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OZ-7965
Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, AND 1653 RICHMOND STREET MEETING ON NOVEMBER 12, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the lands on the west side of Richmond Street between Hillview Boulevard and Shavian Boulevard:

- (a) the following report **BE RECEIVED** for information noting that Civic Administration has previously initiated an application for Official Plan and Zoning By-law amendments for these lands at the direction of Municipal Council and prepared a Master Plan to be considered for adoption as a Guideline Document to the Official Plan;
- (b) that Civic Administration **BE DIRECTED** to initiate new Official Plan and Zoning By-law amendment applications to re-initiate discussions with the community regarding the implementation of the proposed development concept for the lands at 1631, 1635, and 1639 Richmond Street, attached as Appendix "A" to this report, which was developed collaboratively with the property owner (Mr. Farid Metwaly), City Staff and Members of the Community, and provided the basis for the previously proposed amendments;

IT BEING NOTED THAT on January 12, 2012, Council resolved to withhold 3 readings of the enacting by-laws for the previously initiated Official Plan and Zoning By-law amendments until such time as the owner of 1631, 1635, and 1639 Richmond Street obtains site plan approval for these lands to ensure that development proceeds in accordance with the proposed development concept; and

- (c) that Stormwater Management Staff **BE DIRECTED** to report back to the Planning and Environment Committee on December 10, 2013 with regard to re-initiating the Stormwater Infrastructure Improvements along the Richmond Street corridor, as initially approved by Council in January 2012 and subsequently deferred by Council in August 2012, and report back on the process and timeline for completion of the project.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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November 16, 2009 Report to Planning Committee – Public Site Plan Review (S.P. No. 06-032378) – 1639 Richmond Street – This report recommended that the site plan, landscape plan, building elevations, and development agreement clauses for 19 townhouse units be approved subject to the removal of the holding provision and subject to confirmation that the storm outlet has been established.

Municipal Council resolved that the site plan application be referred back to Staff for submission to the Urban Design Peer Review Panel for its review and comments, that Staff be requested to meet with the community and the applicant to discuss an improved design that will address compatibility with the existing neighbourhood, that the applicant be requested to hold a public meeting with the community prior to resubmission of the application, and that a public participation meeting of the Planning Committee be held for consideration of this site plan.

March 1, 2010 Report to Planning Committee – Ontario Municipal Board Appeals – 1639 Richmond Street – This report recommended that the OMB be advised that the site plan, landscape plan, building elevations, and development agreement clauses for 19 townhouse

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units be supported subject to: ensuring that units flanking Richmond Street have a façade design treatment which is street-oriented, any westerly flanking units do not have a blank wall facing west, and that confirmation of the storm outlet for the site has been legally established. This report also recommended that the OMB be advised that Council does not support the removal of the Holding Provision and that the applicant has not entered into a development agreement with the City. Additionally, this report recommended that the City Solicitor provide legal representation at the OMB to support the decision of Council and that the City retain the services of a land use planner to provide evidence.

October 17, 2011 Report to Built and Natural Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street (OZ-7965) – This information report noted that the Civic Administration had initiated an application for Official Plan and Zoning By-law amendments for these lands and had also initiated preparation of a Master Plan to be considered for adoption as a Guideline Document to the Official Plan. Further, the report requested Municipal Council to direct Civic Administration to retain a transportation planning consultant in order to prepare a traffic impact assessment which would assist with area transportation policies and development conditions; to identify the costs associated with storm sewer capacity improvements required to accommodate the proposed development between Hillview and Shavian Boulevards; and, to identify sources of financing to undertake these works in 2012.

December 12, 2011 Report to Planning and Environment Committee – 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street (OZ-7965) – This report recommended that the Official Plan and Zoning By-law be amended at a future date to permit the development of multiple attached dwellings such as row houses or cluster houses, low-rise apartment buildings, small scale nursing homes, rest homes, and homes for the aged with a convenience commercial component; that the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* be adopted at a future date; and that three readings of the enacting by-laws be withheld until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street and a development agreement entered into with the City of London.

December 12, 2011 Report to Planning and Environment Committee – Storm Sewer to Accommodate Intensification on Richmond Street – This report from the Managing Director, Development Approvals Business Unit recommended that a project for the rehabilitation and expansion of the existing storm sewer on Richmond Street from Hillside Drive to the Thames River, estimated at \$1.5 million in value, be approved in 2012 in the Growth Management Implementation Strategy and that the project be referred to the 2012 Budget process.

August 22, 2012 Report to Planning and Environment Committee – Storm Outlet Reconstruction and Upgrade Works to Accommodate 1631, 1635, and 1639 Richmond Street Development and Residential Intensification on Richmond Street – This report from the Managing Director, Engineering and City Engineer recommended that the storm outlet reconstruction and upgrade works and accompanying stormwater management measures to accommodate residential intensification at 1631, 1635 and 1639 Richmond Street and the Richmond Street corridor from Hillside Drive to the Thames River, North Branch, be deferred until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street and a development agreement entered into with the City of London.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended actions will result in Civic Administration initiating Official Plan and Zoning By-law amendment applications for the lands comprising 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. The Official Plan and Zoning By-law amendment applications will re-initiate discussions with the community and other stakeholders regarding: the previously prepared *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*; previously supported special Official Plan policies and Zoning By-law amendments intended to provide for a comprehensive development which includes internal access between the subject lands and building forms and heights that decrease in height and intensity from the northern portion to the southern portion and from the

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eastern half to the western half of these lands; and, the implementation of the development concept prepared in consultation with representatives of the Old Masonville Community, Mr. Farid Metwaly, Civic Administration and the Ward Councillor in 2011 and supported by resolution of Municipal Council in January 2012.

The recommended action will also result in Stormwater Management Staff reporting back to the Planning and Environment Committee on December 10, 2013 with regard to re-initiating the applicable stormwater infrastructure improvements along the Richmond Street corridor, as approved by Council in January 2012, required to service the development concept considered through the previously recommended Official Plan and Zoning by-law amendments.

