundary". Is that 140 metres, 14.0 metres. If it is 140 metres I would support greatly reducing that distance and allowing greater height beyond that setback to allow greater use of the ESA for site density calculations.

D. Murray Fraser,

Current owner Jerry and Dianne Sonnenberg

Nov 19 2021 new owner  
Lassel and Mariah Wright  
R8-4/h-1 opposes the change to  
R8-4(xx)/h-1

DEVE

1. A creek runs through this section and the potential for back up water to our property is most likely.
2. The stand of trees that provide oxygen and privacy, and a sound barrier to the train would be removed if a Highrise apartment went up in this area. The wildlife would also suffer ie deer, turkeys, skunks, groundhogs, rabbits. The corner closes to the fence of #29 1241 beaverbrook ave should be left as is so any construction would not be seen.
3. This will greatly reduce the value of our property in the future.  
We sold the house because the new owners loved the trees seen on the other side of the fence.
4. Stacked housing on this side of the proposal makes no sense as you are building next to a complex that has an average age of 65 plus and no children so a family style unit does not fit in with the area.  
Security and privacy along with the destruction of the green space really goes against what London stands for. Cutting down trees that are over 50 years old and there are so few of them on this whole proposal is unnecessary.  
this area should be kept as OS5 zone as people now use it as a trail to get from Peppertree park to Beaverbrook Ave and Angellos for coffee.

It could be a great natural park/woodlot no golf or campgrounds we do not want a forest fire.

The undergrowth just has to be cleared a bit and some benches put in. The trees are tall and straight and the natural creek waters them. If the creek is disturbed there will be water problems.

Please measure someone comes out to Cherryridge Estates and goes to the last house of the fence line #29 and see what it looks like now before you decide.  
extending the road alone will cause an increase in noise that we do not have now and taking the forest down when building could be built in front of them further down and give the new building some privacy from the train and help keep the pollution down. We need all the trees we can keep to keep our world alive.

regards  
Dianne and Jerry Sonnenberg

**From:** JERRY SUNDERCOCK >  
**Sent:** Wednesday, November 10, 2021 8:37 PM  
**To:** Meksula, Sean; developmentservices@london.ca  
**Cc:** John Barnett; Kim Unterspann; Ann Young  
**Subject:** File: 39T-21505/Z-9416

Hi, Sean et al

Please consider the following items when reviewing the Draft Plan of Subdivision and Zoning By-Law Amendment for 323 Oxford Street West. 92 & 825 Proudfoot Lane. We look forward to the public participation meeting to hear more details about the development. Some of the items listed below may have already been considered but we have no awareness at this time.

Thank you, in advance, for your time.

**Items for the Planning Department to consider when reviewing the application for 323 Oxford Street West, 92 & 825 Proudfoot Lane and preparing a report that will include Planning & Development Staff's recommendation to the City's Planning and Environment Committee.**

## **TRAFFIC**

- There is already heavy traffic congestion on Wonderland Road from Oxford St to Sarnia Road. I have seen several instances where emergency vehicles are in gridlock because there is no place for vehicles to go to let them through as required by law.
- The environmental committee refused to add additional lanes to Wonderland because it would "attract more cars".
- This development will attract even more cars that will increase traffic and place more pressure on Wonderland Road, especially in light of the decision not to widen it.
- A result of approval of this development will be more cars from the proposed development that will either travel west to Wonderland via the extension of Beaverbrook Avenue (North) or travel south to Oxford Street.
- During rush hour, traffic is already highly congested on Beaverbrook Avenue (North) around the corner on Proudfoot. If Beaverbrook Avenue (north) becomes a through street from Oxford street leading to Wonderland Road., it will be impossible to access Beaverbrook Avenue from Proudfoot Lane without a set of new traffic lights.
- Beaverbrook Avenue from Proudfoot Lane to Wonderland Road cannot be widened to ease such congestion due to existing rights of way.
- Also, by adding another set of traffic lights on Oxford Street in addition to those at Platt's Lane, Cherryhill Boulevard and Proudfoot Lane, there will be an increase in congestion on Oxford Street. between the two major intersections at Wonderland/Oxford and Oxford/Wharncliffe.
- If Beaverbrook Avenue (South) is connected to the Beaverbrook Avenue (North), there will be easy traffic access from all of the apartment buildings that populate the Proudfoot Lane area. Additionally, there is another large apartment complex proposal, that is pending, to be built just north of Oxford Street on Beaverbrook Avenue (South) that will also add to congestion when built, not to mention the disruption of traffic during the time of construction.
- There has already been a significant increase in traffic along the Beaverbrook Avenue (north) section from the many new apartments that have been built in the Capulet Lane area, just west of Wonderland Road. These new buildings would add to the number of recently built apartments (5 built recently), and existing apartment buildings on and around Proudfoot Lane and Beaverbrook Avenue (South), south of Oxford Street. In addition to the apartment buildings west of Wonderland, significant traffic from the large subdivision of single family dwellings in the area west of Wonderland is funneled to Beaverbrook Avenue (north), to Proudfoot Lane to travel to Oxford Street.

- A significant number of the new residents of the proposed apartment buildings will own cars and hope to use the Oxford Street and Wonderland Road and add to the current congestion.
- The part of Beaverbrook Avenue (north) between Proudfoot and Horizon Drive is bounded by a nursing home and a condominium development that both house residents older than the mean age in the city. In addition to making walking and crossing the street more dangerous for the residents, increased traffic on this section of Beaverbrook Avenue (north) will increase air pollution and decrease property values.

All of the above traffic items will add to present traffic delays with increased air pollution from the increasingly congested traffic sitting and waiting to move through the traffic lights.

Therefore, it will make an already bad traffic situation unbearable.

## **PROPERTY**

- Property values will go down on Beaverbrook Avenue (north) with the addition of three new apartment buildings in the proposed development with additional traffic.
- Each apartment building of 12 stories with 120 units adds between 240-500 new residents in addition to any townhouses.
- Each stacked townhouse of 4 stories will add 40 units with between 80 and 120 new resident
- It is likely that current property owners will see lower property values due to the addition of new apartment buildings and, therefore the city will receive lower property tax amounts from the current residents of Beaverbrook Avenue (north).
- These property tax amounts would remain high and the proposed development add to the tax coffers if the proposed development is located elsewhere. This could be achieved, for example, by building proposed apartment buildings somewhere more advantageous to the city, such as Wonderland Road, south of Exeter Road by increasing property values that are currently at lower rates than this designated area.

## **INFRASTRUCTURE**

- Infrastructure costs for the city will increase relative to placing the development on the outskirts of the city where there is no infrastructure currently in place.
- New water, sewer, telephone, internet, and cable infrastructure will need to be created and, this is key, the existing infrastructure may have to be changed if this proposed development is approved.
- Changes to the infrastructure will result in significant disruption to key traffic corridors in the city for months, if not years, based on the size of the proposed development.
- Schools such as Eagle Heights, and other local schools will need additional classrooms for the children of new residents. Eagle Heights is already over capacity. There will need to be consultation with the local school boards to determine where future students would attend school as it will be important for future residents to know where their children will be going to school when they purchase property or agree to rent.
- If new developments such as this proposal are placed strategically the city can grow mindfully keeping traffic flows and such infrastructure costs in mind.
- Therefore, this development, as proposed, represents a net loss to the city and unnecessary, but significant, disruption with increased environmental pollution to current residents of the area.

## **ENVIRONMENT, WILDLIFE AND RECREATIONAL PATHWAYS.**

We are very concerned about the possible destruction of a very important nature area in this area of the city. It is part of a very comprehensive program that is part of the Mud Creek Subwatershed Environmental Assessment supported by the City of London.

According to the City of London website, the purpose of this 3 Phase project is to alleviate existing and future flooding concerns.

The project will serve to create an improved naturalized and stable channel corridor to enhance the ecological environment for wildlife; along with new recreational pathways connections and naturalized landscaping to enhance walkability and the public amenity space.

**Phase 1:** Reconstruction of Mud Creek from the CN Railway embankment south to the east side of Wonderland Road in 2021. (currently under reconstruction)

**Phase 2:** Reconstruction of Mud Creek from CN Railway Embankment northerly to Oxford Street, scheduled in 2022, with tree planting in the spring of 2023

**Phase 3:** No information on the website that I could find but assume that it involves the reconstruction of Mud Creek from Oxford Street to the CP Railway Embankment.

**If this proposed development is allowed to go ahead prior to the completion of Phase 3, the City of London risks the destruction of this important nature area. Developers and construction companies could quite easily damage key habitats in this environmentally sensitive area prior to reconstruction.**

**It is critical that Phase 3 reconstruction be completed prior to beginning assessment of this proposed for the following reasons:**

- to prevent possible flooding that could cause significant damage to any buildings situated on or near this area.
- to protect the wetlands that are currently there and allow the water to drain as naturally as possible
- to protect the habitats of all wildlife. Specifically, the creek is a habitat and nesting grounds for red wing blackbirds; this is a species that is decreasing because they nest in the vegetation in wetland areas that are disappearing. There is a significant deer population in this area, as well as a wild turkey habitat. There are many other species that will be significantly disrupted by the proposed development and need to be protected as much as possible.
- there should be a study to determine if there are any at-risk turtle species in this part of Mud Creek -- many of our turtle species are disappearing at a very high rate.
- the plan to replant trees should include the types of trees that already exist near the Mud Creek area.
- any recreational pathway should blend in with the vegetation along the creek and should be for walkers only. The road should be developed with bike paths along each side -- bikes should not be allowed on any nature path developed for people who want to walk and enjoy nature.

