

## 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:** Auburn Homes Inc. (c/o Steve Stapleton)  
1338-1388 Sunningdale Road E  
File Number: Z-9740, Ward 5  
Public Participation Meeting

**Date:** September 10, 2024

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Auburn Homes Inc. (c/o Steve Stapleton) relating to the property located at 1338-1388 Sunningdale Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting September 17, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Residential R1 (R1-14) Zone, Urban Reserve (UR3) Zone, and a holding Urban Reserve (h-2\*UR3) Zone on a portion of the lands **TO** a holding compound Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision (h\*R5-4( )/R6-5( )/R7\*H22\*D100) Zone, Open Space Special Provision (OS5( )) Zone and an Open Space (OS5) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
- i) Provide a shared amenity space that is purposeful and large enough to support the number of residents anticipated at the development, a site layout that addresses the public realm; and built form that is located close to the public street;
  - ii) Ensure the interior side yards adequately are buffered from the adjacent properties, and the principal entrances for units fronting Sunningdale Rd E are oriented towards the street with direct walkway access from individual units;
  - iii) Ensure a network of pedestrian walkways are included throughout the site to provide connections between buildings, parking areas, amenity spaces and Sunningdale Road East and a site layout that maximizes the visual exposure of the open space to the rest of the development; and
  - iv) Ensure the pedestrian circulation on site allows for future connections to the future multi-use pathway to be accommodated within the ESA buffer;

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

- i) The recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS), which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- ii) The recommended amendment conforms to The London Plan, including, but not limited to the Key Directions, City Design and Building, Our Tools, Environmental policies, and the Neighbourhoods Place Type policies;
- iii) The recommended amendment would apply zones that permit a range of residential uses with appropriate forms and intensities for the context of the

- site and surrounding neighbourhood; and
- iv) The recommended amendment supports Council's commitment to increase housing supply and affordability.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R1 (R1-14) Zone, Urban Reserve (UR3) Zone, holding Urban Reserve (h-2\*UR3) Zone and an Open Space (OS5) Zone to a compound Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision (R5-4( )/R6-5( )/R7\*H22\*D100) Zone, an Open Space Special Provision (OS5( )) and Open Space (OS5) Zone.

### Purpose and the Effect of Recommended Action

Staff are recommending approval of the requested Zoning By-law Amendment with special provisions to permit residential development including townhouses, cluster housing and/or seniors housing. A holding provision to ensure development will not occur until such time as full municipal services are available and a Transportation Impact Study is complete are also recommended.

A conceptual plan was submitted with this application which demonstrated **96 townhouse dwellings** as a possible approach for how the site may develop.

## 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.
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter.

None

#### 1.2 Planning History

None

#### 1.3 Property Description and Location

The subject site is located on the north side of Sunningdale Road East, between Adelaide Street North and Highbury Avenue North, in the Stoney Creek Planning District. The site has a total area of approximately 4.676 hectares, with 2.597 hectares of developable land. The site has approximately 171 metres of frontage along Sunningdale Road East. The lands are currently undeveloped; however, previously contained 4 single detached dwellings, which have since been demolished.

The subject site is proposed to be a part of a growing residential community, ranging in built form and dwelling styles. The surrounding land uses adjacent to the subject area include a mix of low and medium density residential, open space and agricultural. To the west of the subject site is a previously built neighborhood by Auburn Homes, Forest Hills Park, Stoney Creek Public Library and Stoney Creek Community Centre. To the east are several single detached dwellings and the intersection of Sunningdale Road East and Highbury Avenue North. To the north of the subject site is protected green space forming part of the Ballymote ESA and the Arva Moraine PSW Complex. Directly south of the subject site are undeveloped lands with active planning applications to permit residential development. Further south is the Stoney Creek Valley and the Blackwell trail, which are conservation lands regulated by the Upper

Thames River Conservation Authority.

**Site Statistics:**

- Current Land Use: Vacant
- Frontage: 171m (556 ft)
- Depth: 276m (905 ft)
- Area: 4.676ha (11.555 ac)
- Shape: Regular (rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

**Surrounding Land Uses:**

- North: Open Space and Conservation Area
- East: Residential and Urban Reserve
- South: Agricultural and Residential
- West: Residential

**Existing Planning Information:**

- The London Plan Place Type: Neighbourhoods/Green Space on a Civic Boulevard

Existing Zoning: Residential R1 (R1-14) Zone, Urban Reserve (UR3) Zone, Holding Urban Reserve (h-2\*UR3) Zone, and Open Space (OS5) Zone.

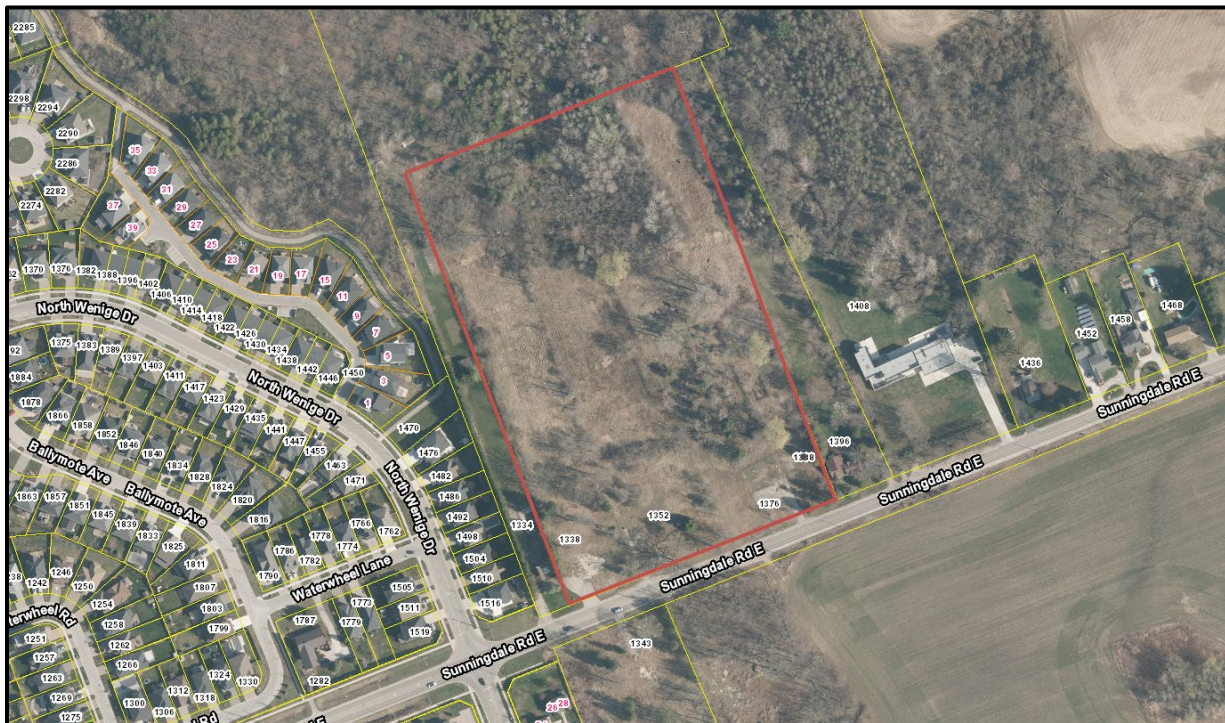


Figure 1 – Aerial Photo of 1338, 1352, 1376, 1388 Sunningdale Road East and Surrounding Land

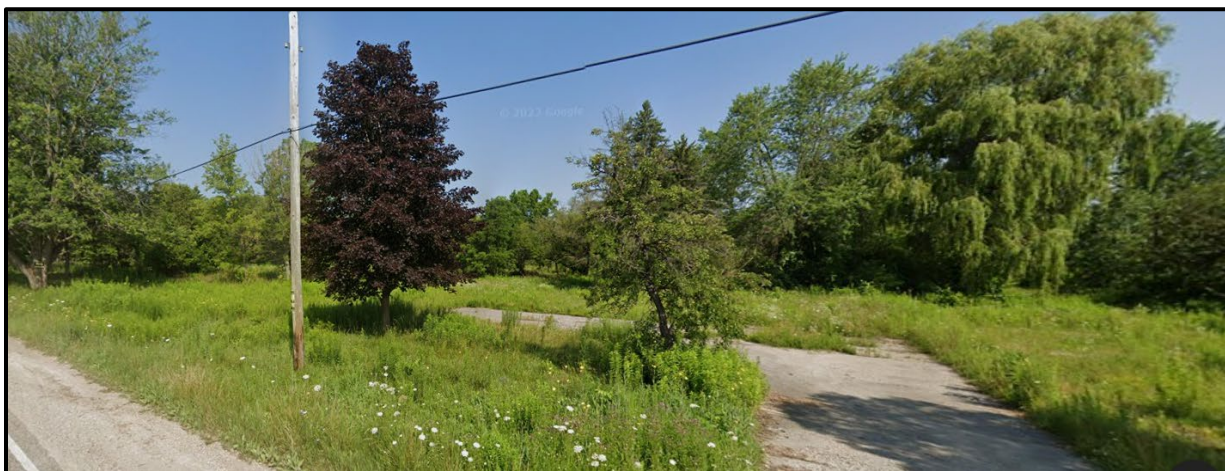


Figure 2 - Streetview of 1376 Sunningdale Road East (view looking northwest).