BACKGROUND

Townhouse Proposal

In April 2004, an application for a Zoning By-law amendment was received from Mr. Farid Metwaly for the lands at 1639 Richmond Street requesting that the subject property be rezoned to permit cluster townhouse and stacked townhouse uses. Recognizing the merit in considering the development of this portion of the Richmond Street corridor/Masonville Node in a more comprehensive manner, City Staff were subsequently directed to initiate a Zoning By-law amendment application for the remainder of the lands along the corridor comprising 1607-1653 Richmond Street.

As a result of the City initiated re-zoning process, in 2004, Council amended the Zoning By-law to permit the development of cluster dwellings in the form of single detached, semi-detached, and townhouses for the lands between 1607-1653 Richmond Street. Whereas the initial Staff recommendation would have required that additional lands be consolidated prior to redevelopment, the revised Zoning By-law amendments (introduced after further consultation with representatives of the neighbourhood and the applicant) facilitated the redevelopment of the lands at 1639 Richmond Street without the need for further lot consolidation. This Zoning By-law included an “h-5” holding provision requiring that a public site plan review be conducted and the applicant enter into a development agreement with the municipality prior to its removal.

In September of 2009, the applicant submitted an application to remove the “h-5” holding provision for the lands at 1639 Richmond Street in order to facilitate a proposed cluster townhouse development. In order to permit the removal of the “h-5” holding provision, a public site plan review was conducted at a meeting of the Planning Committee. Site Plan Staff recommended that the proposed site plan, landscape plan, building elevations and development agreement be approved. Notwithstanding the Site Plan Staff recommendation, this application was referred back to Staff in order to address community concerns. In December of 2009, the applicant appealed the application for site plan approval to the Ontario Municipal Board (OMB) on the basis that the municipality failed to make a decision on approval of the application within the 30-day prescribed time period. In January of 2010, the applicant also appealed the request to remove the holding provision to the OMB on the basis of the municipality’s non-decision. In September of 2010 the OMB issued a decision indicating that it was satisfied that the proposed development was consistent with the Official Plan and Zoning By-law and approved the site plan and ordered that the holding provision be lifted. Municipal Council subsequently lifted the “h-5” holding provision at 1639 Richmond Street in November of 2010.

It should be noted that this zoning currently remains on the subject lands.

Council Resolution for Planning Study

March 7, 2011, in light of continuing community concerns regarding the approved site plan and cluster townhouse development proposed for 1639 Richmond Street, the Built and Natural Environment Committee (BNEC) received a letter from the ward councillor requesting that a City-initiated zoning amendment be undertaken for these lands to consider a form and intensity of development that:

- Is supportive of infill;
- Is respectful of the character of the corridor and the neighbourhood to the west;

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- Allows for an appropriate density of use (recognizing the propensity for 5 bedrooms per unit within residential development at this location;
- Manages and mitigates impacts on the rear yards of development to the west;
- Manages and consolidates access to avoid impact on Richmond Street; and,
- Provides for a built form and urban design that enhances the Richmond Street corridor and Masonville node.

On March 21, 2011, Municipal Council resolved:

*That, in response to a communication dated February 18, 2011 from Councillor M. Brown requesting a City-initiated rezoning of the properties located on the western portion of the Richmond Street corridor between Shavian Boulevard and Hillview Boulevard, the Civic Administration **BE REQUESTED** to report back at a future meeting of the Built and Natural Environment Committee with respect to a zoning amendment for these lands, excluding 1639 Richmond Street, that considers the form and intensity of development that is in keeping with that which is desired by the community.*

In response to this Council resolution, Planning Staff undertook a series of consultation sessions with representatives of the Old Masonville Community, Mr. Farid Metwaly, Civic Administration, and the Ward Councillor. The result of these collaborative consultation efforts was a new vision for the lands encompassing 1607-1653 Richmond Street which adds residential intensity toward the Richmond Street corridor and Masonville node while increasing the setbacks from the existing single detached dwellings to the south and west, reducing the number of bedrooms per unit, and appealing to a wide mix of residents.

On October 17, 2011 Planning Staff reported back to the Built and Natural Environment Committee indicating that Civic Administration had initiated an application for Official Plan and Zoning By-law amendments for these lands, consistent with the March 21, 2011 Council resolution, and, additionally, were preparing a Master Plan to be considered for adoption as a Guideline Document to the Official Plan. At this time, Civic Administration were also directed to have a traffic impact assessment prepared to assist with area transportation policies and development conditions, to identify the costs associated with storm sewer capacity improvements required to accommodate the proposed development between Hillview and Shavian Boulevards, and to identify sources of financing to undertake these works in 2012.

PLANNING HISTORY

New Comprehensive Development Concept

On January 10, 2012, Council resolved to introduce a series of by-laws to amend the Official Plan and Zoning By-law, as summarized in Appendix “B” of this report. The proposed amendments were intended to facilitate development that is consistent with the concept prepared collaboratively by the range of stakeholders during the 2011 planning process. Further to Council’s general support for the proposed amendments highlighted in clauses (a)-(h) of the resolution provided in Appendix “B”, it was resolved that:

*Three readings of the by-laws enacting the Official Plan and Zoning By-law amendments, as recommended in clauses (a) to (h) above, **BE WITHELD** until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street, following a public site plan review and a development agreement entered into with the City of London, which is consistent with the site plan drawings and elevation drawings attached hereto as Appendix “I”;*

The above clause, withheld three readings of the enacting by-laws in order to provide assurance to the City and the Community that the development of 1631, 1635 and 1639 Richmond Street would proceed in a manner consistent with the concept prepared collaboratively among stakeholders (Appendix “A” to this report).

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Prior to recommending the above clause to withhold three readings of the by-laws, Planning Staff had favoured the use of an “h(*)” holding provision on all of the properties including Mr. Metwaly’s lands (1631-1639 Richmond Street) in order to ensure that future development was consistent with the master plan and to address SWM issues. Due in part to his previous experience with attempting to remove holding provisions for his townhouse development in 2009, Mr. Metwaly expressed concern with the use of the “h(*)” holding provision on his lands. As Mr. Metwaly’s cooperation had been integral throughout the comprehensive planning process and, considering that Site Plan approval was obtained for the townhouse proposal which was the impetus for the initial Council Resolution to Planning Staff to reconsider the zoning, the recommendation to withhold three readings of the enacting by-laws until site plan approval was obtained for the apartment proposal was viewed by Staff as a suitable compromise in that it would achieve the desired objective of ensuring that the development of 1631-1639 Richmond Street was in accordance with the concept provided in Appendix “A”.