Also, there are two parks on either side of Proudfoot Lane in the section between Oxford Street and Beaverbrook (north section). The one on the east side is designated Proudfoot Park East and one on the west side is designated Proudfoot Park West. These two parks have water areas at the bottom of the ravines.

Again, these parks could be developed into areas that people could use as nature areas and the parks provide suitable habitats for birds, etc. The city and/or developers need to consider developing these nature areas as the next step after the Mud Creek project is completed.

Therefore, we, the Board of Directors for MCC #416 recommend the following for your consideration:

1. That the proposed development be tabled until Phase 3 of the Mud Creek Subwatershed Environmental Assessment plan has been completed to allow the development to be constructed in line with environmental standards without damaging the work to done by the City of London.
2. That traffic studies should be completed to assess the current density of traffic with results publicly shared for the areas of:
  - Wonderland Road, North from Oxford Street to Sarnia Road
  - Beaverbrook Avenue (North), west of Wonderland Road, all the way to Sarnia Road
  - Beaverbrook Avenue (North), east of Wonderland Road, past Horizon Drive, and around the corner to Proudfoot to Oxford Street. This traffic study should specifically include the "rush hour" time between 3:30 pm and 6:30 pm on weekdays.
  - Oxford Street between Cherryhill Boulevard to Wonderland Road.
3. That all or some of the apartment buildings and stacked townhouses be removed from the proposed plan and replaced by single family dwellings and/or one or two story condominium developments.

Thank you, in advance, for your consideration of the information and recommendations.

Jerry Sundercock, Director, MCC #416, [REDACTED]  
John Barnett, Director, MCC #416, [REDACTED]  
Ann Young, Director, MCC #416, [REDACTED]  
Kim Unterspann, Director, MCC #474, [REDACTED]

**From:** Matt Makaran  
**Sent:** Tuesday, December 7, 2021 12:40 PM  
**To:** Meksula, Sean  
**Cc:** Development Services <DevelopmentServices@london.ca>  
**Subject:** 323 Oxford Street West, 92 & 825 Proudfoot Lane

Hello Sean Meksula,

**This email pertains to File # 39T-21505/Z-9416 323, Oxford Street West, 92 & 825 Proudfoot Lane**

My name is Matthew Makaran and I am a concerned individual who lives in London Ontario.

I have seen a development sign posted Cherryhill Blvd and Proudfoot Lane and this development file details a densely packed subdivision.

I am sure you are aware this is a densely wooded / brush area. (see attached photo)

**My concern:**

Given the sight of the other developments in London, I am worried this will end up the same. Much of the natural land paved, trees removed, and natural vegetation destroyed for houses which are densely packed and more concrete than greenery. Knowing that these homes (and surrounding area) will be peddled towards people such as myself and other young individuals searching for homes, I am extremely enraged that the city has set a precedent for perversions of the land and a disrespect for the potential homeowners of the areas. Allowing developers to flatten everything instead of working with the surrounding area and destroying all previous growth. Which not only ignores a global call to stop the destruction of the natural world or climate issues, but also a complete disregard of research surrounding the psychological well-being and mental health of individuals who must reside in dreary ill-planned cities. Upon consideration,

these decisions seem devoid of reasoning except be-it the cheapest solution to housing. However, that being said I would love to be enlightened on other factors or reasoning, if any.

### Posed Questions

My question for you Sean - which I ask as the next generation of this city; how do you plan to move this city forward, to add and not take? What are the plans to preserve the natural land in this area? Who is conducting an environmental assessment for this project? Has planning accounted for mental well-being of the individuals who will (potentially) reside at these locations? With the planned green spaces (buffer zones), what will reside there besides grass?

Looking forward to hearing back,  
Matthew Makaran.

**From:** Ric Knutson  
**Sent:** Thursday, January 6, 2022 1:59 PM  
**To:** Meksula, Sean  
**Cc:** RANDY MACKAY  
**Subject:** Katz subdivision 39T-21505

Sean

It was great chatting with you yesterday regarding the above. This will be short to advise that my client owns [REDACTED] that abuts this subdivision. We have had preliminary discussions with the Katz.

As discussed there are a number of related matters regarding their plan and my clients lands including road access and participation in the Mud Creek realignment.

I trust this will be sufficient to let the city know we have interests in this matter.

regards

Ric

**From:** linda thornborrow  
**Sent:** Monday, May 31, 2021 12:49 PM  
**To:** Williamson, Emily  
**Subject:** Mud Creek Restoration & Reconstruction

Good Afternoon:

I was reading up on the above Mud Creek reconstruction along Oxford Street West. I am a tenant at [REDACTED] and I am a avid outdoor person, I walk the various trails, west of Esam community Minto garden to Proudfoot Street north & Beaverbrook, east to Platts Lane to Gibbons Park and so on.

Myself and other persons whom frequent the trails have photographs and videos of the wildlife that inhabit the areas, turkeys, deer, coyotes, possums, toads, birds, hawks, raccoons, rabbits, foxes, etc. The water lifes geese, ducks, frogs, fish, turtles, beaver etc. These animals whom live on the land and in the muddy sludge creek depend on the very murky sludgy mud creek to nest, take shelter, breed and raise their young. They also depend upon the murky water to drink from.

However, the London city corporation and corporate developers are putting up apartment complexes on Beaverbrook South.

Also, now that Forest Glen Miniputt/golf sold at [REDACTED], another apartment building will be constructed, up to 16 storeys.

There are signs posted on the above properties.

As an Ecologist, I ask you.

The beavers, turtles, protected fish, frogs, I have seen in those very culverts, the city corporation will be tearing up, along Oxford west, near/at [REDACTED] and the cement culvert closer to the Petro Canada gas station at Proudfoot.

What are you going to do, to save the animals whom live under those culverts, and in the muddy waters? The corporation city of London cannot simply dismiss the wildlife whose habitats is the muddy murky creek and plow them under? Afterall, it was not the

water life's choice to be there. The muddy murky creek extends to Cherryhill community garden, on Esam property and there is protected fish. What are you going to do, as an Ecologist?

There will be 10 acres, cut from the animals habitats both of whom live on the lands and in the murky muddy sludgy creek waters. As Forest Glen Mini Golf recently sold to corporate residential builders.

The Corporate city of London cannot simply let the animal water lives die, all in the name of progress. Like the beavers I have seen in those culverts, fish, frogs.

Those 10 acres were vital for the land animals habitats, now they will be pushed up to Proudfoot Street North & Beaverbrook, where there just trails for humans and their dogs. Or the land wild lives will be pushed into the Cherryhill areas, where its heavily populated and with traffic.

What are you going to do? I have some ideas, But, before those culverts are torn up on Oxford Street west, near [REDACTED] culvert entrance and the culvert/bridge near Petro gas bar at Proudfoot and the culvert on Proudfoot Street south.

Thank you  
Linda Thornborrow

**From:** Linda Shaw  
**Sent:** Monday, January 17, 2022 1:44 PM  
**To:** Meksula, Sean <smeksula@London.ca>  
**Subject:]** 323 Oxford St. Proposed Development

Hi Sean,  
I just spoke with you about this proposed development beside Cherryhill Apartments. I would appreciate being kept up-to-date on the progress.  
Thank you,  
Linda Shaw

**From:** mary wilson  
**Sent:** Tuesday, January 25, 2022 9:48 AM  
**To:** Meksula, Sean  
**Subject:** Cherryhill development

Hi Sean, thank you for getting back to me so quickly. Your information was very helpful.  
Mary Wilson

**From:** SANDRA CHARLEBOIS  
**Sent:** Monday, January 31, 2022 8:30 PM  
**To:** Meksula, Sean  
**Subject:** planned development - file 39T-21505/Z-9416

Hi Sean,

I live at [REDACTED] and am interested in learning more about the plans for this development.

My main area of concern is the wooded areas that are home to many deer, wild turkeys etc. Is there anything that you can send to me that details what will happen to these areas? I'm hoping these areas will remain as natural as possible. It's their home after all.

Also, is it possible to obtain the name(s) of any groups that are involved in the environmental assessment of this development?

Thank you very much,  
Sandra



**From:** Molly McClure **Sent:** Thursday, February 3, 2022 7:28 PM  
**To:** Meksula, Sean **Subject:** [EXTERNAL] Oxford St/Proudfoot proposal application

Hi Sean,

I'm looking for information on the status of the application for development Oxford St/Proudfoot by Sam Katz Holdings. Where is this at in the application process?

Thanks,  
Molly

**From:** linda thornborrow  
**Sent:** Friday, February 25, 2022 3:24 PM  
**To:** Meksula, Sean  
**Subject:** 39T-21505/z-9416--signage--more than just wet lands--aquatic & land animal lives habitats destroyed & trees--forests- ecosystems--Mud Creek sub watershed to be destroyed--415 Oxford street west Edmar Land Ltd. sold 2021

We last spoke via telephone in 2021 December. I found it to be an unproductive discussion and I subsequently cut it short. Corporatists & developers and bureaucrats & policy makers have a mind set that is difficult to talk to.

Firstly, I have several topics to address that I will demonstrate in photos. I have several photos that I choose to send now. With that stated, I am aware that you do not make the decisions. In regards to "Learn more & input" on the very large City of London proposal signage for Sam Katz Holdings Inc.. The placement of such signage should be located in a visible location so all persons in the immediate areas and other interested persons of the , said corporate katz proposal, can be aware and have input.