## **2.0 Discussion and Considerations**

### **2.1 Original Development Proposal**

An application was submitted to facilitate the development of townhouses, cluster housing and/or a seniors apartment building. A concept plan was submitted with this application demonstrating the development of 106 townhouse dwellings, with associated landscaped areas, an outdoor amenity space and 106 surface parking spaces, as an example of how the site may develop. A private stormwater management pond was proposed to be centralized on the portion of the developable area to support development. The rear portion of the subject lands was to be maintained as a wetland area, providing ecological functions and screening between the proposed residential uses and existing low-density residential uses to the northwest of the site.

An ecological buffer was proposed to provide physical separation between the wetland and the developed site. It should be noted that the ecological buffer, as initially proposed, was insufficient and did not meet the City's 2021 Environmental Management Guidelines (EMGs).

The concept plan includes the following features:

- Land use: Residential
- Form: Cluster townhouses
- Height: 2-storeys
- Residential units: 106
- Density: 100 units per hectare
- Building coverage: N/A
- Parking spaces: 96 surface
- Landscape open space: N/A

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

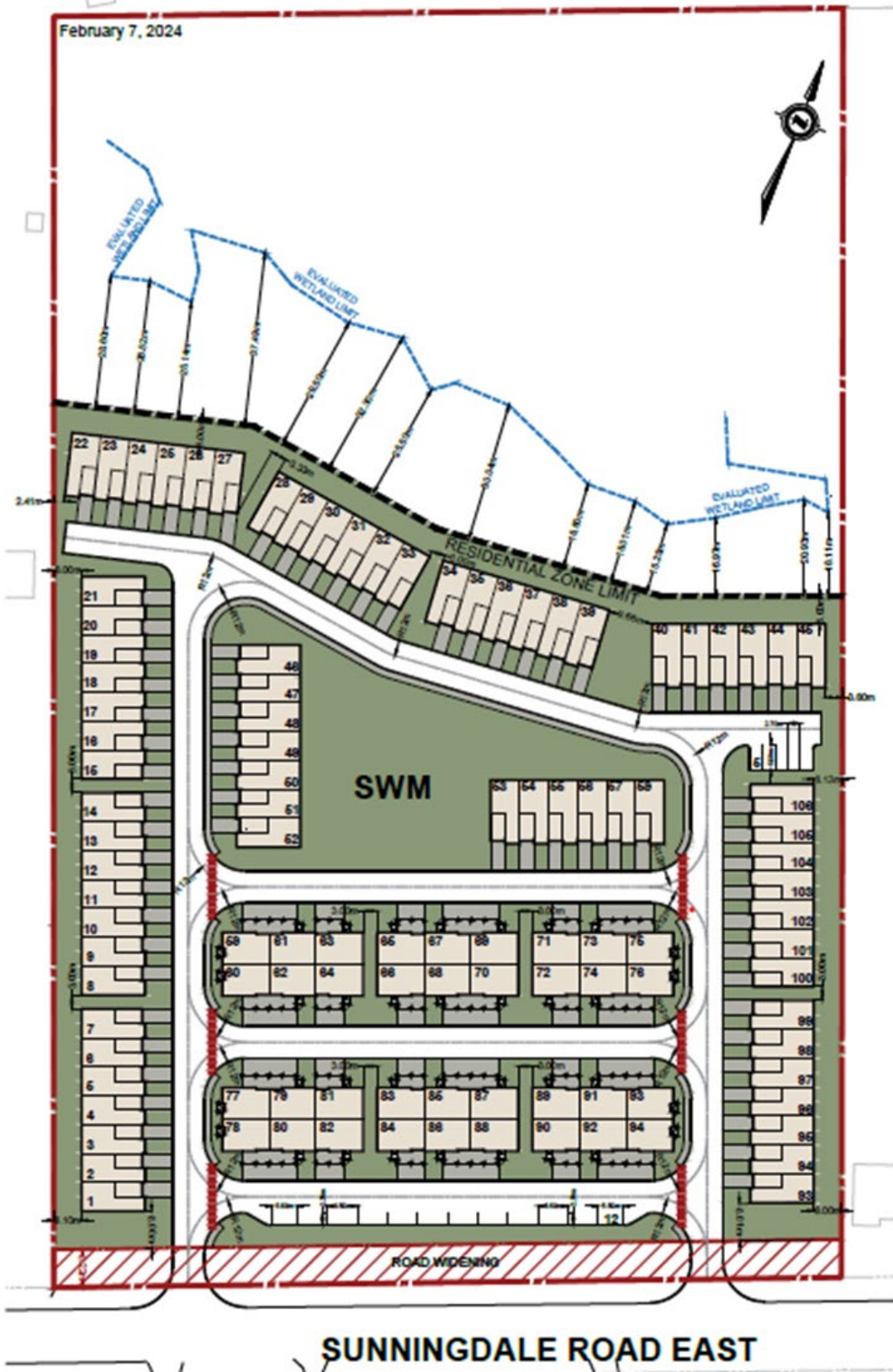


Figure 3 - Conceptual Site Plan



Figure 4 - Front Rendering of townhomes

## **2.1 Revised Development Proposal**

The applicant submitted a revised application on July 9, 2024 which proposes a 30 metre buffer, with the stormwater management functions in the form of low impact development measures relocated into the buffer. The northern portion of the subject lands continues to be maintained as a wetland area. The proposed ecological buffer provides physical separation between the wetland and the developable site, and meets the requirements of the City's 2021 Environmental Management Guidelines.

The revised Zoning By-law Amendment will facilitate the development of townhouses, cluster housing and/or a seniors apartment building. A revised concept plan was submitted which demonstrates the development of 96 townhouse dwellings with landscaped areas, an outdoor amenity space and 96 surface parking spaces.

The concept plan includes the following features:

- Land use: Residential
- Form: Cluster townhouses
- Height: 2-storeys
- Residential units: 96
- Density: 100 units per hectare
- Building coverage: N/A
- Parking spaces: 96 surface
- Landscape open space: N/A

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



Figure 5 – Revised Conceptual Site Plan

## 2.2 Requested Amendment

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R1 (R1-14) Zone, Urban Reserve (UR3) Zone, and holding Urban Reserve (h-2\*UR3) Zone on a portion of the lands to a compound Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision (R5-4( ))/R6-5( ))/R7\*H22\*D100) Zone. An Open Space (OS5) Zone is proposed on the portion of the site containing environmental features, while an Open Space Special Provision (OS5( )) Zone is proposed to be applied to the 30 metre buffer from the environmental features.

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

<b>Regulation (R5-4)</b>	<b>Required</b>	<b>Requested</b>
Front Yard Setback (Minimum)	6.0m	4.5m
<b>Regulation (R6-5)</b>	<b>Required</b>	<b>Requested</b>
Front Yard Setback (Minimum)	6.0m	4.5m
Density	35uph	100uph

Regulation (R5-4)	Required	Requested
Regulation (R7)	Required	Requested
Front Yard Setback (Minimum)	6.0m	4.5m
OS5	Required	Requested
Additional Permitted Uses	-	- Ecological buffers, including naturalized low impact stormwater management measures

### 2.3 Internal and Agency Comments

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

Key issues identified by staff and agencies included:

- Ecology/UTRCA – Buffer Area
- Parks – Pathway
- Engineering – Servicing Capacity and Transportation

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

### 2.4 Public Engagement

On May 30, 2024, Notice of Application was sent to property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 30, 2024. A “Planning Application” sign was also placed on the site. A Revised Notice of Application was sent to property owners and residents in the surrounding area on July 18, 2024.

There were two responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Intensity
- Form
- Traffic
- Safety
- Flooding
- Construction
- Natural Heritage

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

### 2.5 Policy Context

#### ***The Planning Act and the Provincial Policy Statement, 2020***

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

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



matters of provincial interest are reviewed and discussed in The London Plan analysis below.

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, and accommodating an appropriate affordable and market-based range and mix of residential types (1.1.1.a) & 1.1.1.b)).

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

### ***The London Plan, 2016***

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

- Consistency with the Provincial Policy Statement and all applicable legislation.
- Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
- Conformity with the Place Type policies.
- Consideration of applicable guideline documents.
- The availability of municipal services.
- Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
- The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1 Land Use**

The subject lands are in the Neighbourhoods and Green Space Place Types, as identified on Map 1 – Place Types of The London Plan. Sunningdale Road East is classified as a Civic Boulevard on Map 3 – Street Classifications.