The remainder of the lands subject to the proposed amendments including 1607-1611 Richmond Street, 1615-1627 Richmond Street and 1643-1653 Richmond Street included “h(*)” holding provisions which required that “future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and that a stormwater management (SWM) servicing design report has been prepared and accepted to ensure that future development has the sufficient storm outlet and SWM servicing”.

In order to provide the required storm outlet capacity and to allow the future residential intensification project to proceed, the City proposed an upgrade to the existing storm outlet system. These proposed works were intended to include reconstruction/upgrading of more than 1 km of the storm sewer system along Richmond Street in order to provide the required storm outlet and the SWM measures/works for the subject lands, as well as the provision of the adequate flow conveyance system for the total drainage area at an estimated total (including proposed road works) cost of \$1.5 million. The upgrade to the existing storm outlet system had proposed to incorporate both the development and future roadway needs simultaneously to avoid duplication of work in the future.

Since the January 2012 resolution, the three readings of the by-laws required to adopt the recommended Official Plan and Zoning By-law amendments have not been introduced given that the requirement to obtain site plan approval for the properties at 1631-1639 Richmond Street has not been met. The associated SWM and road upgrades along the Richmond Street agreed to by the City have also been deferred as a result of the inaction on site plan approval following the decision of Council in January 2012.

ANALYSIS

Basis for Recommended Action:

The recommendation to withhold three readings of the by-laws means that the zoning approved in 2004 to permit townhouse dwellings continues to apply to these lands. Furthermore, until the three readings of the by-laws are introduced, the appeal period for the Official Plan and Zoning By-law amendments will not begin. Although Mr. Metwaly has expressed his on-going commitment to undertake construction of the proposed development concept created in collaboration with the community, he has expressed a concern about the cost and uncertainty of undertaking a site plan approval process which will culminate in the introduction of the three readings of the by-laws which may then subsequently be appealed to the Ontario Municipal Board.

As an alternative, he has requested that the City revise the previous amendments such that his lands be rezoned to facilitate the proposed development concept with holding provisions, consistent with the approach favoured by Planning Staff in 2011. The result would be that Mr. Metwaly would achieve certainty with regard to his land use permissions prior to him initiating the Site Plan approval process. The community would obtain safeguards in the form of holding provisions which would require that the proposed development concept be approved prior to the removal of the holding provision. Further, the City would also benefit by knowing that the any investment made in the form of stormwater infrastructure improvements would be adequately sized to accommodate a certain form of development.

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Merits of Recommended Action

Throughout the 2011 Official Plan and Zoning By-law amendment process facilitated by Planning Staff, extensive input was received by a variety of stakeholders including the applicant, neighbourhood/community groups, civic administration and members of Council to prepare a comprehensive development concept that would achieve a wide range of planning objectives while maintaining appropriate transition for neighbouring low density residential uses. The proposed amendments to City planning documents supported by the January 2012 Council resolution were intended to facilitate a form of development consistent with this collaborative vision.

Given the challenges of satisfying the conditions required to obtain Site Plan approval and, ultimately, introduce the three readings of the by-laws, it is recommended that new Official Plan and Zoning By-law amendment applications be initiated which are consistent with those supported by Council in January 2012 but which contemplate the use of holding provisions to secure certainty in the final design of the built form.

The use of holding provisions to ensure the requirement that development “proceeds in accordance with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*” was recommended for other lands located along this portion of the Richmond Street corridor subject to the previous amendments including 1607-1627 and 1643-1653 Richmond Street and is an appropriate approach to achieving land use permissions with assurances regarding the form of development. The use of holding provisions would allow the appeal process for the Official Plan and Zoning By-law amendments to be exhausted prior to approval of a site plan thereby providing assurance that efforts by the City and the applicant to facilitate site plan approval are not compromised by an appeal on the Official Plan and Zoning By-law amendments.

CONCLUSION

The recommendation for Council to direct Staff to initiate new Official Plan and Zoning By-law amendment applications for the lands including 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street to has been supported by a request from the owner of 1631, 1635 and 1639 Richmond Street and by the foregoing planning analysis.

The intent is that the new Official Plan and Zoning By-law amendments will remain generally consistent with those supported by Council in January 2012 but will consider alternative mechanisms including the use of holding provisions to ensure that development of this portion of the Richmond Street corridor proceeds in accordance with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*. Additional holding provisions may also be applied to ensure that a stormwater management (SWM) servicing design report has been prepared and accepted to ensure that future development has the sufficient storm outlet and SWM servicing.

The recommendation to direct Stormwater Management Staff to report back regarding the stormwater infrastructure improvements along the Richmond Street corridor will also assist with providing assurances to the owners of land along this corridor that the infrastructure required to support higher intensity residential uses will be available to facilitate future development.

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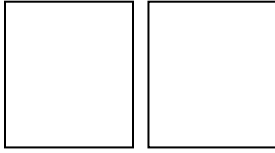
OZ-7965
Mike Davis

PREPARED BY:	REVIEWED BY:
MIKE DAVIS, B.U.R.PI. PLANNER II, COMMUNITY PLANNING AND DESIGN	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN
SUBMITTED BY:	RECOMMENDED BY:
JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN	JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

October 31, 2013

MD

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to \7965OZ – 1607-1653 Richmond Street (MT)\