However, the current signage should be at this location shown in this photo so all Minto tenants, hikers, dog walkers etc can be aware of what is proposed and "learn more & input". Please look on your blue print/map. The signage should be here at the west end of Westfield in the corn field. After all, the katz proposal hopes to extend Westfield to Beaverbrook west. Your response to me in 2021 December phone discussion was "we can't put signs on the side walk" Your response was rather obtuse and blunted the discussion. Currently the signage is located up on a knoll just west of Cherryhill BMO building and Cherryhill apartment building # 105. No one sees the sign as cyclists, pedestrians and east-west vehicle traffic pass by. Same for the signage at Proudfoot north and Beaverbrook just down from Angelos. Those who will be affected are not made aware of katz proposal & edmar land ltd. corporate destruction of aquatic lives and land animal species and forest and trees and nature system and destruction of existing Mud Creek for those 2 corporate proposals. I will be sending you other photos, knowing you do not make decisions and maybe you already know certain particulars. It is mis named Mud Creek "restoration" when its destruction has already begun approx. 2 yrs ago Oxford Street west and wonderland behind Jiffy Lube and Value Village. The photo is perfect signage location and you can see the Westfield pavement.

It



**From:** linda thornborrow

**Sent:** Friday, February 25, 2022 3:57 PM

**To:** Meksula, Sean

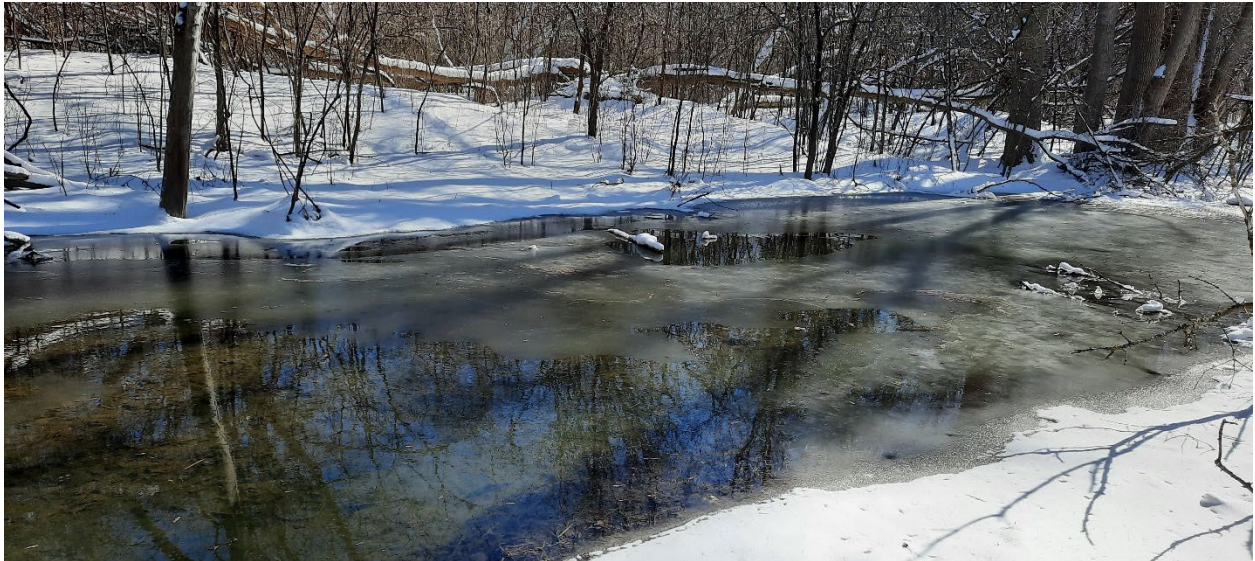
**Subject:** More than wet lands, bogs, marshes, swamps, muck, loam etc. For katz proposal 39T-21505/Z-9416. Wilful corporate Destruction of Mud Creek and aquatic lives habitats & animal species and forests is not progress.

Knowing you do not make the decisions....OMB...local land tribunal....etc etc  
If you look on your papers, for the above file, this is just a small sample of just a portion of the amount of open water from Mud Creek sub Watershed where its proposed to build foundations, townhouses, streets, apartment buildings, electrical, plumbing, septic etc.

This Mud Creek flows north east and which aquatic habitats and lives, turtles, fish, clams, herons, ducks, geese, turkeys and deer, foxes, coyotes, hawks, eagles, song birds, ferns, majestic trees, lichens, mosses, mushrooms, wild big grape trunks, walnut trees, pear & apple etc etc provide seasonal foods for land animal lives. As we hike the numerous trails the waters go right up to the CP rail tracks and beyond.

There was good reason why Sam Katz when he was alive was told not to build on " wet lands" Throughout esam group property is bogs, open waters, Mud Creek various directions, swamps, sinking muds & muck, marshes. Progress is not slashing more forest. London can no longer call itself " forest city". The same esam group cut down whole forest several year ago just adjacent to where this proposal is proposed. How convenient.

It



**From:** linda thornborrow

**Sent:** Wednesday, March 2, 2022 10:15 AM

**To:** Meksula, Sean

**Subject:** [EXTERNAL] Signage poor locstion for " Input & Learn more"

Good Morning:

This photo shows this signage is poorly located on a knoll just west of BMO business building and Cherryhill Minto apartments and plaza.

As you can see, to the right of the photo, is [REDACTED] Cherryhill apartment building [REDACTED]. This shows how the strategic placement of this Proposal signage limits the tenants " Input and learn more" and awareness of the katz-esam group-greenberg bierbaum proposal 39T-21505/Z-9416.

Tenants whom rent throughout the 12 Minto buildings and many walk the trails west of the current tenant gardens, corn fields and west of Westfield many trails. Wild lives of deer, coyotes, turkeys etc call these open lands home. The Aquatic lives call Mud Creek home of painted turtles, beaver, fish, frogs. Plus. forests, animal rich food sources and seasonal nesting herons, geese and ducks etc.

The serious open waters, bogs, marshes and swamps is home lands of various animals, aquatic lives, is proposed to be wilfully destroyed for corporate developer interests.

The tenants I speak to about the signage proposal do not even know its there because very few tenants walk up the knoll to see the proposal facing south?

As for the Landlord(s) "please post a copy of this notice where your tenants can see it We want to make sure they have a chance to take part". As there is no law requiring landlords to do so. Here, at Cherryhill 12 apartment buildings with 1 on Proudfoot Lane north its political. As Minto was owned by katz sam then sold to greenberg then again Minto Cherryhill apartments & plaza recently sold again. Esam Group is katz sam holdings inc. greenberg & bierbaum. Therefore, greenberg Minto did not post a copy of said Notice for tenants to " Learn More & Input" for strategic reasons. Not even out of courtesy was a Notice in any of the 12 Minto-greenberg Cherryhill apartments buildings? Pedestrians, cyclists, vehicles pass by and not notice the proposal signage. Plus, on the Notice of Planning Application in very small print, is " please provide any comments by November 11, 2021".

If one sincerely endeavours for those within the area of said proposal "learn more & input" this should have received big bold letters.

I will be returning your call.

It



**From:** linda thornborrow

**Sent:** Wednesday, March 2, 2022 10:36 AM

**To:** Meksula, Sean

**Subject:** FYI Proposed townhouses, apartments, new streets, park lots, yards, sewer infra structure etc Mud Creek Watershed?

This is a sample of a section of Mud Creek that katz proposal purports to build on and runs east-north-west-south. It is wilful destruction of forest, habitat home lands of aquatic lives and land based animal species etc.

Its more than mere surface waters- throughout the above proposal are bogs, swamps.

The marshes along oxford west & east is home to geeses, herons, ducks, plus aquatic lives of fish, beaver, mollusk, painted turtles, leeches, minnows, crabs etc.

The UTRCA supports such wilful destruction of this rich and diverse Mud Creek Sub Watershed in favour of corporate developers interests.

I am aware of what has been amended, passed, and rubber stamped City of London Plan.

Maps, blue prints and technical studies along with the bureaucratic language " Re-align, Re-construct, Re-habilitate, Sustainable, Environment etc" are nice words for the wilfull De -struction if a vibrant, rich and diverse forest, lands, aquatic and animal species that call it home Mud Creek Sub Watershed.

It



**From:** linda thornborrow

**Sent:** Wednesday, March 2, 2022 10:41 AM

**To:** Meksula, Sean

**Subject:** Home of aquatic lives, ducks, geeses, herons etc

This photo is west of Beaverbrook south street.

Shows the marshes that geese, ducks and herons seasonally nest. Plus within Mud Creek are aquatic lives. Plus land based animal species access these waters.

Wilfull De-struction for proposed corporate Con-struction.

It



**From:** емма белангера  
**Sent:** Tuesday, March 15, 2022 2:25 PM  
**To:** Pasato, Nancy >  
**Subject:** Fwd: Cherryhill Resident Gardens - Notice of Immediate Termination

Hello Nancy,

Please see forwarded email below. The garden area referred to is directly in front of the wooded area to be destroyed, and the farmers fields are directly beside/behind the forested area. My concern is not with the plot of land currently being utilized for cash crop, it's with the destruction of forestry and the unique ecosystem that resides there.

I will reach out to other members of council if required. I am not the only individual who believes this plan to be irresponsible and unbecoming of a region who self identifies as "The Forest City". The Mud Creek region provides invaluable green space for people and wildlife alike. The species that occupy this region include endangered birds and other wildlife.

I will await your response in liaising with the planner responsible for approving this, should it already be approved.