Below is a summary of the permitted uses in the recommended zoning for the subject lands:

Area proposed for residential development: the proposed compound Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision (R5-4( )/R6-5( )/R7\*H22\*D100) Zone would apply to the portion of the site in the Neighbourhoods Place Type. Permitted uses in these zones are as follows:

#### *Residential R5 (R5-4) Zone*

- Cluster townhouses
- Cluster stacked townhouses

#### *Residential R6 (R6-5) Zone*

- Single detached dwelling
- Semi-detached dwelling
- Duplex dwelling
- Triplex dwelling
- Townhouse dwelling
- Stacked townhouse dwelling

- Apartment buildings
- Fourplex dwelling

#### *Residential R7 (R7) Zone*

- Senior citizen apartment buildings
- Handicapped persons apartment buildings
- Nursing homes
- Retirement lodges
- Continuum-of-care facilities
- Emergency care establishments

All of the above uses are contemplated in the Neighbourhoods Place Type on a Civic Boulevard in The London Plan (TLP, Table 10 – Range of Permitted Uses in Neighbourhood Place Type). The proposed residential zones are considered appropriate and will provide flexibility for the developer as they further refine their development plans for the site.

Natural Feature Area: an Open Space (OS5) Zone is proposed to recognize the existing Provincially Significant Wetland and would permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlands. This zoning is typically applied to important natural heritage features and functions and is appropriate for the Natural Heritage Area consisting of a Provincially Significant Wetland.

Proposed Buffer Area: An Open Space Special Provision (OS5( )) Zone is proposed to recognize the buffer area and delineate it separately from the environmental features. In addition to the uses permitted in the OS5 Zone, ecological buffers and low impact development measures are recommended as an additional permitted use in these areas. The proposed Low Impact Development Measures in the buffer area in accordance with the EMGs is a quantity retention that naturally outlets to the same point as the wetland making its way to Stoney Creek. There are no structures or maintenance required of the feature. The proposed measures are encouraged through policies in The London Plan to support naturalized on-site stormwater management and site drainage. It should be noted that these measures within the buffer area will not require regular maintenance nor have any engineered components to them contributing to maintaining the water balance. Therefore, vegetated swales and culverts may be accommodated within the buffer area.

On this basis, staff are satisfied the proposed uses are in conformity with the policies of The London Plan.

## **4.2 Intensity**

The proposed intensity is consistent with the policies of the PPS that encourage residential intensification (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed intensity conforms with Table 11 – Range of Permitted Heights in Neighbourhoods Place Type, which contemplates a minimum height of 2 storeys (8 metres), a standard maximum height of 4 storeys and an upper maximum height of 6 storeys. The applicant has applied for three different residential zones with the maximum height of 6 storeys for a seniors apartment building.

The developable portion of the site is approximately 2.5 hectares. The concept plan submitted with the application demonstrates a yield of approximately 96 townhouse dwelling units. However, if development would proceed with cluster housing and/or senior housing the yield would increase. The residential intensification policies in The London Plan require intensification to be undertaken in a manner that adds value to neighbourhoods rather than undermine their character, quality, and sustainability (TLP, 937\_). The London Plan defines residential intensification as development of a property at a higher residential intensity than currently exists (TLP, 938\_). Proposals for intensification are required to be appropriately located and fit well within the receiving neighbourhood (TLP, 937\_ and 940\_).

When zoning to the upper maximum height, development should include features required to mitigate the impacts of the additional height and densities whereby the increase on building height may be permitted where the resulting intensity and form of the proposed development represent good planning within its context, in this case contribute to the form of development within the developable area along Sunningdale Road East. As mentioned, one of the zones being requested is a Residential R7 to permit a 6-storey seniors apartment building with 100 units per hectare. Staff support the increase and are of the opinion that the site is in an appropriate location for the proposed intensification, given its proximity to existing services and transit, while contributing to the ongoing need for residential units.

#### **4.3 Form**

The proposed zoning protects the natural heritage component of these lands and accommodates a range of residential built forms that will enhance interest along Sunningdale Road East. Through the site plan process, the site can be designed to provide convenient access and promote walking and cycling. The layout contributes to the open space network and during the Site Plan Approval process a future multi-use pathway will be included to align with the existing pathway to the west.

The proposed built form is viewed within the context of the recommended zoning where an attractive human-scaled built form will be created through a variety of building types including townhouses, cluster housing, and/or a seniors apartment building. Consideration through the site plan approval process will be given to orient development towards Sunningdale Road East to encourage pedestrian mobility and an active streetscape. City Building and Design policies in The London Plan encourage this relationship of the building form with the street, particularly policies that ensure garages are not a dominant feature in the streetscape.

The concept plan submitted with the application shows a built form consisting of 96, 2-storey townhouses with over 50% of the units oriented towards Sunningdale Road East. As proposed, the built form directs the development toward a higher order street (TLP, 918\_13) with appropriate buffering and setbacks towards the existing residential uses to the west (TLP, 953\_2). The proposed built form and massing have consideration for the adjacent low density residential uses and is appropriate within the context of the surrounding neighbourhood (TLP, 953\_2).

Access to the subject lands is proposed via two driveways onto Sunningdale Road East, promoting connectivity and safe movement for pedestrians, cyclists, and motorists (TLP, 255\_). As proposed, the parking is to be visually screened from the street, thereby encouraging a pedestrian oriented streetscape (TLP, 936\_4).

The proposed built form as shown in the concept plan and the recommended zoning both are in conformity with the Neighbourhoods Place Type policies and the City Design policies of The London Plan by facilitating a compatible form of development that will help support the growing demands of London residents (TLP, 937\_). Specifically, facilitating a development that supports aging in place, affordability, and the effective use of land in neighbourhoods (TLP, 193\_7).

#### **4.4 Residential Zoning Provisions**

**Front Yard Setback** – The applicant is proposing special provisions in the proposed R5, R6, and R7 Zone variations to permit a reduced front yard setback of 4.5 metres. The intent of the reduced front yard depth is to facilitate a street oriented built form, while also providing flexibility for the ultimate development. Staff are recommending approval of the requested setback.

**Increased Height** – The applicant is requesting a special provision to permit a maximum building height of 6 storeys, or 22.0 metres for the Residential R7 Zone. Staff are supportive of the increased height, as it is appropriate for the subject site given the

street classification in Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type in The London Plan. Further, the site is located in proximity to other sites zoned for future apartment buildings, therefore the proposed height aligns with existing and planned context of the surrounding area.

**Increased Density** – The applicant is requesting a Residential R6 Special Provision (R6-5( )) Zone to permit a maximum density of 100 units per hectare, whereas 35 units per hectare is the maximum permitted and to incorporate a density of 100uph in the requested residential R7 Zone. The increased density will allow for the implementation of the proposed redevelopment, facilitating an appropriate scale of development that is compatible within the existing neighbourhood character (TLP 918\_13). Further, the proposed development is located in proximity of existing transit routes, which will support the use of transit by future residents. On this basis, staff are supportive of the proposed density of 100 units per hectare.

#### 4.4 Holding Provision

The holding provision is recommended to ensure orderly development and adequate provision of municipal services, as follows:

- There is currently no municipal sewer fronting the subject lands, and the request for a density of 100 units per hectare exceeds the 576 people allocated to the site, therefore a capacity assessment is required to demonstrate that there is additional surplus capacity available from the sewer on South Wenige Drive.
- A Transportation Impact Assessment (TIA) will be required to evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines.
- The 1200mm municipal watermain on Sunningdale Road East is a transmission main and not meant for local distribution. A local distribution main should be extended from South Wenige Drive for future development in this area. Water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply. Developments in excess of 80 units requires a looped water system.

#### 4.5 Natural Heritage

As previously noted, the northerly portion of the site is located in the Ballymote Wetland Environmentally Significant Area (ESA) which is included as part of the Arva Moraine Provincially Significant Wetland Complex, as shown on Map 5 of The London Plan.

The applicant submitted an Environmental Impact Study (EIS) prepared by MTE Consultants dated November 2022. City Ecology staff raised significant concerns with the proposed development and the 2022 EIS, specifically with regards to delineation of the significant wetland features and the proposed buffer area. In response to these concerns, the applicant and City staff continued discussions and ultimately reached a resolution on the feature delineation and buffer area. In May 2024, a revised EIS was submitted with the complete application, which was still not acceptable to City Ecology staff as the development concept did not satisfy the buffer requirements of the EMGs. As a result, the applicant submitted a revised zoning request, which includes the proposed 30 metre buffer to protect the natural features.

To provide greater clarification on the limits of the natural heritage features and buffer, a two-zone approach is recommended. An Open Space (OS5) Zone is recommended to apply to the portion of the site containing the natural heritage features, while an Open Space Special Provision (OS5( )) Zone is recommended to capture the 30 metre buffer. This will provide the necessary protections to ensure no residential development can occur within the PSW or buffer area, and no negative impacts on the natural heritage features occur as a result of residential development on site. The recommended OS5 Zone permits a limited range of low-impact uses associated with passive recreation, conservation and ecosystem management, and the recommended OS5( ) Zone would



permit ecological buffers and low impact development measures, such as naturalized stormwater management functions in accordance with the EMGs, as additional permitted uses.