OZ-7965
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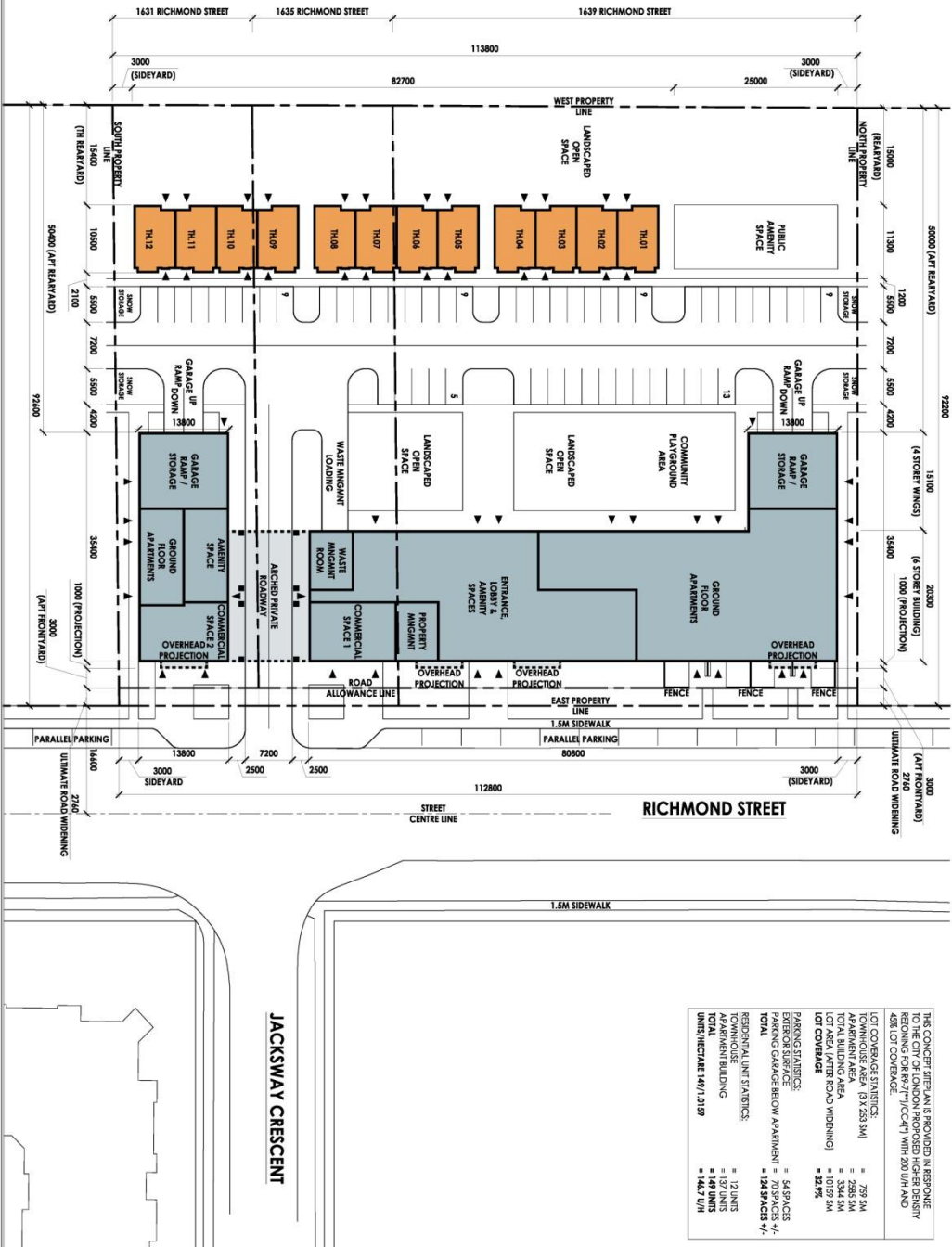
Appendix "A"

KYLE ENGLAND CONSULTING
166 ATLAS AVENUE
TORONTO, ONTARIO
M6C 3P5
416 653 6383

1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALLY)
PROJECT NO. 1107

DATE: DECEMBER 08, 2011
SCALE: 1:300

CONCEPTUAL SITEPLAN
1631, 1635 & 1639 RICHMOND STREET
SITE A010

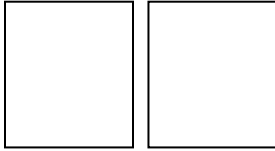


THIS CONCEPT SITEPLAN IS PROVIDED IN RESPONSE TO THE CITY OF LONDON PROPOSED HIGHER DENSITY RESONANCE ZONING BY-LAW (OCC47) WITH 200 U/LR AND 85% LOT COVERAGE.

LOT COVERAGE STATISTICS:	
APARTMENT AREA	= 785.94
TOTAL BUILDING AREA	= 2984.5M
LOT AREA (AFTER ROAD WIDENING)	= 3344.5M
LOT COVERAGE	= 87.2%
PARKING STATISTICS:	
EXISTING SURFACE	= 54 SPACES +/-
PROPOSED SURFACE BELOW APARTMENT	= 124 SPACES +/-
TOTAL	= 178 SPACES +/-
RESIDENTIAL UNIT STATISTICS:	
TOWNHOUSE	= 12 UNITS
APARTMENT BUILDING	= 127 UNITS
TOTAL	= 139 UNITS
UNITS/HECTARE (487.1 D/19)	= 146.1 U/H

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KYLE ENGLAND CONSULTING
186 ATLAS AVENUE
TORONTO, ONTARIO
M5C 3P5
416 653 6353

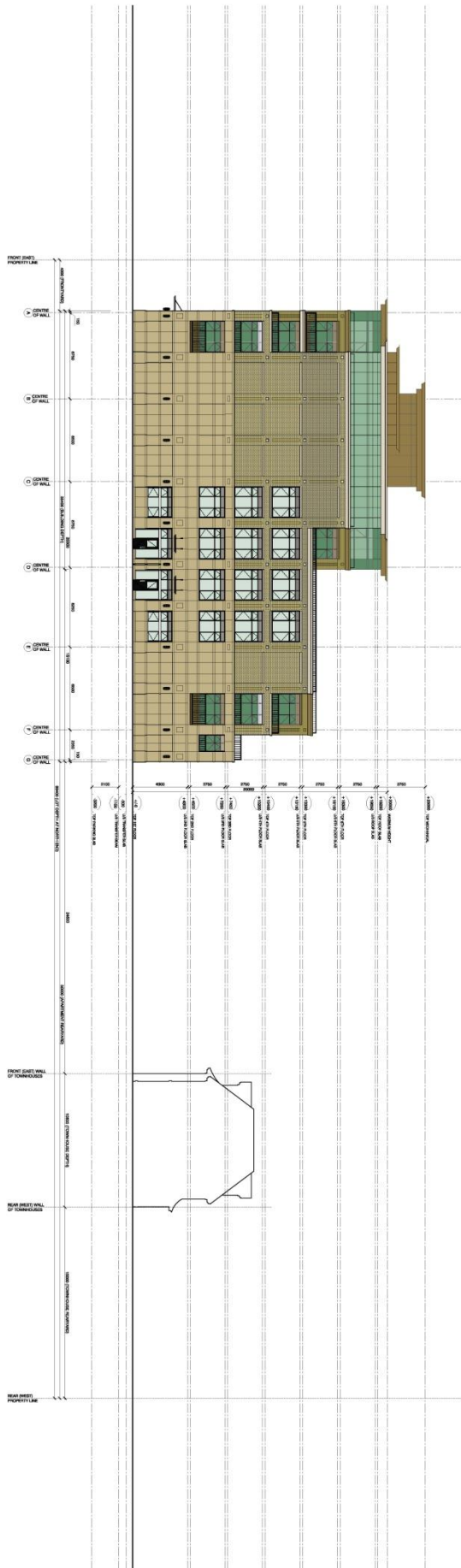
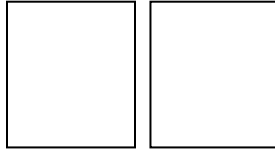
1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALLY)
PROJECT NO: 1107