Emma Belanger

Sent from my iPhone

Begin forwarded message:

**From:** Minto Apartments >  
**Date:** March 14, 2022 at 4:23:54 PM EDT  
**To:** **Subject: Cherryhill Resident Gardens - Notice of Immediate Termination**  
**Reply-To:** Minto Apartments



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March 14th, 2022

**Re: CHERRYHILL RESIDENT GARDENS – NOTICE OF IMMEDIATE TERMINATION**

It is with regret that we pass along the news that ESAM Construction has advised Minto Properties that the agreement to utilize the land on the west end of our community for the exclusive use for Resident gardens has been terminated effective immediately.

We are aware that Esam had always indicated that one year's notice would be provided. However, during consultations, ESAM indicated that it is only a matter of weeks or a couple of months at most before the city of London approves their application to re-zone and start developing the sewers and road infrastructure in support of their new multi residential community. Esam felt it

would be easier on the gardeners to take the gardens back now, before everyone started buying bulbs and investing in their gardens for the season, rather than having to start ripping things out mid summer.

All Gardeners are requested to have personal possessions removed from the gardens plots by the end of April. You can continue to sit in the gardens and enjoy walks in that area until such time that the area is fenced off by Esam.

Please be assured that we have every intention of finding new locations for residents to develop garden plots in other areas of the community, but this will not happen until at least 2023.

We sincerely apologize for the inconvenience and disappointment that this announcement causes, but it is truly out of Minto's control.

Your Cherryhill Resident Service Team

**From:** linda thornborrow

**Sent:** Tuesday, March 15, 2022 2:33 PM

**To:** Planning <Planning@london.ca>

**Subject:** Housing? infrastucture? foundations? on a Flood Plain and Watersheds?

The City " De- forest" & katz proposal " Build Better Communities"

It



**From:** linda thornborrow

**Sent:** Tuesday, March 15, 2022 11:12 PM

**To:** Planning

**Subject:** Where is the visible signage for 39T-21505/Z-9416 on Proudfoot Lane north near Beaverbrook just east of Angelo's. So tenants in the area & others can " Learn more & Provide Input"

Where is the Notice of Planning signage for the above file? All the apartments buildings and one is a Minto building are behind me? Those apartments buildings have many tenants that walk their dogs and hike the nearby trails that will go to Platts Lane, Cherryhill, Oxford West, Walmer & Peppertree.

Many tenants that rent in this area could "Learn more & Provide Input" on the above proposal when they are out walking, shopping & cycling. But when asked, they are not aware of the above proposal signage because the signage faces away from the general direction most tenants walk. The proposal signage faces west and placed on a curve for vehicle traffic, so who cares? Just like the above proposal signage near BMO at Cherryhill is in a corner at the top of the knoll, shrouded in huge evergreen trees and faces Oxford traffic and pedestrians & cyclists go by, who cares? Perhaps both signages were strategically placed to thwart & divert any Tenants and the general public " Learn more & Provide Input". It appears to be the case. The former owner of Minto--greenberg--Cherryhill apartments did not post any such Notice of Planning in any Cherryhill apartments or the Minto building on Proudfoot Street north? Lack of common courtesy?

We try not to take this personally that any awareness & input from the tenants and the general public in the 2 proposal areas, 39T-21505/Z-9416 & 415 Oxford Street West has been thwarted. However, when the same esam group put forth a proposal over 25 years ago on the same lands on a known Flood Plain and 2 critical Watersheds- Upper Medway Creek Sub Watershed & Mud Creek Sub Watershed, bogs, swamp, marsh and Wet lands, it did not go through. Because, its is hydrologically & hydralologically a Flood Plain with 2 critical Watersheds, open waters, bogs, swamps and marshes.

There is also private Wells within the UTRCA. There are other communities, Indigenous communities.

Today, the proposal pops up again. Whats changed? Perhaps a Technological Super Duper Water Hose that will suck those esam lands dry as the desert sands?

Geologically & Factually, they are still on a Flood Plain, with 2 critical Watersheds: Upper Medway Creek Watershed & Mud Creek Watershed, open waters, bogs, swamps, marshes.

Across the world the focus is Climate Change. The Insurance Industries #1 focus is FLOODS. The Federal & provincial governments also have policies & Acts. We can see mitigating the flood street area at Oxford Street West & Proudfoot streets.

CHM2 was hired by the City in 2016 so " the City could get on with developing in the Mud Creek....."

It



**From:** linda thornborrow

**Sent:** Tuesday, March 15, 2022 2:12 PM

**To:** Planning <Planning@london.ca>

**Subject:** And City- esam-UTRCA-Mud creek Sub Water system tributary east to Cherryhill and you say its ok for infrastructures? foundations? streets?

Upper Medway Creek Subwater shed flows south Upper Thames( Antler River) to downtown Thames.

The Mud Creek Sub Watershed flows east- west- north-south.

With these watersheds, open waters, bogs, swamps, right near Oxford west the esam-katz proposal and the 415 Oxford Street West proposal can be found waters on the elevated lands and on both sides of CP RAIL TRACKS.

Provincial, UTRCA, COSSARO, COSEWIC & Flood Plain maps.

Conserving Watershed Act.

Conservation Authorities Act.

Clean Water Act.

Endangered Species Act.

Provincial Development Charges Act.

" Building better Communities" 2017?

For the City to Ok the 2 Proposals ( esam-katz holdings and 415 Oxford Street West), on well documented Flood Plains, Upper Medway Creek Sub Watershed, Mud Creek Sub Watershed, Upper Thames to lower Thames is not "building better communities.

Waterproof wiring? Water proof foundations? Insurances? What about concrete?

Sinking buildings? pavement of new streets buckling and collapsing from building on a Flood Plain, renters & home owners insurance policies,? City Development Charges Act? The Mud Creek Sub Watershed & its open waters with the downward flows of Upper Medway Creek Sub Watershed?

Ellis Don would not work on Cherryhill because its in a Flood Plain and its illegal to purposely build on a Flood Plain. Especially in " climate change"

There was valid reasons, over 25 years ago why esam group-katz-greenberg-bierbaum Did Not build on the their lands that are now up for proposal developments? They know it. Its a Flood Plain. Its the Mud Creek Sub Watershed and effected by the Upper Medway Creek Sub Watershed, Upper Thames and the City, Lower Thames that fkiws deep deep under ground towards west.

Yet, the same esam group supposes their Proposal, 25 years plus later is valid?

So it makes common sense in this " Climate Change"?

So, it makes common sense to purposely build housing and infrastructures on a Flood Plain and watersheds when the Insurance Industry, TCFD, CDP focuses are fiduciary responsibility, risks assessments, climate change, natural hazards and man made hazards etc? Physical impacts, Economic, Legal, Technological, Social, Safety of the public, short & long term impacts, in this Climate Change? The UN is also involved in Climate Change risks and filters down through the chains of entities like TCFD & CDP. Esam Group land proposal did not pass, over 25 years ago to propose to build on well documented Flood Plain, , Mud Creek Sub Watershed and the effects of downward flow of Upper Medway Creek Watersheds and deep deep connections to downtown Thames River ( Antler River) from Upper Thame watershed. Its all connected.

The Planning Department, perhaps, in its rush to secure housing may have over looked some serious Mother Nature " climate changes" and confused the need to " Build Better Communities" thats its OK to build on Flood Plain, water table, Watersheds.

And that its simply a matter of "Re-Align, Enhance 1600 m, Re-structure, Divert" the Oxford Street West and the Mud Creek Sub Water. Its simply not surface waters. Its simply not spring thaw melts. Its simply not about the technological diversion plans of Oxford Street West & Mud Creek Sub Watershed System because its deep deep waters below and all the infrastructures and monies cannot change these facts. At Cherryhill Apartments which esam group bought cheap from the City in 1960's and is built on deep deep waters trbutaries underground Watersheds and Thames River ( Antler River). Its all land fill.

At Cherryhill apartments there is foundation issues, on going plumbing issues whereby the water is constantly Turned Off " For Repairs" and cannot use the taps, laundry or toliets for a day of " repairs". Various areas outside flood due to being allowed to be built on Flood Plain & Mud Creek Sub Watershed. Within 50 feet of a south entrance side



door is the Mud Creek Sub Watershed. Hot water has become an issue. Leaks, water backing up on the lower levels.

There are both Short & Long term physical effects and damages when building on a Flood Plain and Watersheds is allowed. Costs incurred are passed down to renters or home owners. Mandatory tenant insurance. Sump pumps in most homes in downtown London, Walmer Gardens & Peppertree, foundation issues etc etc.

The Province also guides the City on Flood mitigation, infrastructures, development land proposals, land uses..... and keeping costs down so as to not incur further costs that passes such costs onto the Province and eventually Ottawa monies.

Costs are passed onto home owners, renters.

We do know that the City has done work on Oxford West & Wonderland on Mud Creek Sub Watershed and cut down more trees and destroy Aquatic lives homes to mitigate flooding at Oxford Street West & Proudfoot street.

Insurance Industry number # 1 RISKS IN CLIMATE CHANGE IS FLOODS.

Both Proposals for esam-katz 323 Oxford Street West & 92 & 825 Proudfoot North And 415 Oxford Street West ( formerly Edmar Land Ltd, Forest Glen Golf, Michael Hagarty) are in a FLOOD PLAIN, WATER TABLE.

& Watersheds.

Its all connected to the Upper Watersheds and Lower Watersheds and the Upper Thames and Lower downtown London Thames River.

Bureaucratic words " Re-aligning" Mud Creek Sub Watershed " Re-habilitating" " Enhancement of 1600m" will not change the Flood Plain nor the Mud Creek Sub Watershed nor the Upper Thames flow nor the Upper Medway Creek Sub Watershed. What the City Planning fails to understand & accept is that there is deep deep water connections to/from the Thames River.