## **Conclusion**

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from Residential R1 (R1-14), Urban Reserve (UR3), and holding Urban Reserve (h-2.UR3) Zone on a portion of the lands to a holding compound Residential R5 Special Provision/Residential R6 Special Provision/Residential (R5-4(\_)/R6-5(\_)/R7\*H22\*D100) Zone. An Open Space (OS5) Zone is proposed on a portion of the site containing environmental features, while an Open Space Special Provision (OS5( )) Zone is proposed to be applied to the 30m buffer from the environmental features. Staff are recommending approval of the requested Zoning By-law amendment with a holding provision and special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit the development of 96, 2-storey townhouses, or alternatively provide zoning to allow for cluster housing and/or a seniors apartment building.

**Prepared by:** Alanna Riley, MCIP, RPP  
Senior Planner, Planning Implementation

**Reviewed by:** Catherine Maton, MCIP, RPP  
Manager, Planning Implementation

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

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

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

## Appendix A – Zoning Bylaw Amendment

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

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1338-  
1388 Sunningdale Road East

WHEREAS this amendment to the Zoning By-law Z.-1 conforms to the Official Plan;

NOW 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 1338-1388 Sunningdale Road East **FROM** a Residential R1 (R1-14) Zone, Urban Reserve (UR3) Zone, and a holding Urban Reserve (h-2\*UR3) Zone **TO** a holding compound Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision (h\*R5-4( )/R6-5( )/R7\*H22\*D100) Zone, Open Space Special Provision (OS5(\_)) Zone and an Open Space (OS5) Zone.
2. Section Number 9.4 of the R5 Zone is amended by adding the following Special Provisions:  
  
R5-4( ) 1338-1388 Sunningdale Road East
  - a. Regulations
    - i. Front yard Setback (minimum): 4.5m
3. Section Number 10.4 of the R6 Zone is amended by adding the following Special Provisions:  
  
R6-5( ) 1338-1388 Sunningdale Road East
  - a. Regulations:
    - i. Front yard Setback (minimum): 4.5m
    - ii. Density (maximum): 100 units per hectare
4. Section Number 11.4 of the R7 Zone is amended by adding the following Special Provisions:  
  
R7( ) 1338-1388 Sunningdale Road East
  - a. Regulations
    - i. Front yard Setback (minimum): 4.5m
5. Section Number 36.4.e) of the OS5 Zone is amended by adding the following Special Provisions:  
  
OS5(\_) 1338-1388 Sunningdale Road East
  - a. Additional Permitted Uses:
    - i. Ecological buffers, including naturalized low impact stormwater management measures
6. This Amendment shall come into effect in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

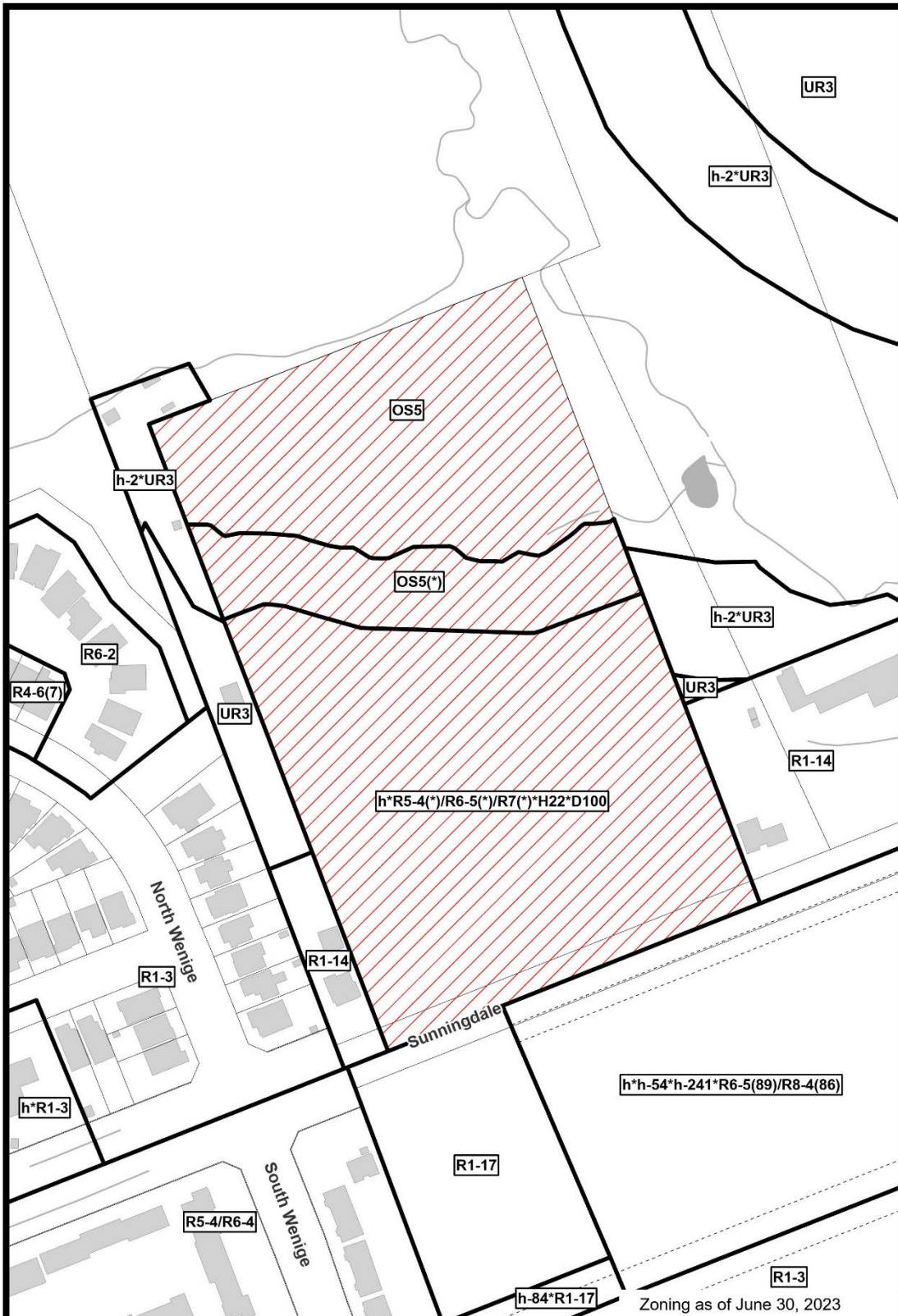
PASSED in Open Council on September 24, 2024 subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan  
Mayor


Michael Schulthess  
City Clerk

First Reading – September 24, 2024  
Second Reading – September 24, 2024  
Third Reading – September 24, 2024

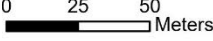
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-9740  
 Planner: AR  
 Date Prepared: 2024/08/26  
 Technician: RC  
 By-Law No: Z.-1-

**SUBJECT SITE** 

1:2,000

0 25 50 Meters 





## Appendix B - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Vacant
Frontage	170 m
Depth	276m
Area	4.6
Shape	Rectangular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Open Space and Conservation Area
East	Residential and Urban Reserve
South	Agricultural and Residential
West	Residential

#### Proximity to Nearest Amenities

Major Intersection	Adelaide/Sunningdale
Dedicated cycling infrastructure	86m
London Transit stop	57m
Public open space	Ballymote Woods 435m
Commercial area/use	Adelaide Plaza, 631m
Food store	Sunripe, 631m
Community/recreation amenity	Stoney Creek Community Centre, 1200m

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhood and Green Space Place Types, Civic Boulevard
Current Special Policies	N/A
Current Zoning	Residential R1 (R1-14) Zone, Urban Reserve (UR3) Zone, Holding Urban Reserve (h-2*UR3) Zone, and Open Space (OS5) Zone

#### Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Holding compound Residential R5 Special Provision/Residential R6 Special Provision/Residential (R5-4(_)/R6-5(_)/R7*H22*D100) Zone

#### Requested Special Provisions

Regulation (R5-4)	Required	Requested
Front Yard Setback (Minimum)	6.0m	4.5m
Regulation (R6-5)	Required	Requested
Front Yard Setback (Minimum)	6.0m	4.5m
Density	35uph	100uph
Regulation (R7)	Required	Requested

Front Yard Setback (Minimum)	6.0m	4.5m
<b>OS5</b>	<b>Required</b>	<b>Requested</b>
Additional Permitted Uses	-	- Low impact development measures

## C. Development Proposal Summary

### Development Overview

A concept plan was submitted with the application demonstrating a 96 unit townhouse development as an example of how the site may develop.