DATE: NOVEMBER 28, 2011
SCALE: 1:150

APARTMENT ELEVATIONS
REAR (WEST)
APT_A203

OZ-7965
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KYLE ENGLAND CONSULTING
166 ATLAS AVENUE
TORONTO, ONTARIO
M6C 3P9
416 653 6353

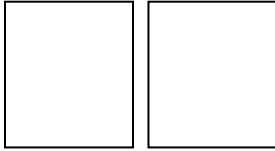
1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALY)
PROJECT NO: 1107

DATE: NOVEMBER 14, 2011
SCALE: 1:150

APARTMENT ELEVATIONS
NORTH SIDE
APT_A204

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166 ATLAS AVENUE
TORONTO, ONTARIO
M6C 3P9
416 653 6353

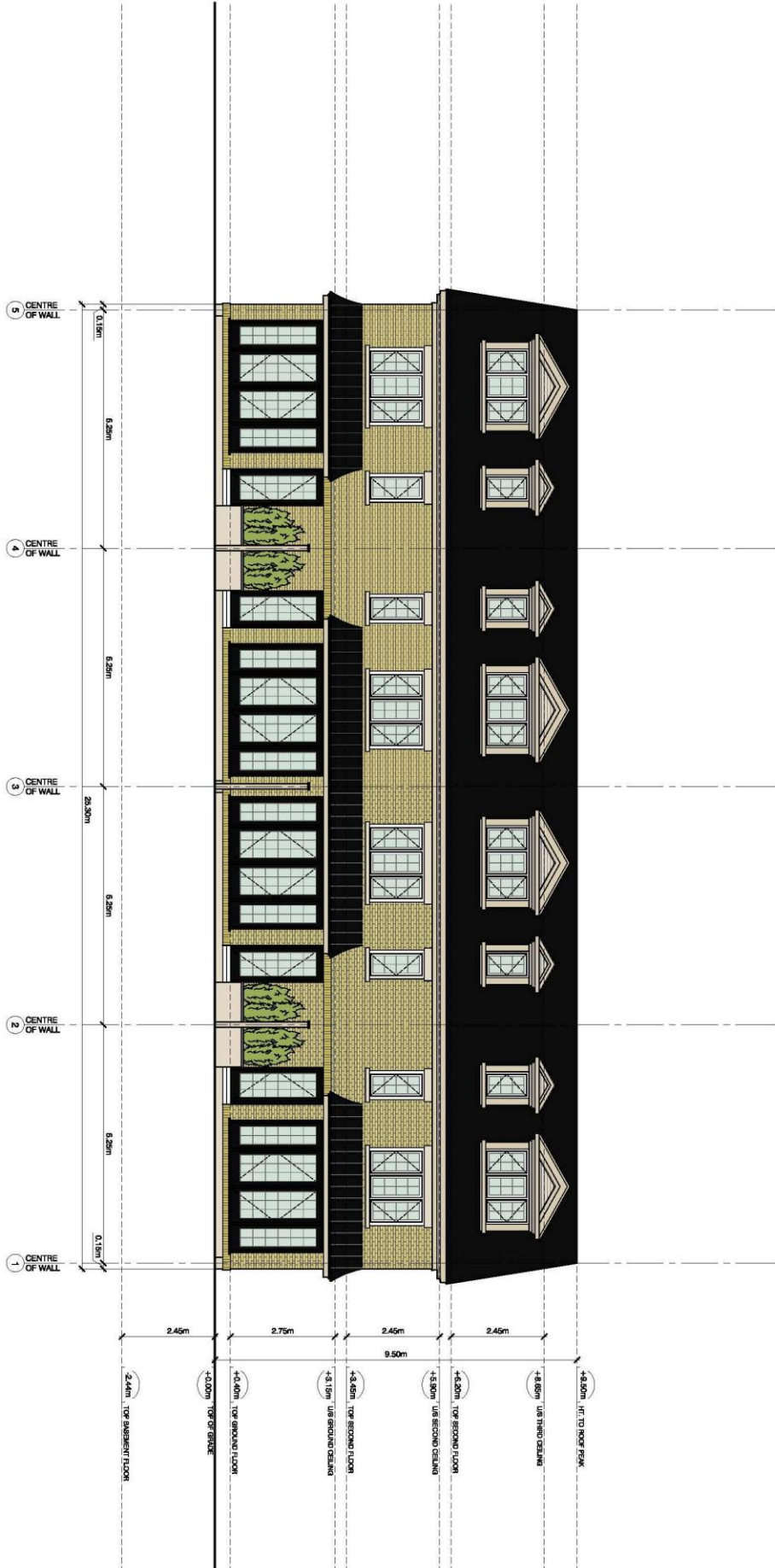
1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALLY)
PROJECT NO: 1107

DATE: NOVEMBER 14, 2011
SCALE: 1:150

APARTMENT ELEVATIONS
SOUTH SIDE
APT_A202

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KYLE ENGLAND CONSULTING
186 ATLAS AVENUE
TORONTO, ONTARIO
M6C 3P9
416 653 6353