Water has to go somewhere. Your simple diversion plan of Mud Creek Sub Watershed tributaries east and north is to shift or totally destroy Aquatic lives habitats of blue herons, painted turtles, fish, molluscs, ducks, geeses destroying more forests and eco systems in a more westerly direction, between the above two proposals will not change the deep deep water table and flood plain.

Maps, technological studies, drawings do not adequately address the open waters, bogs, marshes, swamps, elevated water flows from north side of CP RAIL, Upper Medway Creek Subwater Shed and Mud Creek Sub Water Shed, deep deep water connections that make its way to Water table and visible open waters.

Its all throughout the esam group property from Platts Lane to 30 metres from CP RAIL to Oxford West & Wonderland to Beaverbrook passed Angelo's. There is waters all throughout this property. Where the TLC, Fleetway Bowl, DQ, Canada Post, Fit4Less building ( esam office), Petro Gas and 415 Oxford Street ( formerly Forest Glen Golf that sold for apartments its all wet lands, open waters, swamps, bogs. Climate change has effected there infra structures both short and long term.A All those businesses rent from esam group.

I will share other photos.

It



From: Kalen Corrie  
Sent: Monday, March 28, 2022 7:41 PM  
To: Lehman, Steve  
Subject: Rezoning and high density building

I am writing with regard to our conversation with the rezoning and future planning affecting the areas adjacent to the Cherryhill Mall and apt complexes. (Draft plan of Subdivision and Zoning Bylaw Amendment 323 Oxford St W/92 and 825 Proudfoot Lane.)

- Sam Katz created the Cherryhill Complex, designing it for seniors. He built apts, shopping and services dedicated to the needs of London's seniors who located here. Several other complexes have been built in surrounding areas.
- 5 high density buildings, 3 medium density, townhouses, 2 parking blocks...are set to be built/added on to this site.
- Currently, this area is high density populated. The intersection at Wonderland and Oxford experience ongoing problems with gridlock and bottleneck traffic. Waiting in traffic from one light to the next can take fifteen minutes on a Wednesday afternoon. Compound this with EMS vehicles, the fire station and dense numbers of pedestrians, we will be looking at some serious safety issues.
- Creating extensions of Westfield Dr and Beaverbrook Ave, and two new local streets, will direct high volumes of traffic through the buildings. This will be anathema for apt dwellers and pedestrians.
- Eagle Heights elementary school is negatively impacted by this traffic. It is chaos for students and families crossing Oxford St to attend school. Plans indicate a road, another turn will be built near this site, further adding to the travelling and stopping near the school. Oxford is extremely busy now. How can our roads support more chaos?

-Hundreds of people worship at the mosque, Friday afternoons. Worshippers travel here.

-This new road will cut through marshland, an ecosystem which is home to many animals. One recent count of 21 deer, wild birds, coyotes, rabbits and other furry friends need this land to survive. Hundreds of apt dwellers have created their own gardens in the perimeter of this hinterland. Some have spent thousands and years of their time in these special havens. Seniors and families have come to enjoy this area. It offers our citizens the opportunity to leave our apts and enjoy the green areas. They have become our backyards! The physical and mental well being of many is supported by this area.

-The mental health of residents is a concern. How do/will people cope with the intense numbers of people living in apt and the loss of their trails?  
Anger and frustration are prevalent now in this area due to heavy population, densely constructed buildings and traffic. Seniors that can leave, are.

-The development at Sunningdale has kept its marshlands and trails. It is a beautiful natural setting that apt dwellers and home owners enjoy. These apts are laid out along the road. Why not here? Why not preserve an area at Wonderland and Oxford?

-The development at Byron kept Warbler Woods. Why not keep an area for nature and animals here? We can thrive too by keeping a green area for our residents.

-This area is a concrete jungle, congested with weekend shoppers at large chain and warehouse outlets. Shopping and parking in this area is chaos.

-CO2 emissions are a concern for residents. Cutting down Forest City trees and intensifying emissions run against our responsibility to our environment and our people.

-The social implications we currently see have never been so critical. Addictions, suicide, domestic violence have increased with COVID. We feel this stress now. Building more high density apts compounds the social problems we see now with increasing crime and violence.

-The years of construction required for this development will seriously impact the safety of school children and families, dwellers, drivers and pedestrians. THIS WILL BE CHAOS FOR EVERYONE IN THIS AREA.

CONTINUE SAM KATZ'S VISION. USE THE LAND FOR URBAN DEVELOPMENT. BUILD RETIREMENT HOMES. NURSING HOMES. SENIORS COMPLEXES. STORES, CLINICS AND MEDICAL CENTRES. DWELLINGS FOR BABY BOOMERS, WHILE BEING RESPONSIBLE TO OUR CITIZENS, THEIR MENTAL AND PHYSICAL HEALTH. THE NEEDS OF THE COMMUNITY CAN BE HONOURED WHEN WE LISTEN TO OUR CITIZENS IN DEVELOPING THIS AREA.

Thank you  
Sincerely  
K. Corrie  
BA. B Ed., UWO  
Retired Educator

**From:** valerie brennan  
**Sent:** Thursday, April 7, 2022 11:00 AM  
**To:** Meksula, Sean  
**Subject:** Fwd: Response to Subdivision Proposal 323 Oxford St W & 92 & 825 Proudfoot Lane

Response to File 39T-21505

Dear Sean  
Thank you so much for the very informative meeting we had concerning this file. If you have maps or other information that you think will help me better understand this application, please feel free to send it to me.  
This is the letter that I sent to the Mayor and the councillors.

File 39T-21505

The following attached letter is in response to an application by ESAM Construction to amend some proposals in their Subdivision Plan. They want to increase the density for some buildings and update some features to reflect environmental concerns.

Within the coming weeks, or months, this application will come to council, for your approval. It concerns a proposed subdivision which will encompass the Cherry Hill Community Gardens, a Natural forested area, a creek and a farmer's field.

I hope you will give your decision much thought, before voting on it.

The attached letter gives the information I have acquired, and my point of view.

Sincerely  
valerie j brennan

File 39T-21505

This letter is in response to an application by ESAM construction to amend some proposals in their subdivision Plan. They want to increase the density allowed for some buildings and update some features to reflect environment issues.

Within the coming weeks or months, this application will come to council, for your approval. It concerns a proposed subdivision which will encompass the Cherry Hill Community Gardens, a Natural forested area, a creek and a farmer's field.

I hope that you will give your decision much thought, before voting on it.

This purpose of this letter is to give you my point of view as a senior who lives in the Apartment building that faces the forest and railway tracks at the far western side.

Every morning I go out to the creek/stream which runs along the western border of the natural forest, which follows the farmer's field on 323 Oxford St. West. I join with other men and women online, to give and receive Blessings of the Water. We sing a song, first in Ojibwa, and then in Algonquin. Then we sing earth-based songs, and offer special prayers for anyone who has a need. I have done this every day for a year.

That stream will be re-routed so suit a subdivision. I've seen the plan that shows where the Creek will flow, and call me old-fashioned, but are humans really meant to change the direction of creeks, rivers, streams? I don't know which trees will be taken down to make room for this Plan. There are some very large, old, trees in that forest. I'm concerned about this forest and the old trees. ESAM plans to build apartments where the forest presently stands.

When did London decide to reduce the number of natural growing trees in the city? I do know that Toronto now has more trees per capital than London, which is also known as "The Forest City". Under whose watch did this happen? I trust our City Council to take care of the Natural Areas of London. I expect them to protect the limited Natural Areas in our city. I don't think that cutting down an old tree and promising to plant many young ones is a viable solution. We all know how long a tree takes to grow.

The Cherry hill Community Gardens will be a thing of the past. They have been growing for more than 30 years. Seniors, students, families, singles, grow food for their bodies, and flowers for their souls. In this time, as we recover from The Virus, growing food is of utmost importance. This is a widely know fact. Seniors with limited mobility, use this space to build community. I meet people in the gardens every day, that can barely walk, but they limp onto their garden plot and sit down and engage those who are passing by. Sometimes this is a lifeline. Having talked to quite a few of these seniors, I'd say that it has kept them alive over these very challenging times.

A farmer's field, where they grow food, will also be given up for this project. Does any of this matter? It matters to me. It matters to the hundreds of other gardeners and tenants of the adjacent apartment buildings who have used, and still use that space.

Does it matter to Council that this company wants to increase the density of the buildings they want to construct? Does it matter what kind of traffic flow this area will see in the years to come? I hope it matters to the mayor, and each Councillor. Because it matters to me.

From: M Kyla  
Sent: Monday, October 10, 2022 3:33 PM  
To: Planning and Development  
Subject: 39T-21505 / Z-9416

Good afternoon,

I am interesting in all information you can provide me with so that I can join others to appeal this planning.

Sincerely,  
Kyla Edwards

**From:** Linda thornborrow  
**Sent:** Monday, November 28, 2022 9:44 AM  
**To:** Meksula, Sean  
**Subject:** More Homes Built Faster Act 2023 & 39T-21505/Z-9416-Katz; [Esam Group]

TO: SEAN MEKSULA, PLANNER

FROM: LINDA THORNBORROW

Good Morning:

I previously spoken with you last year November 2021 and 2022 October 25 regarding the above file.

On October 25-2022 I enquired on the above file

and your reply was, they will be coming in to up date the file in the near future"

Are you able to give details as to why a second "up-date" was needed?

The above file is on Wet Lands that have natural hazards such as flooding and erosion and Bill 23 the focus is Safety & health.