### Proposal Statistics

Land use	Residential and Open Space
Form	Plain language
Height	6-Storeys (22 metres)
New use being added to the local community	No

### Environment

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

## Appendix D – Internal and Agency Comments

Ecology – June 11, 2024

Thank you for circulating the response to the December 22 comments in the EIS (November 10, 2022, revised April 25, 2024). Please find below a review for quality and completeness associated with this application.

The applicant submitted a draft EIS dated November 2022 to Staff in late 2023 as part of the pre-consultation process. Staff provided preliminary comments on December 22, 2023. As part of the formal application, the applicant included a response to Staff Pre-consultation Comments in the EIS dated April 25, 2024 (included as blue text). The comments below (included as red text) are in response to the April 25, 2024 comments.

Major issues and/or missing information were previously identified so that issues could be addressed prior to application submission. Many recommendations included in the April 25, 2024 report are supported generally. However, these recommendations must be considered noting that the report does not acknowledge or delineate feature components according to the Environmental Management Guidelines (2021). Proceeding to EIS and ecological buffer application in absence of the SLSR requirement of confirmed natural heritage feature delineation and significance components confuses the issues at hand.

Consistent with Staff's comments on December 22, 2023, the revised submission does not address Staff's concerns noted in the December 2024 memo. Notably, the SLSR requirements have not been satisfied. Support for the report, recommendations and application requires, at a minimum, the following changes:

1. Identify the woodland feature surrounding the PSW as a Significant Woodland and incorporate intext throughout the report. This feature identification component provides the extent to which ecological buffers are applied.
2. Revise the ESA delineation to the linework as shown on the revised Figure 8 and incorporate intext throughout the report.
3. Ecological buffers not meeting 30 m from the PSW cannot be supported as the feature also includes the Significant Woodland surrounding the PSW. Staff appreciate that features do not always align with Conceptual siteplan unit configurations and are open to meeting the 30 m as an average across the extent of the buffer to the Significant Woodland if this is applied in combination with the feature restoration previously identified for community 1. The approved application must meet the test of no net loss to the features and functions of the natural heritage system. A pathway is also proposed to be included at the site plan stage which could only be supported within the buffer zone if the minimum 30 meters is applied.

### **Subject Lands Status Report (SLSR) Component:**

#### Major Issues

- 1 A Subject Lands Status Report (SLSR) that is reviewed and confirmed by the City is required prior to completing the balance of an Environmental Impact Study (1430\_). A confirmed SLSR is a complete application requirement. Staff suggested a site walk to together delineate the feature through staking and bring a greater degree of certainty to the process. In the absence of a site walk, Staff must rely on aerial photo interpretation and existing Map 5 and LIO feature delineation. Based on the above, the City can confirm the SLSR provided the following items are addressed:
- 2 Identify the woodland feature surrounding the PSW as a Significant Woodland and incorporate intext throughout the report.
- 3 Revise the ESA delineation to the linework as shown on the revised Figure 8 and incorporate intext throughout the report.

*The scoping exercise completed in 2020 with James MacKay was for the completion of an EIS. No SLSR was requested at that time. Based on the above comment, it is our understanding that the first sections of the EIS are acceptable as the SLSR provided the listed items are addressed. It has also been confirmed with the City following these comments that a combined SLSR/EIS is acceptable (personal communication, Britt O'Hagan, February 6, 2024).*

The 2007 scoping checklist completed in 2020 notes:

- *A component of a Subject Lands Status Report that is required to be included in the EIS is the evaluation of significance of all potential natural heritage features and areas recognized by In-force London Plan policies and/ or Official Plan policies.*
- *A component of a Subject Lands Status Report that is required to be included in the EIS is the confirmation and mapping of boundaries of all natural heritage features and areas.*

The first sections of the SLSR do not identify the woodland feature surrounding the PSW beyond the ecosite. The components of a confirmed SLSR are a requirement regardless of when the scoping was completed. The proponent has been provided with revised linework that acknowledges the features and delineates these features in accordance with the Environmental Management Guidelines (2021). The provided delineation was completed via aerial photo interpretation in absence of this site visit.

*A site walk to delineate the ESA and associated communities is not considered necessary at this time.*

Given the discrepancy between MTE's delineation and City Ecology's delineation, a site visit in advance of the pre consultation stage was proposed to progress the anticipated application and provide greater certainty with respect to feature presence and delineation. This request was refused. As the proponent has now submitted an application, Staff are able to attend the site. Should feature acknowledgement and delineation discrepancies associated with the SLSR component of the study remain, Staff are prepared to visit the site to resolve issues.

*The primary natural heritage feature on site, the PSW, has already been delineated in the field and the site specific boundary has been approved by MNRF (2020).*

Feature delineation is not limited to wetland boundary delineation. MNRF approval of the wetland boundary is acknowledged, but the wetland is located within a Significant Woodland that has not been noted on the mapping. This delineation is subject to City Staff confirmation.

*The remainder of the ESA boundary is only based on filling in bays, not following an exact dripline, so staking is not needed at this time.*

*The area delineated as ESA is considered Significant Woodland, and this is stated in the EIS. However, only part of the narrow cultural woodland edge is included within the ESA boundary based on the patch delineation guidelines from the 2021 EMG's.*

Stating this in-text is insufficient. This must be pulled forward to the mapping to establish the component of the Natural Heritage System that buffers will be applied from. Revise legend to identify 'Significant Woodland' on figures.

*It is not clear which guideline would require the inclusion of the entire 1a inclusion (CUW) as it is only recommended to be included where needed to fill in bays.*

It is unclear why this has been left out of the feature delineation as it is contiguous with the patch and doesn't meet any guidelines that would warrant exclusion. Inclusions cannot be excluded from the boundary based on anecdotal opinion in the absence of policy guidance.

Missing Information/Minor Revisions:

1. Section 2.5 – MECP must be reconsulted with respect to the Butternut tree. Please append email submission of the BHA in Appendix H as part of the agency correspondence. Incorporate throughout the report.



*The BHA was submitted to MNRF on June 13, 2018. The information regarding the BHA was included with the Stage 1 Report and accepted by MNRF (see Appendix C of the revised EIS). It is not clear why additional consultation would be needed.*

Addressed.

1. Section 5.2.9 – This is not a Conservation Master Plan. The SLSR is strictly delineating the ESA. Trail Management Guidelines are in support of City-lead planning processes and are not rationale for establishing significance with respect to development applications.

*The “Nature Reserve Zone” and “Restoration Area” labels were used from the Trail Management Guidelines to help describe the different qualities and attributes within the identified ESA boundary using City of London specific language. This language is helpful to identify different areas of sensitivity within an ESA and therefore has been kept in the revised EIS.*

Agree, this is not a CMP, which is why Staff were confused to see Nature Reserve and Restoration Area components. Disagree that this is helpful as the Trail Management Guideline document is intended for use post feature delineation.

1. Appendix F: SWH Table Springs and Seeps. Report notes Monarch as potentially occurring on-site but fails to include in the Table or note potential for occurrence. Conclusion could reasonably conclude absence and should note the number of separate site visits completed.

*Monarch is related to Special Concern and Rare Species SWH, not Springs and Seeps SWH. Appendix F has been revised to address the potential for Monarch SWH in Community 1 (CUS1). It is concluded that no Monarch SWH is present based on a lack of observations during a total of five daytime field visits (April 17, 2018; June 3, June 18, September 24, 2019; August 10, 2020). This cultural savannah is also disturbed and not typically preferred open meadow with abundant wildflowers.*

One can confirm presence or reasonably confirm absence, but incidental observations are insufficient to confirm absence, particularly in the absence of Odonate and Lepidoptera surveys. Nothing further on this item.

#### **Environmental Impact Study (EIS) Component:**

EIS review considers the proposed development along with the proposed mitigation measures to establish that the proposed works will meet the test of ‘no negative impact’ to the natural heritage feature. Staff understand that the development concept provided is preliminary. Should this concept be carried forward to the application stage, the following comments would apply.

#### **Major Issues**

1. Ecological buffers cannot be determined until the feature limits and its level of significance are confirmed by a Subject Lands Status Report (SLSR). Refinement of ecological buffers is completed once a site concept has been finalized and takes the intensity of the proposed development into account.

*The first sections of the EIS provide the feature identification and evaluation needed for an SLSR. Buffers are then discussed following the identification of features and discussion of the proposed zoning limit. It is agreed that additional mitigation measures may need to be considered as part of a future Site Plan application if substantive changes are made to the concept presented as part of this zoning application. In this case, given that the wooded feature contains a PSW, the feature is identifiable as a Significant Woodland even from aerial photo interpretation (criteria 1 notes a 1 High score for a hydrological feature located within or contiguous with the patch). A Significant Woodland evaluation, noting the resulting designation on the mapping as well as intext is a requirement.*

1. The location, width, composition, and use of ecological buffers necessary to protect natural heritage areas from the impacts of development will be specified through application of the Environmental Guidelines as part of an environmental impact study (1414\_). Table 5-2 of the Environmental Management Guidelines identifies the required minimum buffer widths for protected natural heritage components. These

are not 'recommendations', but the required minimum in the absence of a reasonable rationale to the contrary that is accepted by City Staff.

