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**File: OZ-8286
Planner: N. Musicco**

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: MHBC PLANNING URBAN DESIGN AND LANDSCAPE ARCHITECTURE 545 FANSHAWE PARK ROAD WEST PUBLIC PARTICIPATION MEETING ON: MARCH 25, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of MHBC Planning Urban Design and Landscape Architecture relating to the property located at 545 Fanshawe Park Road West:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 1, 2014 to amend the Official Plan to change the designation of the subject lands **FROM** a 'Multi-Family, Medium Density Residential' designation **TO** a 'Multi-Family, High Density Residential' designation.

- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on April 1, 2014 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 subject property **FROM** a Community Facility Special Provision (CF3(3)) Zone and an Open Space (OS4) Zone **TO** a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-(*)•h-(**))•R9-7()•B(*) Zone and an Open Space (OS4) Zone with a Bonus Zone which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:
 - A development design which includes two point tower forms with a common podium in the form of two-storey townhouses comprised of:
 - a maximum of 235 residential dwelling units within the two point tower forms (Tower A: 115 units; Tower B: 120 units);
 - a maximum of 15 residential dwelling units within the two-storey townhouses (Tower A: 7 units; Tower B: 8 units);
 - Building orientation toward the Fanshawe Park Road West corridor;
 - Building elevations that have been divided into a series of modulated components that are defined by complementary changes in articulation and cladding materials;
 - A variation of building materials and the use of cornices that define the major changes in cladding materials on the elevations;
 - The inclusion of a base, middle and cap with a base consisting of a two-storey townhouse form, a middle that consists of 14-storeys above the base for Tower 'A' and 13-storeys above the base for Tower 'B', and a one-storey cap above the middle;
 - A mix of underground and surface parking spaces that are located in the rear yard;
 - Enhanced landscaping features including a centralized park feature and an outdoor amenity area integrating the existing open space setting;
 - Ground floor and second floor private amenity space; and,
 - Rooftop patios

- c) The Site Plan Approval Authority **BE REQUESTED** to implement, through the site plan approval process, with minor variations at the City's discretion, the development of the subject site in a manner that is consistent with the Site Plan and Elevation Drawings attached hereto as Schedule "1" to this report as well as the design features recommended

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below:

- Develop the edge treatment by enlarging the terraced gardens along the entire Fanshawe Park frontage incorporating the proposed staircases as shown on the existing plan in order to create an urban edge condition between the building face and public sidewalk.
- Include options such as fencing, landscaping and the location of parking for the edge treatment which abuts the Open Space in order to create a positive relationship between this site and the Open Space.
- Consider a courtyard space at the central drive by eliminating the centre lane and incorporating a water feature or public art, along with a high level of planting to improve the public realm.
- Ensure a high level of planting between the public sidewalk and the parallel pathway at the podium. Consider planters that are not as symmetrical in response to the topography to strengthen the landscaped open space.
- Consider adding another pedestrian connection, or shifting the proposed connection to the public sidewalk at the southwest corner of the site, to relate more to the likely pedestrian activity to the adjacent commercial development.
- Encourage the use of the sloping topography as an opportunity to develop a natural podium and consider multiple steps and the possibility of sunken courtyards for the townhomes and creating a positive interface of the site with the ravine to benefit from the natural topography
- Consider façade enhancements and fenestration for the townhome at the south-east corner to articulate the east elevation.
- Consider high quality building materials that are consistent with the high quality of the design to enhance the building design and ensure its long term durability.
- Consider the provision of a green roof to enhance the amenity space at the podium roof and to reduce the heat island effect on this site.
- To improve the storm water management generated from this development, consider using permeable paving materials wherever possible and cost-effective.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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A.091/04 – Minor Variance granted to include “retreat centre with administrative offices” as a permitted use whereas such a use is not mentioned under the present zone

Sunningdale Community Plan (1999) The Sunningdale Community Planning Area is comprised of those lands located north of Fanshawe Park Road West to the northerly City boundary, between Wonderland Road and Richmond Street.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Official Plan and Zoning By-law amendment is to provide for the development of two residential towers and low rise townhouse forms providing for a total height of 60m. and a total number of 250 residential units. Other permitted uses include: Lodging house class 2; Senior citizens apartment buildings; Handicapped persons apartment buildings ; Continuum-of-care facilities. Generally, the site layout incorporates two high-rise structures, two-storey townhouse units (base of the apartment), indoor and outdoor amenity space and a multi-level parking area.

Two empty rectangular boxes for agenda item and page numbers.