How does the " More Homes Built Faster Act" by Doug Ford regime & Steven Clark, Minister of Municipal Affairs & Housing and the 2023 Bill 23, directly and indirectly, affect the above proposal on Katz-[Esam Group] proposal that is on Wet Lands?

The above Act seeks to suppress Land conservation & pollutants, and only focus on Flooding & Erosion; freeze conservation fees for development permits; over-ride municipal zoning by-laws; exempt from development fees & parkland dedication fees; place Ontario's 36 conservation authorities into 1 agency; remove from municipal governments the holding of Public meetings for development proposals; Individuals & associations can make appeals to the city councils; limit 3rd Party appeals via Ontario Land Tribunal for Official Planning amendments, zoning by laws and minor variances & consents who are not directly involved; etc etc.

Any chemical toxicants used on the Golf Driving range for the decades of its use would have heavily & deeply contaminated the soils and waters and leached into all surrounding lands on the Wet Lands. Drinking water? Safety? Health?

The Golf Driving Range was re-opened in 2021 and in use for the season.

Also to detail the age of the Golf Drive Range, the trees that border Esam Group-Katz Golf Driving Range were saplings back then and are well over 30 years old. As the massive heavy golf netting has choked/encircled the sapling trees and as they aged the netting can still be visibly seen encircled the tree trunks.

The golf driving range acerages would be

heavily contaminated with chemicals in order for " trees saplings, flowers, shrubs etc not to take root. This golf driving range is completely void of trees, saplings, flowers and shrubs.

In nature, it is natural for seeds to be carried by the wind, insects, birds and animals and take root.

However, such a natural process does not take place on the man made Golf Drive Range. No Saplings, shrubs, flowers, take root due to heavy chemical saturations throughout the decades of use of the Golf Drive Range. There are other existing upper water sources that naturally travel downward and into the Wet Lands. Such as, naturally occurring precipitations, water from the upper elevations of spring run-offs, rains, snow melts from upper Medway Creek, Upper Thames, Fanshawe Lake, lower Thames and all are deeply connected under ground and contribute to the Wet Lands. The west side of CP rail tracks where Peppertree and other neighborhoods are on elevated lands are also Marshy and wet. This water flows down under the CP rail tracks and onto the Wet Lands.

Corn Fields and Soy Bean crops. The Esam Group [Katz] has rented out many acreages of the Wet Lands to farmer(s) for Corn and soy. No saplings take root there, either. Farmers use toxic chemicals & contaminate the soils and toxic run offs spread throughout the soils & Wet Lands.

Drinking water quality, sources and water pressure? Although this seems to be a separate

issue, the Cherryhill apartments was constructed on Wet Lands by Esam Group [Katz] and there exists today water issues. Where the Water is turned off for the day, no cold or hot water. And this is a regular monthly event for years. Therefore, Katz [Esam Group] proposal seeks to build on Wet Lands?

The UTRCA website lists " low water level". Recently, we can see along the Mud Creek Sub Watershed Wet Lands, pipes to measure the water levels. Warmer " winters" means less snow = less water.

Schools? closest public school is Eagle Heights and even with the \$ 2 million by Doug Ford regime is a small amount. And land availability in which to expand Eagle Heights in its current location is hampered by surrounding homes.

Highschool? Oakridge is the closest on Oxford west.

Existing Traffic from Oxford West to Wonderland and Oxford East to Richmond are already congested.

Wet Lands and infrastructures are not simple and straightforward but very costly and next to impossible to be successful. As Wet Lands waters and it many layers go very deep into the ground. Bulldozing & dumping concrete , " 1600 M enhancement " will not destroy the deeply connected Wet Lands and with their main sources. These being, Fanshawe Lake/ dam, Upper Thames, Lower Thames, Upper Medway Creek and Mud Creek Sub Water Shed.

Infrastructure costs are passed down to home owners/renters. Its not free. Its not " affordable housing". Given the Ford regime Bill 23, proposed for 2023 "More Homes Faster Act" as it seeks to " over ride municipal zoning by-laws" and only focus will be Safety & Health, natural hazards such as Flooding & Erosions, etc.

How many total acres are actually in the Katz-[ Esam Group] proposal?

Protecting the Wet Lands is key to absorbing CO2; acts as a sponge to slowly release waters & CO2, provides homes and wild foods and shelter for both Aquatic and land mammal lives, birds, reptiles, insects, provides much needed Forests, shrubs, flowers, grasses.

London has long ago abandoned its " Forest city" slogan and Conservation in support of the destruction of Forests and Wet Lands that are homes for both Aquatic and land animals lives. Urban development of concrete jungles. Where trees are surrounded by concrete side walks. Within the city there are many existing commercial & residential buildings that are under utilized and sit empty or poorly utilized.

The Wet Lands can be found snapping turtles, painted turtles, fish, frogs they call home as do the deer, foxes, coyotes, birds, raccoons, skunks, turkeys, opossums, weasel, beaver, squirrels, insects, butterflies, forests, shrubs..... wild food sources such as walnuts, wild grapes, acorns, pears, apples, various berries.

Aquatic lives in the Wet Lands: beaver, weasel, frogs, snapping & painted turtles, fish etc are unable to simply get up & walk to another body of water. So, bulldozers just bury them?

Bulldoze their homes and simply create a man made " 1600 M re-create the Mud Creek Sub Water Shed and drop in new aquatic lives? This is not conservation. This is what corporate developers & the City council call " sustainable".

The existing Lower Mud Creek Sub Water Shed on the Wet Lands and which borders the other Rand Development proposal at 415 Oxford Street West on its west- east-north and fronts Oxford & Lower Mud Creek Sub Watershed. Both proposals Katz[Esam Group] & Rand Development seek to destroy more trees, more forests, more Wet Lands and both the Aquatic lives and land animals lives that have no where to safely live.

Over Pass? or Under Pass where feasible and paid by Developers. For wild lives safe passages.

What are they? When developers seek to destroy the home lands of land animals and cut off animal safe passages/trails. Over passes and/or Under passes with natural trees, grasses, shrubs etc provides animals with safe passages across busy streets and highways.

Saving their lives. There is one near Sudbury Ontario. And Parks Canada has successfully built many of these along the B.C. Trans-Canada Highway and built high fencing along the highway to guide the animals towards the safe Over and/or Under Pass. The very heavy guage high fences do not allow animals to jump over them nor go around the Over Passes or Under Passes. These are not for pedestrians or cyclists to access. Its not a smooth path.

They are constructed in ways to resemble the natural rough ground wild animals would normally walk on and with Nature's natural sods, dirt, schrubs, trees etc. had the streets or highways not paved over their paths and trails they naturally follow for shelters, seasonal wild foods, resting, birthing areas. The deer, coyotes , raccoons, opossums etc risk their lives daily as they try to cross busy Oxford and are hit by human traffic.

We support and encourage wild animal Over Passes or Under Passes where feasible and where the developers & city council seek to destroy the wild animals homes, trails/paths, forests, wild food sources, and Wet Lands. De--struction of Nature for Con--struction of corporate man made concrete jungles.

For an example, the Sifton Bog also needs a wild animal Over Pass where many deer have been killed trying to get across busy Oxford Street west and Hyde Park and to the Bog for shelter, safety & seasonal wild foods.

linda thornborrow

**From:** Katherine MacLean

**Sent:** Wednesday, February 15, 2023 9:19 AM

**To:** Meksula, Sean

**Cc:** Kathy MacLean

**Subject:** 332 Oxford Street West, 92 & 825 Proudfoot Lane Planning Application 39T-21505/Z-9416

Good day Sean Meksula,

May I please have a copy of the Planning Application noted above.

I am asking for this in my and my family's personal capacity.

Kindest regards

Kathy MacLean

**From:** SANDRA CHARLEBOIS

**Sent:** Thursday, March 16, 2023 9:43 PM

**To:** Meksula, Sean

**Subject:** Re: planned development - file 39T-21505/Z-9416

Hi Sean,

I don't think I ever thanked you for sending this to me so....thank you very much.

I've been checking every once in awhile to see if there will be a public meeting and nothing has come up so far.

Do you know if there will be one? If so, is it possible to get put on a list to be notified when a date for the meeting is set?

As I said below, my concern is mainly for the wildlife. I seem to recall mention of a multi-use pathway. I'm hoping the woods along Mud Creek will be left alone in their natural state for the wildlife. There are some rustic paths that are already in those woods that are good enough.

I was very distressed when I saw all of the trees that had been torn down along Mud Creek on the south side of Oxford and am hoping this doesn't happen to the area near me. We need to keep natural areas just that....natural.

Thank you again and have a nice day/weekend,  
Sandra



## **Public Comments - Revised Notice of Application – August 30<sup>th</sup>, 2023**

**From:** Ian Cooper  
**Sent:** Friday, September 8, 2023 11:35 AM  
**To:** Meksula, Sean  
**Subject:** File: 39T-21505/Z-9416

Dear Mr. Meksula,

My wife and I reside at [REDACTED], adjacent to the subject lands. We have received the revised Draft Plan of Subdivision and Zoning By-law Amendment documents.

The Draft Plan of Subdivision is not legible to an acceptable degree and I would like to receive a version that is clear. An example would be the information regarding block 11. I would also like to see what the developer is actually planning to build. A current concept plan would be good. The reason I am asking for this, is that the zoning amendments allow for a variety of uses and while page one of the notice lists what is proposed, how and where they are laid out is not made clear.

I do have concerns for how busy Beaverbrook will become with this new development, which will bring a lot of new traffic to our neighbourhood. What steps are being taken to accommodate this change? Both Wonderland Road and Oxford Street are already congested. With the latest Wonderland Road expansion cancelled, what is the City going to do about solving this issue, other than introducing even more traffic to the area with this development?