*Table 5-2 is directed specifically at what would be required for a Focused EIS with limited information or data collection.*

*This is incorrect. Table 5-2 indicates the minimum buffers required for feature components in the NHS. Focused EIS studies can be completed if proponents assume the greatest Significance of features and apply the minimum buffers. The scoped EIS process is an opportunity to demonstrate that onsite features are less significant. In this case, given that the wooded feature contains a PSW, the feature is identifiable as a Significant Woodland even from aerial photo interpretation (criteria 1 notes a 1 High score for a hydrological feature located within or contiguous with the patch).*

*The EIS submitted was a scoped one, intended to provide a 'reasonable rationale to the contrary'. The PSW is the primary feature within the ESA that requires protection, so an average 30 m buffer was identified from the PSW.*

*This rationale fails to acknowledge the Significant Woodland component of the ESA. Inclusion 1a (CUW) was only included in the ESA to fill bays and strengthen linkages, though it technically did not need to be included based on the EMG's boundary delineation guidelines (see Section 5.2.9 of the EIS). Inclusion 1a has no significant features (e.g., SWH, SAR habitat, rare species, uncommon ELC, hydrological features, etc.) other than separating the PSW from the cultural savannah beyond, which is the function of a buffer.*

*As an inclusion, community 1a should be included in the feature delineation. It is not clear which guideline permits excluding ELC inclusions as a component of the feature. Therefore, it was concluded that a 10 m buffer from the Inclusion 1a edge was more than sufficient for tree preservation reasons. Instead, the PSW should be the focus for buffers, with the buffer being wide enough to protect its significant features (i.e., SWH, hydrological functions, and water quality). The recommended buffer has been reduced in the revised EIS based on additional hydrogeological investigations supporting a smaller buffer.*

*The current submission is less in line with from the required minimum buffers required by Table 5-2 of the Environmental Management Guidelines than the previous submission.*

*Based on piezometer measurements, the PSW does not appear to have significantly fluctuating water levels as assumed in the previous EIS, so an average 30 m buffer is not considered necessary. Please review the revised EIS.*

*The provided EIS has been reviewed and is further from City policy than the previous submission. Comments were provided in December 2023 and it is unclear why these items were not addressed in the application.*

*Please also note that the resubmission now focuses on the zoning amendment.*

*The EIS presupposes that buffers are sufficient relative to the concept provided, which would carry forward beyond the zoning amendment stage. It also notes that a pathway may be included (further reduce the buffer if/when applied at site plan) and that any future refinements to the ESA or buffer delineation be completed as part of an Environmental Management Plan rather than as an EIS Addendum. Establishing the developable limit is a requirement for setting the zoning lines, regardless if the proponent chooses to complete the development themselves or sell the development potential on these lands.*

*Missing Information/Minor Revisions and Notes:*

1. Section 7.1.4 Recommendation 19 – Bat box specifications should meet Bat Conservation International Standards.

*I believe this should refer to Recommendation 14 in Section 7.1.4 of the original EIS (MTE, 2022). This recommendation has been amended in Section 7.1.4 of the revised EIS (MTE, 2024) to clearly state that the bat box should meet Bat Conservation International standards. While this standard is always the case for our projects, we understand it helps the City in setting draft conditions.*

*Addressed.*

2. Section 7.2.1 Recommendation 25 – Please include explicit reference to keeping all stockpiles beyond ESC fencing and outside of the buffer/ feature limit.

*Recommendation #25 for stockpile management was provided in the original EIS, including reference to keeping stockpiles beyond ESC fencing and away from the PSW. This recommendation is still provided in Section 7.2.1 of the revised EIS, but explicit wording has been added.*

Addressed.

Section 7.2.1 Recommendation 29 – Include reference to the Ontario Invasive Plant Council's *Clean Equipment Protocol for Industry (2016)*.

*This recommendation in Section 7.2.1 has been revised to include the protocol citation.*

Addressed.

1. Table 5: Net Effects – Multiple blank recommendations. If an item is not applicable, please include N/A.

*The Net Effects Table has been revised to include "N/A" where no recommendations for management and monitoring are needed.*

Addressed.

1. Appendix E: ELC forms are incomplete.

*The sections needed for Ecological Land Classification were included in Appendix E of the original EIS (MTE, 2022). Minor documentation revisions have been added to the ELC forms (e.g., dates, height/cover, etc.). Soils were not analysed as the communities could be classified based on plant species and other observations of wetland characteristics.*

Not addressed. Complete ELC forms addressing all components of an ELC assessment, including soil analysis, are a requirement of a quality ecological assessment. Nothing further on this item.

1. MECP SAR Approval: Section 5.2.7 – The MECP email does not list species and the email submit to them by the consultant was not included in the report. Please provide original correspondence submit to MECP.

*The Stage 1 Report completed for the initial MNRF correspondence has been added to Appendix E. The responses from MNRF accepting the Stage 1 Report and MECP's updated approval have also been included in Appendix E.*

Addressed. The species list has been included.

1. Plant List/ ELC Completeness: Section 5.2.12 – Figure 10 notes 2 ELC Ecosite communities with 2 incisions (CUS1, CUW, SWD/SWT, MAM). Inclusions should all have their own plant lists. Staff note that very high-quality ecosites may have non-native species abundant on the edge and that this does not necessarily constitute an inclusion.

*The inclusions were small and therefore grouped in with the larger communities in the field, but notes were made on the specific compositions of these inclusions. As noted in Section 4.2.2 the original and revised EIS reports), Inclusion 1a notably includes Manitoba Maple, Eastern Cottonwood, and common shrub species such as Pagoda Dogwood, Common Buckthorn, Grey Dogwood, and Multiflora Rose. Ground species include Garlic Mustard, Canada Goldenrod, and Thicket Creeper. Inclusion 2a is dominated by Reed-canary grass, Panicked Aster, and various wet sedges. As these inclusions are proposed to be retained and no protected floral species were identified, no additional floral surveys to create individualised plant lists are necessary.*

*It is acknowledged that high-quality ecosites can have non-native species. If they are invasive, it may be appropriate to manage for the long term. However, ecosites with a high density of invasive species are considered low quality and require substantial intervention if retained.*

Not addressed. Agree that high quality ecosites can have non-native species and that long-term management is appropriate, however delineating these ecosites or inclusions out of the feature delineation is not appropriate and decreases the land area base, degrading the Natural Heritage System long term.

We are supportive of this site plan, in principle.

Zoning of the buffer should reflect the OS5 zone, not the OS1 (SWM). Perhaps OS5 with a special provision to clearly distinguish it as buffer?

Typically, LIDs and pathways are located on the outer 1/3 of the buffer, however in this case the 30 m has been provided and the concept will meet the EMG requirements. At future project stages the LID design will need to include native species and not require any cleanouts.

Heritage – June 11, 2024

### **Z-9740 – 1338-1388 Sunningdale Road East**

*ZBA to allow the development of 108, 2-storey townhouses or other residential uses*

This is to confirm that there are no cultural heritage or archaeological concerns associated with this application. Archaeological matters have been addressed.

Urban Design – June 17, 2024

#### **Major Issues:**

- This proposal is located within the Neighbourhoods Place Type in The London Plan [TLP] along a Civic Boulevard which contemplates the proposed use and height. Urban Design is generally supportive of a townhouse development on these lands, but recommends the applicant explore a site layout that better addresses the public realm.

#### **Matters for ZBA:**

- If the proposed townhouse development is deemed appropriate, Urban Design recommends the following Special Provisions be incorporated into the proposed zoning to foster a safe, comfortable and accessible public realm, and to reduce potential impacts on neighbouring properties:
  - Maximum height;
  - Minimum front yard setback;
  - Maximum front yard setback to ensure the built form is located close to the public street and to ensure a window street is not required;
  - Minimum interior side yard setbacks to ensure the proposed development is adequately buffered from the adjacent properties;
  - The principal entrances for units fronting Sunningdale Road E shall be oriented to the street.
- The ESA should be treated as a focal point for the community. Site layout should maximize visual exposure of the open space to the rest of the development by strategically locating built form, amenity spaces and internal streets [TLP Policy 204/257].

#### **Matters to be Addressed at Site Plan:**

- Orient the units fronting Sunningdale Road E to the street by including the principal unit entrance (front door) on the street-facing elevation with direct walkway access to the street from the individual unit entrances [TLP Policy 268, 291].
  - The street-facing elevation should also include human-scale building elements such as front porches and windows [TLP Policy 286].
  - Units located along the Sunningdale Road E frontage should have garages accessed by a rear lane as opposed to a window street along the public street frontage.
- Orient and design any end units flanking the street to include a similar level of architectural detail as is provided on the front elevation including wrap around porches, front entrances, size and number of windows, materials, massing and any other relevant architectural detailing. [TLP Policy 291].
- Include a network of pedestrian walkways throughout the site that connects between buildings, parking areas, amenity spaces and Sunningdale Road E to

ensure pedestrians can safely traverse the site and to promote active transportation [TLP Policy 255].