1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALLY)
PROJECT NO: 1107

DATE: NOVEMBER 11, 2011
SCALE: 1:100

TOWNHOUSE ELEVATIONS
REAR (EAST)
TH_A202

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OZ-7965
Mike Davis

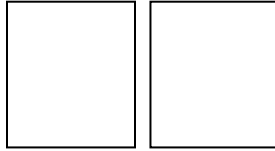
KYLE ENGLAND CONSULTING
186 ATLAS AVENUE
TORONTO, ONTARIO
M6C 3P9
416 653 6353

1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALLY)
PROJECT NO: 1107

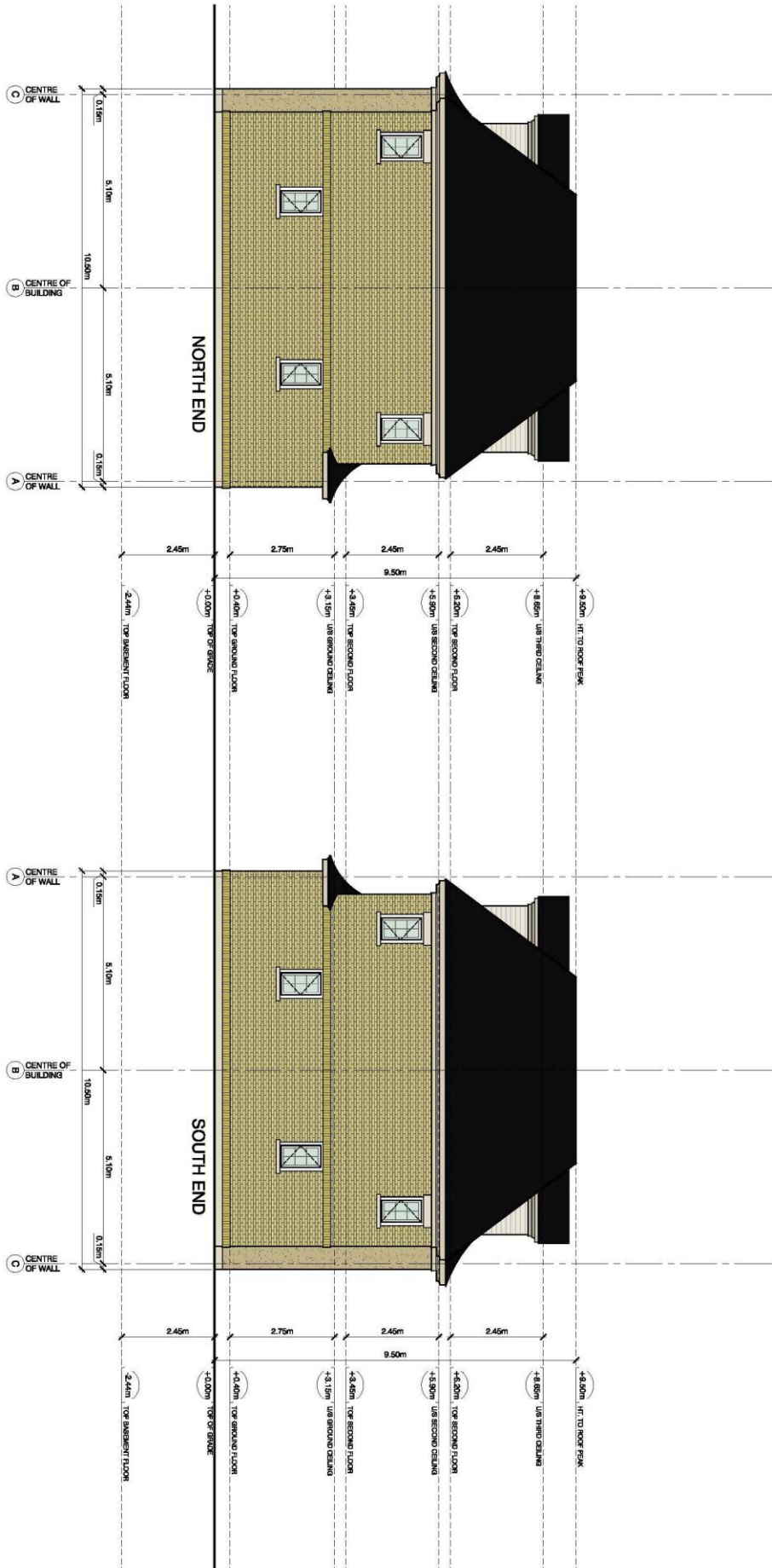
DATE: NOVEMBER 11, 2011
SCALE: 1:100

TOWNHOUSE ELEVATIONS
FRONT (WEST)
TH A201





OZ-7965
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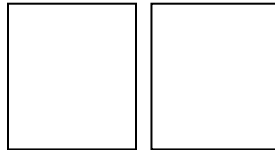
KYLE ENGLAND CONSULTING
186 ATLAS AVENUE
TORONTO, ONTARIO
M6C 3P9
416 653 6353

1631, 1635 & 1639 RICHMOND STREET
LONDON, ON
(MR. FARID METWALLY)
PROJECT NO: 1107

DATE: NOVEMBER 11, 2011
SCALE: 1:100

TOWNHOUSE ELEVATIONS
NORTH & SOUTH ENDS
TH_A203

Appendix "B"



OZ-7965
Mike Davis



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

CITY OF LONDON
PLANNING DIVISION
RECEIVED
Jan. 24 2012
Fleming
SUBSEQUENT REFERRALS
FOR ACTION

January 11, 2012

J.M. Fleming
Director, Land Use Planning and City Planner

J. Lucas
Acting Director, Roads and Transportation

I hereby certify that the Municipal Council, at its session held on January 10, 2012 resolved:

17. That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of The City of London relating to the properties located at 1607, 1609 (eastern portion), 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street:

- a) the attached proposed by-law (Appendix "A") **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation TO a Multi-Family, Medium Density Residential designation to permit the development of multiple-attached dwellings, such as row houses or cluster houses, low-rise apartment buildings, small-scale nursing homes, rest homes, homes for the aged and a convenience commercial component within an apartment building;
- b) the attached proposed by-law (Appendix "B") **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan by adding a new special policy to Section 3.5 (Policies for Specific Areas) to guide the future development of the subject properties;
- c) pursuant to Section 19.2 of the Official Plan, the attached *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* (Appendix "C") **BE ADOPTED** at a future Municipal Council meeting;
- d) pursuant to Section 19.2.2 of the Official Plan, the attached proposed by-law (Appendix "D") **BE INTRODUCED** at a future Municipal Council meeting to amend the Official Plan by adding the "*Richmond Street-Old Masonville Master Plan and Urban Design Guidelines*" to the list of Council approved guideline documents;
- e) the revised, attached proposed by-law (Appendix "E") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning of the properties located at 1607, 1609 (eastern portion) and 1611 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits cluster single detached dwellings, cluster semi-detached dwellings, cluster duplex dwellings, and cluster townhouse dwellings subject to a special zoning provision which regulates the minimum lot area (0.6 ha.), minimum lot frontage (70m), maximum lot coverage (35%), maximum density (30 units per hectare), maximum height (10.5m), minimum front yard depth (3m), minimum rear yard depth (7.5m) and restrictions on the location of parking areas and subject to a holding provision requiring a public site plan review of the proposed development prior to the removal of the holding provision TO a Holding Residential R5 Special Provision (h-••)•h-••)•R5-2(••) Zone to permit cluster townhouses and cluster stacked townhouses with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.4 ha.); maximum front yard depth (3m); minimum rear yard and south interior side yard depth (15m); maximum lot coverage (35%); maximum density (45 units per hectare); maximum number of bedrooms per dwelling unit (3); and, maximum height (12.0m on the eastern portion and 9.5m on the western and southern portions) subject to holding provisions to ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design*

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Guidelines and that a storm/drainage and stormwater management (SWM) servicing design report has been prepared and accepted to ensure that future development has the sufficient storm outlet and SWM servicing;

- f) the revised, attached proposed by-law (Appendix "F") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), as amended in part (a) above, to change the zoning of the properties located at 1615, 1619, 1623 and 1627 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits the above listed uses, subject to the above listed special zoning regulations, and subject to the above listed holding provision TO a Holding Residential R9 Special Provision (h-(*•h-(*•R9-7(**)) Zone to permit cluster townhouses, apartment buildings, senior citizen apartment buildings, and continuum of care facilities with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.6 ha.); maximum front yard depth (3m); minimum rear yard depth (15m); maximum lot coverage (40%); maximum density (150 units per hectare); maximum number of bedrooms per dwelling unit (3); and, maximum height (15.0m on the eastern portion and 9.5m on the western portion) subject to holding provisions to ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and that storm/drainage and a stormwater management (SWM) servicing design report has been prepared and accepted to ensure that future development has the sufficient storm outlet and SWM servicing;
- g) the revised attached proposed by-law (Appendix "G") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning of the properties located at 1631, 1635, and 1639 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits the above listed uses, subject to the above listed special zoning regulations, and subject to the above listed holding provision (1631 and 1635 Richmond Street) AND a Residential R5 Special Provision/Residential R6 Special Provision (R5-2(12)/R6-4(14)) Zone which permits the above listed uses and subject to the above listed special zoning regulations (1639 Richmond Street) TO a Residential R9 Special Provision/Convenience Commercial Special Provision (R9-7(**)/CC4(*) Zone to permit cluster townhouses, apartment buildings, senior citizen apartment buildings, and continuum of care facilities in the R9-7(**) Zone with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.6 ha.); maximum front yard depth (3m); minimum interior side yard depths (3m); minimum rear yard depth (15m); maximum lot coverage (45%); maximum density (200 units per hectare); maximum number of bedrooms per dwelling unit (3); maximum height (20.0m on the eastern portion and 9.5m on the western portion); and permits convenience service establishments, convenience stores, financial institutions, personal service establishments, and take out restaurants in the CC4(*) Zone with a special zoning provision which includes: a maximum gross floor area for convenience commercial uses (200.0m²); and, no additional parking requirements for commercial uses;
- h) the revised, attached proposed by-law (Appendix "H") **BE INTRODUCED** at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning of the properties located at 1643, 1649, and 1653 Richmond Street FROM a Holding Residential R5 Special Provision/Residential R6 Special Provision (h-5•R5-2(12)/R6-4(14)) Zone which permits the above listed uses, subject to the above listed special zoning regulations, and subject to the above listed holding provision TO a Holding Residential R9 Special Provision (h-(*•h-55•R9-7(**)) Zone for the properties located at 1643, 1649, and 1653 Richmond Street to permit cluster townhouses, apartment buildings, senior citizen apartment buildings, and continuum of care facilities with a special zoning provision which includes: a minimum lot frontage (70m); minimum lot area (0.6 ha.); maximum front yard depth (3m); minimum interior side yard depths (3m); minimum rear yard depth (15m); maximum lot coverage (45%); maximum density (200 units per hectare); maximum number of bedrooms per dwelling unit (3); maximum height (20.0m on the eastern portion and 9.5m on the western portion) subject to a holding provision to ensure that future development is consistent with the *Richmond Street-Old Masonville Master Plan and Urban Design Guidelines* and to require the completion of a traffic impact study prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads, and the roadway improvements required to accommodate this development; and,
- i) three readings of the by-laws enacting the Official Plan and Zoning By-law amendments, as recommended in clauses (a) to (h) above, **BE WITHHELD** until such time as site plan approval has been obtained for the properties at 1631, 1635, and 1639 Richmond Street, following a public site plan review, and a development agreement entered into with the City of London, which is consistent with the site plan drawings and elevation drawings attached hereto as Appendix "I"; and,