While I understand that there is a need for development and residential housing, I also feel that the infrastructure in which this is placed, must be able to accommodate the change. I cannot speak to the capacity of the sewers and water mains in this area, but my personal experience living here would suggest that the roads will have difficulty carrying the additional traffic load.

There is also a very nice trail system that has been in existence for decades that runs along the CP rail line. Will the portions of this system that lay outside the CP right-of-way be removed? Will access to this trail be maintained?

Regards,  
Ian Cooper

**From:** Arzie Chant  
**Sent:** Monday, October 16, 2023 10:28 PM  
**To:** Meksula, Sean; Trosow, Sam  
**Subject:** Public Feedback on File 39T-21505/Z-9416, Revised Draft Plan of Subdivision and Zoning By-law Amendment for 323 Oxford Street West, 92 & 825 Proudfoot Lane

Dear Mr. Meksula and Councillor Trosow:

I wish to formally register my opposition to the above named proposal. I have reviewed the plan in detail, and it is my opinion that it represents a significant threat to safety to the community in this neighbourhood while simultaneously providing no material benefit thereof.

With regard to safety concerns, the proposed build will bring a dramatic increase in traffic to an area of the city that is not equipped to handle it and which houses vulnerable populations who are at greater risk of injury or death under such an increase. As a resident of the neighbourhood, I witnessed the consequences of increased traffic and the infrastructural insufficiencies thereof this summer and fall during the Platt's Lane Infrastructure Renewal Project. This project diverted significant traffic from Oxford Street through the same neighbourhood under consideration for the above proposal. The existing roadways are not equipped for this volume of traffic, leading to heavy traffic, congestion, and reckless conduct from frustrated drivers. These factors rendered

the crossings in this area unsafe for pedestrians, particularly those with physical limitations. Such individuals represent a significant fraction of the population in the Cherry Hill community. Indeed, while able-bodied, I myself experienced multiple instances of near-misses drive by heavy traffic in an area constructed for modest residential traffic. Consequently, I worry what such a development would mean for vulnerable residents, in terms of both safety and limited capacity to freely move about their own community.

With regard the absence of benefit, I want to begin by saying that I acknowledge the need for more housing supply in London. The dearth of affordable housing is a grave concern in London, among many other jurisdictions in Ontario. In reviewing the proposal though, I see no plan or obligation to construct affordable housing units. As such, it is not clear to me that this proposal offers any benefit to those in need within London and the surrounding community. On balance then, the proposal appears to represent significant harm absent any appreciable benefit, save that of financial benefit to the party making the application. As such, I cannot support the proposal, and I urge its rejection.

I am keenly aware that proposals to build new buildings and subdivisions will, by their nature, attract a certain level of opposition rooted in "NIMBYism". With that in mind, I want to be clear that my concern here arises from an insistence on both safety and projects that offer actual benefit to communities. This proposal appears to fail on both of these metrics. By contrast and in demonstration to my commitment to safe, meaningful proposals for development, I have heartily and publicly endorsed the student residence project on Platt's Lane proposed by the University of Western Ontario that will bring an additional 300 students to our neighbourhood. I, myself, have lived on Platt's Lane since May 2005. This proposal met with my support because it will provide significant opportunity for affordable housing and does not threatens safety of the community. On the former point, Western has committed to offering these units to students at sub-market rates. On the latter, the property being considered for development will not drive traffic through a neighbourhood lacking the infrastructure to support it or through a neighbourhood housing vulnerable residents. Moreover, this property resides within walking distances of campus and is well-served by the LTC, thereby mitigating the potential for troubling traffic increases. If the above proposal could similarly boast such benefits, I could offer my enthusiastic support here, too. Unfortunately, as it does not, I sincerely hope the City will consider rejecting the proposal in the best interests of residents.

Sincerely,  
Arzie Chant

**From:** B Elliott  
**Sent:** Monday, October 30, 2023 1:53 PM  
**To:** Meksula, Sean  
**Cc:** Trosow, Sam  
**Subject:** Beaverbrook Community Development

Hello Mr. Meksula,

I attended the information session at Fleetway on Wednesday October 25 and have some major concerns about the new development abutting Proudfoot and Beaverbrook.

I live in the condos beside Angelo's [REDACTED] and experience the traffic problems in the area every day. On weekends I don't even drive in the area because it is bumper to bumper.

Speaking with the developer's staff and city planning staff at the session raised many red flags for me around roads infrastructure. The city planning representative told me there was no plan to do any road widening or improvements around Proudfoot and

Beaverbrook. Maybe a light would go at the corner because it is a problematic corner. Shortly after he told me there is a school to be built at that "problematic" corner.

How is it possible to add hundreds of residents to this area and a school, and do no road improvements first? I asked the city planning employee that question and he said they would wait and see how it goes first. What kind of planning is that?

Finishing up the continuation of Beaverbrook from Riverside through to the northwest is only going to attract more traffic cutting through to avoid the Oxford and Wonderland intersection - more than it does now. And the city planning department is just going to wait and see how it goes. There is no planning in that logic.

I am asking you to please review the upcoming development and how it relates to roads in and around the area. We need the city to do some planning ahead of the influx of population, not wait and see.

Thank you,  
Barbara Elliott

**From:** Linda

**Sent:** Tuesday, November 14, 2023 11:06 AM

**To:** Planning and Development

**Subject:** Wet Lands west of cherryhill is home for many deer families

The two proposals by Rand Development & Katz/Esam Group to destroy the Wet Lands and the current Mud Creek Subwater shed is home for land animals, such as deer, foxes, raccoons, coyotes, birds, rabbits, snakes, toads, chipmunks, squirrels etc. And burrowing animals, gophers and aquatic lives: snapping turtles, painted turtles, muskrats, weasels, fish, frogs, crayfish, fish live all along the Mud Creek Watershed. Right now, the City has been digging up across from 415 Oxford Street West, former Forest Glen Miniputt. What are you going to do to save the aquatic lives, that live & swim on the 415 Oxford side of Mud Creek?

I find it very interesting how the City of London & the Wet Lands, west of Cherryhill has been left alone for approximately 50 years.

The City Stormwater Infra-structure to destroy the existing aquatic lives and their homes in Mud Creek, land mammals etc. and throughout the Wet Lands all for Katz/esam and Rand Development.

Is suddenly focused on "enhancement the ecological environment for the wild life"? After 50 or so years, suddenly the City of London, UTRCA, Planning & Development & Katz/esam group and Rand, eco-logists, biologists, province of Ontario, became champions of

"enhancement of the ecological environment of the wild lives"?

Explain how the destruction of the Wet Lands, the wild lives homes, the forests for shelters, wild food sources and access to water - Mud Creek. The City of London has put out to the public- tax payers weak PR.

Those Wet Lands are already surrounded by CP Rail, University Heights, Walmer Gardens, Cherryhill highrises & commercial, Peppertree, Angelos on beaverbrook north, Proudfoot Lane highrises, Fit4Less, PetroGas, DQ, Fleetway Bowl owned by esam/katz, Canada Post, TLC & Esam/katz HQ.

Therefore, the statement, "enhance the ecological environment of the wild lives" cannot be fact nor based in actual biologists & ecologists science?

Deer and other various wild lives need to roam for seasonal foods and forests for safe shelters to raise their families. For example, the Second Draft by Esam/katz 2023 August 30, purports to enclose an area where wild lives such as deer can stay in 1 place? Deer naturally roam as do other wild lives.

And since when did the City start holding public drop ins, on projects? As the one held on October 25, 2023 Public Drop-In 12 noon to 3 was held at Fleetway Bowl that is owned by Esam/katz whom propose to destroy the Wet Lands? This is a Conflict of Interest. And may I also add, how that particular Drop-In was sold to the tax payers and renters as being simply about "Project Up-Date on Stormwater Mud Creek. In reality it was about RE-ZONING THE WET LANDS & FOR SUB-DIVISION.

This major issue did not get headlined but only mentioned in a paragraph, as a after-thought.

I have already recieved an explanation as to why the Drop-In was held at Esam/Katz Fleetway Bowl as being a large venue so the renters and taxpayers in the area could attend. I do not buy this explanation.

The whole process is rushed. Why?

I will forward more photos of Aquatic and land animals and forests and wild fruit trees wild seasonal foods of the Wet Lands and is their homes long before Esam/katz entered the scene and destroyed Wet Lands that Cherryhill and former Westtown Plaza are built on.

Plus there are existing structural issues at Cherryhill. Whereby 2 buildings have had much structural work in these past 2 years and on going water/plumbing issues where tenants have no water for a day and the water source may be contaminated?

The commercial building 101 Cherryhill Boulevard was issued a ERO in 2022 -May for identified Contaminants of Concern by province and restrictions and remedial actions placed on the current owners-MKH.

One can look this file up.

Linda Thornborrow







**From:** Chime Samo

**Sent:** Friday, January 12, 2024 9:49 AM

**To:** Trosow, Sam <strosow@london.ca>; Meksula, Sean <smeksula@London.ca>

**Subject:** Petition against High density construction of Beaverbrook community

Dear Sam,

I tried to gather support and wrote a petition against construction of high-density Beaverbrook community, which will have negative impacts on the community.

Thank you

Chime

## PETITION

**Petition** against the proposed unplanned construction of multiple high density and medium density apartments in reference to the file number 39T-21505/2-9416/Applicant Sam Katz holding Inc.