- A private walkway could be provided to connect the individual unit entrances facing Sunningdale Road E. See the townhouse development at 1320 Savannah Drive where units facing Sunningdale Road E are connected by a private walkway, as an example.
- Parks has identified a future multi-use pathway to be accommodated within the ESA buffer. Please ensure the pedestrian circulation on site allows for future connections to this pathway.
- Provide a centrally-located and adequately-sized common outdoor amenity space [TLP Policy 295].
- The design and layout of the site should have regard for and respond to any significant mature trees [TLP Policy 258].
- Fencing is discouraged along public street frontages. If any fencing is proposed along the public street, ensure it is low, transparent and decorative in nature (i.e. wrought iron).
  - Fencing for the rear yards of street-flanking townhouse units should be limited to the rear-yard only to alleviate expanses of blank wall along the street [TLP Policy 285].
- Ensure garbage pick-up areas, loading areas and associated facilities are located away from the public street frontage and do not detract from pedestrian connections [TLP Policy 266].
- Provide easily accessible temporary bicycle parking facilities on-site [TLP Policy 280].
- Provide a full-set of dimensioned elevations for all sides of the proposed building(s) as well as a fully dimensioned and labelled site plan. Further comments may follow upon receipt of the drawings.

Landscape Architect – June 17, 2024

### 1. Major Issues

- No potential grounds for refusal, or issues that could require significant changes to the proposal.

### 2. Matters for Site Plan

- If boundary trees are identified in the tree preservation plan, consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for approval will be forwarded for Site Plan Review. If consent cannot be obtained from co-owner, then a non-disturbance setback will need to be established at each tree's critical root zone limits as determined by dbh.
- Replacement trees to be recommendation to Site Plan Review based on total dbh removed. For trees outside of significant Natural Heritage Features, the summation of tree diameter to be destroyed shall correspond to the number of Replacement Trees required in accordance with London Plan Policy 399; all trees over 10cm in diameter, measured at a height of 1.4m above the ground, shall be replaced at a rate of 1 tree for every 10cm diameter removed. Trees required as part of the planning application process may be counted as replacement trees. Where there is insufficient space on the same site from which the trees are removed to plant all of the number of Replacement Trees, cash-in-lieu will be calculated by multiplying the number of Replacement Trees that could not be planted on site due to insufficient space by \$350 per tree.

### 3. Complete Application Requirements

- A tree preservation plan is required to:
  - establish the ownership of trees growing along property lines , including the identification of boundary trees that are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the

developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Use Total Station to locate trees in close proximity to property lines. GPS location not acceptable due to errors caused by canopy coverage.

- Identify critical root zones of boundary trees and those up to 3m outside of property lines. This information is used to determine setbacks required to minimally impact boundary and offsite trees. Critical Root Zone" means the area of land within a radius of ten (10) cm from the trunk of a tree for every one (1) cm of trunk diameter
- Identify Tree Protection Areas. Portion of this site is located within a tree protection area; reminder that no trees can be removed until site plan approval is granted or a separate tree removal permit is issued.
- Determine total dbh proposed for removal to determine tree replacement. London Plan Policy 399 requires 1 tree for every cm dbh removed.

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

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

Parks Planning and Development – June 18, 2024

**4. Major Issues**

**5. Matters for OPA/ZBA**

- None.

**6. Matters for Site Plan**

- Parkland dedication has not been taken for this site. It is to be noted that the applicant, as a condition of site plan approval, will be required to provide parkland dedication in the form of land, cash-in-lieu or a combination of both land and cash in lieu pursuant to By-law CP-25.
- A multi use pathway is identified on the London Plan Map 4 Active Mobility Network and on the City of London Cycling Master Plan to be located across these lands along the south boundary of the Natural Heritage ESA.
- The location of the multi use pathway is to be located as identified in an approved EIS to ensure for the ability to accommodate the pathway in the buffer with adequate setbacks from the residential use (5m minimum) and to ensure no impacts on the natural heritage features.
- The buffer lands and natural heritage lands would be accepted as parkland dedication using the constrained rates as per Bylaw CP-25.
- The City will require fencing as per SPO 4.8 on all development lots abutting the Natural Heritage Feature.

Upper Thames Conservation Authority (UTRCA) – June 25, 2024

The subject lands are regulated by the UTRCA. In accordance with Ontario Regulation 41/24 made pursuant to Section 28 of the Conservation Authorities Act, the applicant is required to obtain the necessary permits and approvals from the Conservation Authority prior to undertaking any site alteration or development within the regulated area.

As indicated, the UTRCA is generally satisfied with the updated technical information and is confident that the outstanding matters can be resolved at the Site Plan Application stage/at Detailed Design. Accordingly, we have no objections to this application.

Engineering – July 4, 2024



## **Zoning application comments**

- Due to the revised zoning amendment going from 53 units to 108 units and beyond (R7, D75) the general holding provision will need to be applied to the property to address the following items:
  - The request for a density of 75 units per hectare would exceed the 576 people allocated to the site, therefore, a capacity assessment would be required to demonstrate that there is additional surplus capacity to the end of the 300mm diameter sewer on South Wenige Drive.
  - A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines.
  - With only one source of municipal water, no more than eighty (80) units with individual water services and meters shall be constructed on this site. demonstrate the servicing strategy for looped watermain as per DSRM 7.4.8 noting that the two connections to the 1200mm watermain with a splitter valve is not an option. Second connection from another municipal source would be possible. One option would be to extend a local municipal watermain along Sunningdale Road from North Wenige or South Wenige Drive.

**The following items are to be considered during a future site plan application stage:**

### **Major issues:**

- The zoning amendment is to allow 108 townhouses or other residential uses, however there is only a single source municipal watermain on Sunningdale Road, As per DSRM 7.4.8 water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply.
- There is currently no municipal sanitary sewer fronting the subject lands. Holding Provisions are to remain in place until servicing has been demonstrated, extended in standard location, inspected, cleared etc. to front the subject lands all at no cost to the City.

### **Wastewater:**

- There is currently no municipal sanitary sewer fronting the subject lands. Holding Provisions are to remain in place until servicing has been demonstrated, extended in standard location, inspected, cleared etc. to front the subject lands all at no cost to the City.
- Based on the DAP no. 24627, the subject lands are contemplated as 3.76ha and 576 ppl to a future extension of a local sewer (at no cost to the City) servicing 1334-1388 Sunningdale Road East, which is not to be exceeded as there are downstream constraints and limited surplus capacity for intensification beyond the accepted flows, and additionally undeveloped lands that are tributary to the same system.
- The proposed is for 108 units of townhouses and under the allocated amount therefore no capacity concerns. It should be noted that there is an existing sanitary drop structure connected to the manhole SB1409 (outlet) and a 1200mm diameter watermain that the proposed PDC will be crossing, and adequate support details/notes should be included on the drawings. PDC are to cross at 90 degree to the watermain and perpendicular to the future fronting sewer.
- The development agreement for the Site Plan is to include a clause that the developer is to update the as-constructed subdivision drawings with the site servicing information.

### **Water:**

- Water is available to the site via the municipal 1200mm watermain on Sunningdale Rd.
- A water servicing report will be required addressing commercial and domestic water demands, water quality, fire flows and resulting pressures.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- Further comments to be provided during site plan application.

### **Stormwater:**

- The detailed SWM servicing and drainage controls to service this site will be implemented as part of the future SPA and should follow recommendations of the hydrogeological assessment.
- the current site plan shows a proposal for development that is different to the proposal provided as part of PAC23-137 for the 30 day -pre-review (Servicing Report MTE dated Feb 10, 2023, and Hydrogeological Assessment by EXP updated August 2023). As part of a complete Site Plan application, the owner shall have their consultants update the required reports and ensure functionality of the sized SWM feature in the revised location/layout.
- The detailed SWM servicing and drainage controls to service this site will be implemented as part of the future SPA and should follow recommendations of the hydrogeological assessment.

### **Transportation:**

- These properties are subject to a 7.942m road widening to achieve the required 18.0 from C/L.
- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines.
- Detailed comments regarding access design and location will be made through the site plan process.

Engineering – August 8, 2024

### **Zoning application comments**

- Due to the revised zoning amendment going from 108 units to 96 units and beyond (R7, D100) the **general h holding provision will still need to be applied to the property** to address the following items:
  - There is currently no municipal sanitary sewer fronting the subject lands. Holding Provisions are required until sanitary servicing has been demonstrated, extended, inspected, cleared etc. to front the subject lands all at no cost to the City.
  - The request for a density of 100 units per hectare would exceed the 576people allocated to the site, therefore, a capacity assessment would be required to demonstrate that there is additional surplus capacity to the end of the 300mm diameter sewer on South Wenige Drive.
  - A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines.