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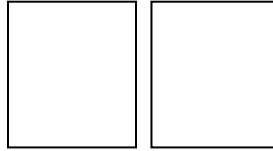
- j) the Civic Administration **BE DIRECTED** to retain a consultant to undertake a transportation study, including traffic impact analysis, for the neighbourhood, bounded by Louise Blvd (to the west), Taplow Rd, Hillside Dr, McStay Rd and Shavian Blvd (to the south), Richmond Street (to the east) Fanshawe Park Road and Hillview Blvd (to the north) (the "Study Area") that will:
- i) identify concerns, with a specific emphasis on cut-through traffic, speeding and hazardous driving on local streets and recommend mitigation measures to address these concerns;
 - ii) recommend measures to enhance pedestrian quality and safety;
 - iii) recommend appropriate road layout and design that will mitigate traffic impacts of the proposed development on the Study Area; and,
 - iv) include input from the residents of the Study Area throughout the Study process;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a Municipal Council resolution adopted at its meeting held on March 8, 2010;
- M. Lake-Collins, dated December 7, 2011;
- F. Matwaly, 1631, 1635 and 1639 Richmond Street, dated December 8, 2011;
- B. Davis, President, Old Masonville Ratepayers' Association, dated December 9, 2011;
- S. & R. Poole, 51 Shavian Boulevard, dated December 12, 2011;
- C. Lynn, dated December 12, 2011; and,
- L. Culhane, 110 St. Bees Close, dated December 12, 2011;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

- J. Lowman, 1650 Hillside Drive – advising that she is an active member of the Home and School Council at Masonville Public School; advising that there are a number of traffic regarding school safety due to the lack of sidewalks; advising that she personally approves of the plan as it is the lesser of two evils; hoping that the city addresses traffic concerns; advising that on Cherokee, there are no sidewalks and that all streets do not have street lights; advising that two kids have been clipped by side view mirrors on cars; and asking that people and children are put first and traffic is put second.
- M. Shmukler, 1643 Hillside Drive – advising that he approves of the plan as it is far superior to the previous plan; advising that a traffic study was to be done when the three north properties are developed and indicating that he would like to see the traffic study completed now; advising that roads are designed to push traffic through and that these are residential streets with families and children; requesting that a vehicular study be undertaken to ensure that traffic slows down, with an emphasis on families and children, as a neighbourhood where children ride their bicycles, neighbourhours walk their dogs; and suggesting that this be done as a pilot project.
- B. Davis, President, Old Masonville Ratepayers' Association (OMRA) – indicating that the OMRA supports this application; advising that they share the traffic concerns; and expressing support for the recommendation of a traffic study in the spring and the requirement for a holding provision.
- F. Matwaly, Applicant – indicating that he has been working closely with Ward Councillor M. Brown, Mr. Tomazincic, Planner II, and the community; advising that the Ontario Municipal Board has approved the site plan application for the properties located at 1631 and 1635 Richmond Street; advising that the City did not approve his request for a traffic light at Jacksway Crescent; advising that the application is not correct and needs to be modified; indicating that it is necessary for a traffic light on Jacksway Crescent; advising that without the Stormwater Management upgrade, the application is useless; indicating that he had to find his own solution five years ago; expressing concern with the withholding of the three readings; advising that he does not want to spend a lot of time and money only to have the application appealed; requesting that both applications be approved tonight; and advising that he currently has Ontario Municipal Board approval.
- J. Wright, 45 Hillview Boulevard – advising that she purchased her property in 2009; expressing appreciation to Mr. Matwaly; advising that she has been a realtor for 27 years; indicating that she loves the design; applauding the City for dealing with a plan that includes people over 65; advising that Richmond Street could be a beautiful corridor; indicating that this plan looks like something you would find in Yorkville; advising that Mr. Matwaly has provided a nice design; indicating that traffic is an issue; expressing concern that the new building will have 400+ cars that will be exiting onto Hillview Boulevard; advising that residents of Cherokee prefer a 50 foot setback; indicating that there are no sidewalks or streetlights on Cherokee Road and that you cannot see anything at night; and advising that new families are moving into the neighbourhood.



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- M. McDermid, 29 Cherokee Road – advising that she has lived at her residence since 1977; advising that the area residents have worked as a community with the City; expressing pleasure with the new attitude of the Council; indicating that traffic is a problem, but that it is a problem everywhere; and congratulating the City for doing this. (17/1/PEC) (AS AMENDED) (2011-D11-02)

C. Saunders
City Clerk
/jb

cc: M. Lake-Collins, E-mail
S. & R. Poole, 51 Shavian Boulevard, London, ON N6G 2P1
C. Ly, E-mail
L. Culhane, 110 St. Bees Close, London, ON N6G 4B8
J. Lowman, 1650 Hillside Drive, London, ON N6G 2P9
M. Shmukler, 1643 Hillside Drive, London, ON N6G 2R1
B. Davis, Old Masonville Ratepayers Association, E-mail
F. Metwaly, 1639 Richmond Street, London, ON N6G 2M9
J. Wright, 45 Hillview Boulevard, London, ON N6G 3A7
M. McDermid, 29 Cherokee Road, London ON N6G 2N7
L. Thornton, E-mail
J. & T. Ashby, E-mail
J. Yanchula, Manager, Community Planning and Urban Design
M. Tomazincic, Planner II
L. Dakin, Documentation Service Representative

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Appendix "C"

2011-W10-02



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London
CANADA

January 11, 2012

D. Ailles
Managing Director, Development Approvals Business Unit

I hereby certify that the Municipal Council, at its session held on January 10, 2012 resolved:

23. That, on the recommendation of the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to the rehabilitation and expansion of the existing storm sewer on Richmond Street from near Hillside Drive to the Thames River, North Branch:

- a) a new project, estimated at \$1.5 million, **BE APPROVED** in 2012 in the Growth Management Implementation Strategy, with financing as identified in the attached Appendix 'A'; and,
- b) the project **BE REFERRED** to the 2012 Budget Process;

it being noted that the proposed timing for construction is also 2012 in coordination with infill development;

it being further noted that the Planning and Environment Committee reviewed and received the attached communication, dated December 12, 2011, from J. Kennedy, President, London Development Institute, with respect to this matter. (23/1/PEC) (2011-W10-02)

C. Saunders
City Clerk
/jb

- cc: J. Kennedy, London Development Institute, 630 Colborne Street, Suite 203, London, ON N6B 2V2
- P. McNally, Executive Director, Planning, Environmental and Engineering Services
- J.M. Fleming, Director, Land Use Planning and City Planner
- J. Braam, Director, Water and City Engineer
- R. Standish, Director, Wastewater and Treatment
- A. Dunbar, Manager III, Financial Planning and Policy
- M. Tomazincic, Planner II