We, the undersigned residents of ward 6, London, Ontario and other concerned residents are expressing our concerns and raising objections to the proposed construction of multiple high density and medium density apartments, named "The Beaverbrook Community". In the name of urbanization and development, the above-mentioned proposed project would have an enormous negative impact on the community concerned and the neighbors.

Our concerns are defined as follows:

**Environment Impact:** The proposed construction project would have a negative impact on the local environment because it would destroy the green space and the wildlife habitats. It would ruin the naturally formed creeks and its surrounding tree species.

**Overcrowding in school:** One of the current major issues of London, Ontario is the overcrowding of population or population explosion related to multiple unplanned approved construction in and around London area. The proposed multiple high density and medium density construction of apartments would create an imbalance on the ratio of population vs schools and parks, in and around the concerned communities. The overcrowding of schools and parks are major negative concerns shared by the Londoners in recent times. The overcrowding of students in schools is widely reported in major newspapers and outlets. The schools have reported building make-shift classrooms to accommodate the influx of students in recent times. There is a rise in teacher/student ratios, and not having enough assistance for special need students is common which thus compromises the standard of education. Unfortunately, there is no plan for a new school in the community concerned.

**Traffic Congestion:** The traffic congestion is another major challenge in and around the London area. With no new road projects or no wider road projects, the unplanned proposed construction project would only add to the existing traffic congestion.

**Increase Crime Rate:** The proposed unplanned construction of multiple high density and medium density apartments would lead to overcrowding of population in and around the concerned community. And with the increase in population, fewer jobs and limited police forces it would only lead to an increase in the crime rate. The increase in the crime rate in the London area is widely reported in newspapers and other news outlets.

We, the undersigned residents, urge the concerned authority to stop the proposed unplanned construction of multiple high density and medium density apartments.

<https://globalnews.ca/news/8968219/tvdsb-summer-school-programs-report-increase-enrollment/>

<https://www.cbc.ca/news/canada/london/enormous-london-growth-has-tvdsb-looking-at-shuffling-students-to-other-schools-1.6255388>

[q-a-why-is-london-cutting-down-so-many-trees-for-construction-a-city-staffer-explains-1.6809149](https://www.cbc.ca/news/canada/london/q-a-why-is-london-cutting-down-so-many-trees-for-construction-a-city-staffer-explains-1.6809149)

<https://globalnews.ca/news/10060711/london-police-budget-2024-27/>

<https://london.ctvnews.ca/rise-in-downtown-london-property-crimes-attributed-to-pandemic-1.5292759>

<https://london.ctvnews.ca/london-one-of-the-worst-in-canada-for-time-spent-in-traffic-1.4791710>

[land-deal-to-case-school-crowding-in-northwest-london-backed-by-planning-committee-1.5602823](https://london.ctvnews.ca/land-deal-to-case-school-crowding-in-northwest-london-backed-by-planning-committee-1.5602823)

NOTE: A petition signed by approximately 23 people is on file in the City Clerk's Office.

From: Geoff Schnare  
Sent: Sunday, March 31, 2024 11:17 AM  
To: Meksula, Sean  
Subject: New Developments Beaverbrook and Cherryhill

Hello,

I have been reading the last few days about the new developments in the Beaverbrook area (new tower at Swiss Chalet and the Cherryhill Development).

I hope some real planning is being done with regards to the traffic problem this will cause around Wonderland Road/Oxford. Most days it is a nightmare getting around the Wonderland/Oxford area. It seems like these developments will only further the congestion.

Geoff

**From:** Kimberley Appleton  
**Sent:** Wednesday, March 27, 2024 6:14 PM  
**To:** Lehman, Steve  
**Cc:** Jeff  
**Subject:** [EXTERNAL] Proposed Development by the Esam Group for the Beaverbrook Community

Dear Counsellor Lehman,

I hope this letter finds you well.

It was nice to see you at the Oakridge Optimist Trivia Night. I was the silly one who always had my hand up, whom you were trying to sneak up on when collecting answers.

I am writing to you today to express my concerns regarding the proposed development by the Esam Group for the Beaverbrook community, particularly concerning traffic and density issues.

As a resident of Oakridge, I have witnessed the strain that increased traffic and population density can place on our infrastructure and quality of life. The proposal for 18 high-rise towers, along with mid-rise apartments and townhouses, is a significant undertaking that will have a profound impact on our neighbourhood.

While I understand that this development has been in the making for over two decades and that it promises to bring about positive changes, I am concerned about the potential consequences it may have on our already congested roads and strained public services. The sheer scale of the project, with over 4,000 residential units spread across seven blocks, raises serious questions about its compatibility with our existing infrastructure.



Furthermore, the proposed redevelopment and extension of the road system, as outlined by Michael Hannay of MBTW, may not be sufficient to mitigate the anticipated increase in traffic. As you are aware, the Wonderland and Oxford area is already identified as a transit village (one word - COSTCO), and while the zoning may allow for medium and high-density housing, we must ensure that any development aligns with the needs and capabilities of our community.

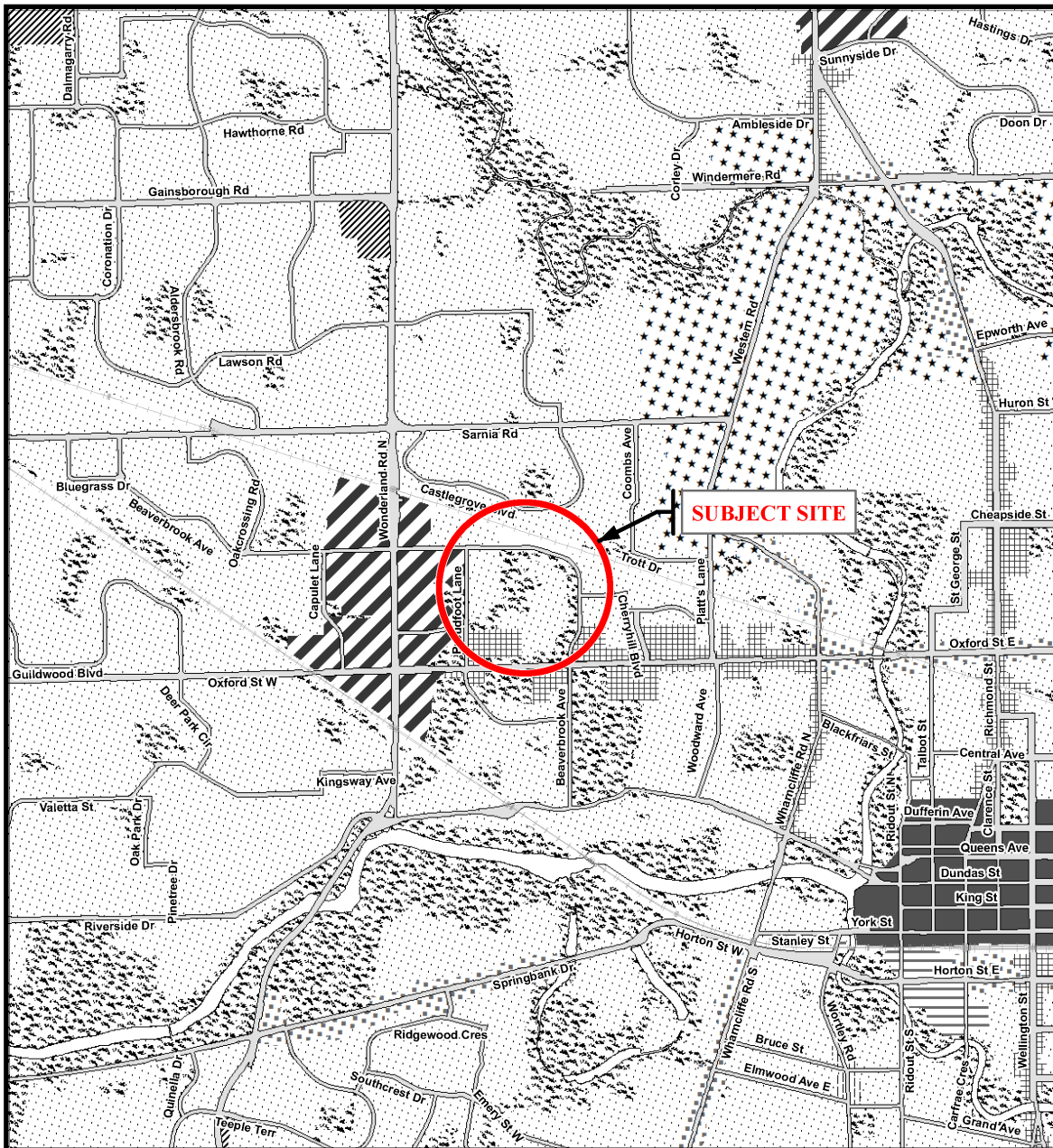
I urge you and your colleagues to carefully consider traffic concerns as you review the proposal submitted by the Esam Group. It is essential that the voices of the residents are heard and that any decision made reflects the best interests of our community as a whole.

Thank you for your attention to this matter. I look forward to hearing your thoughts and working together to ensure a sustainable and vibrant future for Beaverbrook.

Sincerely,

Kim Appleton

# Appendix G – The London Plan and Zoning By-law Excerpts

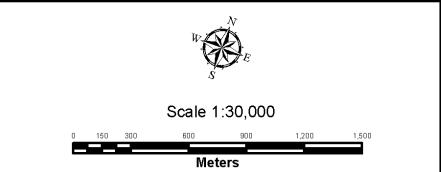


### Legend

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

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

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



**File Number:** Z-9416/39T-21505  
**Planner:** SM  
**Technician:** RC  
**Date:** 2024/04/11