- The 1200mm municipal watermain on Sunningdale Road is a transmission main and not meant for local distribution. A local distribution main should be extended from South Wenige Drive for future development in this area.
- The zoning amendment is to allow 96 townhouses or other residential uses, however if there is only a single source municipal watermain on Sunningdale Road, As per DSRM 7.4.8 water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply.
- SWED was amenable to the prior SWMF location change; however, the revised proposed development now has a lineal SWM feature along the setbacks to the north, rather than a SWMF within the confines of the development. The conceptual servicing previously presented in support of this application no longer is applicable; the owner shall have their consultants update the required reports and ensure servicing feasibility of the proposed, sized, SWM feature in the revised location/layout.

**The following items are to be considered during a future site plan application stage:**

**Major issues:**

- The 1200mm municipal watermain on Sunningdale Road E is a transmission main and not meant for local distribution. A local distribution main should be extended from South Wenige Drive for future development in this area.
- The zoning amendment is to allow 96 townhouses or other residential uses, however if there is only a single source municipal watermain on Sunningdale Road, As per DSRM 7.4.8 water distribution systems shall be designed so that no more than eighty (80) units with individual water services and meters shall be serviced from a single source of supply.
- There is currently no municipal sanitary sewer fronting the subject lands. Holding Provisions are to remain in place until servicing has been demonstrated, extended in standard location, inspected, cleared etc. to front the subject lands all at no cost to the City.

**Wastewater:**

- City As-Constructed Drainage Area Plan #24627 shows a portion of the subject lands are allocated 576people for the 3.76ha tributary external area. A future developer driven sewer extension on Sunningdale Road East from the existing 200mm diameter sewer at the intersection of Sunningdale Road East and North Wenige Dr will be required all at no cost to the city.
- Based on the accepted area plans, 1338-1388 Sunningdale Road East are tributary to the future developer driven sewer extension on Sunningdale Road East. 1396 Sunningdale Road East should be consulted to be provided a sanitary PDC connection at the cost of the individual property owner as the future sewer will front the property. It should be noted that there is an existing sanitary drop structure connected to the manhole SB1409 (outlet).
- SED will require additional discussions and downstream capacity assessment if the application will be exceeding the allocated population of 576p.
- The applicant's engineer is to provide the theoretical maximum population based on the requested zoning.
- The development agreement for the Site Plan is to include a clause that the developer is to update the as-constructed subdivision drawings with the site servicing information.

**Water:**

- A local watermain should be extended along Sunningdale Road to service development in this area.
- A water servicing report will be required addressing commercial and domestic water demands, water quality, fire flows and resulting pressures.

- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- Further comments to be provided during site plan application.

***Stormwater:***

- The detailed SWM servicing and drainage controls to service this site will be implemented as part of the future SPA and should follow recommendations of the hydrogeological assessment.
- the current site plan shows a proposal for development that is different to the proposal provided (Servicing Report MTE dated Feb 10, 2023 & Mar 2024, and Hydrogeological Assessment by EXP updated August 2023). As part of a complete Site Plan application, the owner shall have their consultants update the required reports and ensure functionality of the sized SWM feature in the revised location/layout.
- An ERA (Erosion Risk Assessment) shall be included with the ESC design and drawings in accordance with DSRM 10.3.2, and the Erosion and Sediment Control Guidelines for Urban Construction (TRCA, 2019), due to the site location adjacent to a natural heritage feature.

***Transportation:***

- These properties are subject to a 7.942m road widening to achieve the required 18.0 from C/L.
- A Transportation Impact Assessment (TIA) will be required, the TIA will evaluate the impact the development will have on the transportation infrastructure in the area and provide recommendations for any mitigation measures. The TIA will need to be scoped with City staff prior to undertaking and be undertaken in general conformance with the City's TIA guidelines.
- Detailed comments regarding access design and location will be made through the site plan process.

## Appendix E – Public Engagement

Hello Alanna Riley and Councillor Jerry Pribil,

We recently received in the mail a Notice of Planning Application & Public Meeting for 1338-1388 Sunningdale Road East, File: Z-9740, Applicant Auburn Homes Inc.

Our hope is that this email will give pause for consideration to the following concerns:

1. While we understand this land is to be developed in the future, we have serious concerns for the seemingly lack of care or thought given to the already invested property owners on either side of this proposed development. The effects that a development of the proposed density/size will have is considerable in increased noise, traffic, and overall congestion, along with decreasing privacy for adjacent already invested landowners. We as residents see and experience this firsthand all over London.
2. The city just fixed a problem and is now creating a new one. MUCH needed traffic lights just went at the intersection of Sunningdale and North/South Wenige. Introducing now a development of this size with streets connecting to Sunningdale so close to the intersection may once again increase accident risk on that stretch of road. There seems to be little consideration in the city of London for forward big picture thinking. Often changes push forward and issues from results (usually congestion) are considered as an afterthought. Instead should the city not first seriously consider the effects of density **changes on the demographic area as a whole**, not just the subject land studies, such as servicing and environment impacts.
3. The letter we received states under '*What is Proposed*' to be a "*Zoning amendment to allow the development of 53, 2-storey townhouses or other residential uses*". (See attached IMG\_1500.pdf). This does not align with the two images provided on page 3 of the letter. The rendering shows a row of 5 homes (if applied to the site map above would be ~91 homes), while the site concept provided in your letter has 11 rows of 7 townhomes plus 6 groups of 6 homes. That is a total of 113 homes, more than double the stated 53 townhouses stated on page 1 under the 'What is Proposed?'. This is deceiving and does not provide confidence as to what the true intent of the developer actually will do if given the zoning by-law amendment approval. What is the **actual** intent here? The continued statement of 'or other residential uses' is also very broad and vague. **53 town homes as stated could seem reasonable, 91-113 plus homes does not.**
4. In addition to point 3 above, the land across the street to the subject property (39T-07502) has two medium density blocks (19, 20), totalling 6.4 hectares, allowing for development for up to 100 units per hectare at 6 storeys in height. This means an additional 640 units just for the two blocks along the road. The other unmentioned blocks will also add 2-3 time this amount to the density, In other words, we may see 1200-1500 units in this area, along with a large influx of vehicles and congestion across Sunningdale Road. Has the Planning Department considered this? In this case, is it necessary to add another 550+ persons and 100+ vehicles in the subject area? Would it be not more reasonable to restrict the subject property to a lesser zoning designation that allows up to 35 units per hectare? Such as the one proposed on drawing C2 by MTE Consultants (See attached 8\_44476-100\_w1\_noSTM\_sk1-C2.pdf).

In conclusion, what say do local residence who have received this letter really have? Pardon our skepticism. The city has provided this letter to us and I sincerely hope the Planning and Environment Committee will seriously consider these concerns as valid to the effect this proposal will have on the neighbours and environment it will be developed in.

We intend to attend the public meeting of the Planning and Environment Committee on Tuesday, July 16, 2024.

Thank you for your serious consideration of our concerns.

Sincerely,  
John and Erika Bartos

Dear Jerry,

RE: 1338 - 1388 Sunningdale Road East Development

I am the next door neighbor to the brand new subdivision that is coming up very soon.

Although it is exciting that there will finally be services around my house (eg. Rogers, sewer), I have a few concerns about the following:

1. Well /Groundwater
  - a. My dug well is my only source of water at present - I am concerned that the groundwater levels in the area will deplete due to the construction, grading, and the channeling of the rainwater that is currently keeping the water table at level.
2. Flooding
  - a. There is a high possibility of my property getting flooded. This is a concern as this has occurred previously when the lot to the east of my property was being developed and water was being channeled into my yard.
    - i. The flooding will very likely cause lawn damage.
    - ii. The flooding also increases the risk of my home flooding and therefore causing water damage.
    - iii. Additionally, I have a septic tank and am concerned that there will be damage to the leaching bed from the excess water on my property.
3. Fence/Privacy
  - a. While there is construction, there will be a lot of workers and strangers working right next to my house all day. There is a high possibility of compromising the privacy of my family, including my elderly parents, wife, and daughter.
4. Conservation area
  - a. Is there any conservation area being redeveloped into a subdivision? If so, what will the impact of this be on the conservation area in my property?
5. Traffic
  - a. With the new subdivision, there will be an increase in traffic once the subdivision is complete. This will impact my ability to enter and exit out of my property.

To address these concerns, I am proposing the following:

1. The developer compensates for a new drill well that can reach lower groundwater levels. I do not wish to be connected to the municipal water at this time.
2. Build a trench on the property (on the side of the developer) that channels any rain water until there is a rain water plan in place.
3. Build a security fence of at least 6 feet before the construction starts
4. I would like some details on the conservation area being developed next door and how it will affect my conservation area.
5. I would like more information as to how this issue will be tackled, Will there be Speed bumps or measures to reduce the speed that will space out the traffic

Thank you for addressing these concerns. I look forward to your prompt response,  
Nimish Shukla