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Aerial Photo Location Map

File No.: OZ-8286

NM

Date Prepared: 2014/03/04

CK

SCALE: 1:3,500

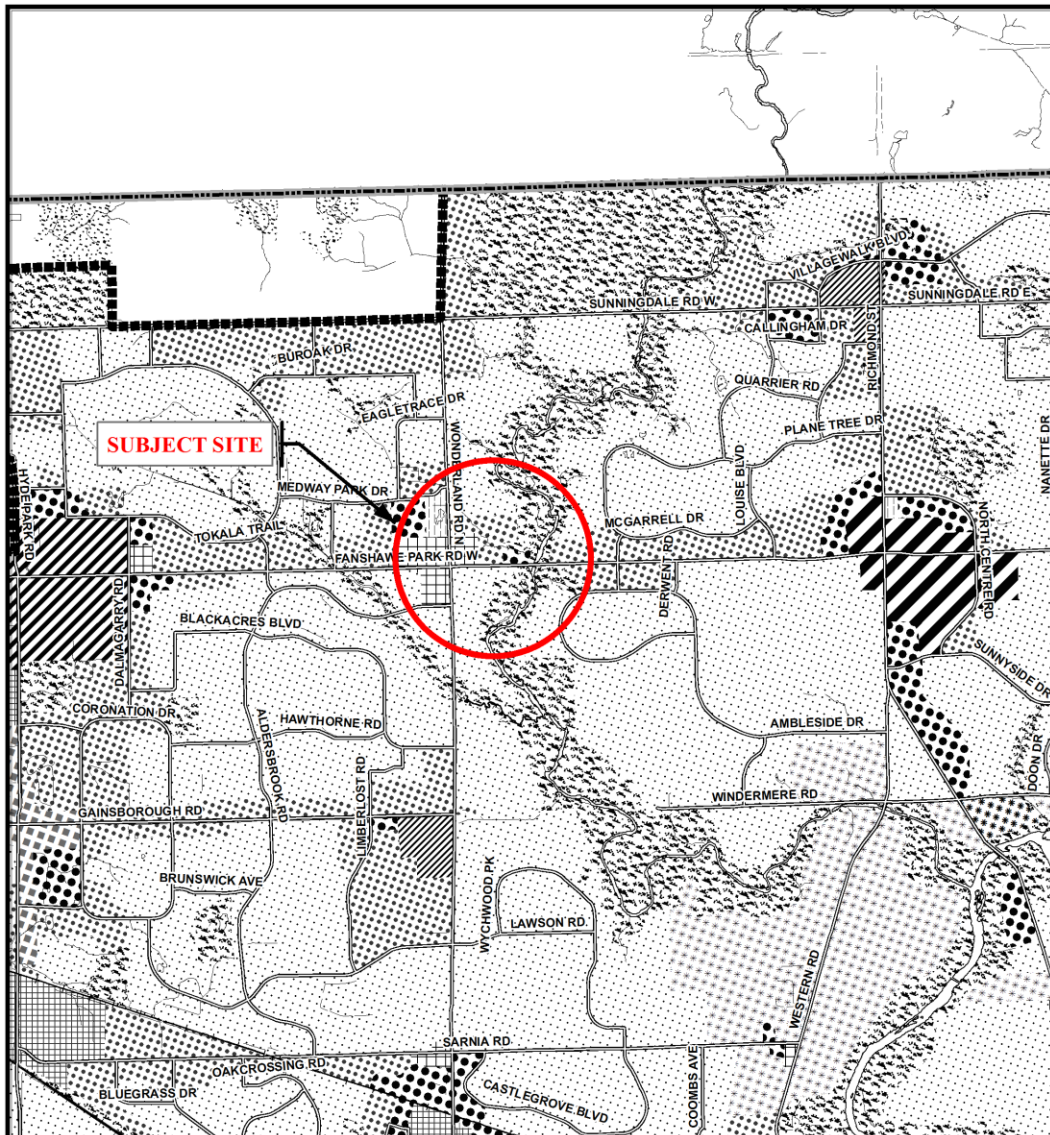


Prepared by: Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

Note: Parcel linework, when shown, is not for official or legal use.

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Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

<p>CITY OF LONDON Department of Planning and Development OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8286 PLANNER: NM TECHNICIAN: CK DATE: 2014/03/04</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

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RATIONALE

- The proposal is consistent with the policies of the Provincial Policy Statement, 2005, which promote healthy, liveable and safe communities;
- The proposed amendment is consistent with the High Density Residential policies of the City of London Official Plan;
- The subject lands are of a size and shape to accommodate the proposal. The recommended amendment provides appropriate regulations to control the use, intensity and form of the building;
- The recommended amendments are consistent with the policies of section 19.4.4 – Bonus Zoning of the Official Plan.
- The use of holding provisions will ensure that concerns about access and stormwater are addressed as part of Site Plan Approval.
- The recommended amendments retain the natural heritage area located in the rear yard of the subject site.

BACKGROUND

Application Accepted: November 14, 2013	Agent: MHBC Planning
<p>REQUESTED ACTION: Possible change to the Official Plan land use designation from a ‘Multi-Family Medium Density Residential’ designation to a ‘Multi-Family High Density Residential’ designation. Possible change to the Zoning By-law Z.-1 FROM a Community Facility (CF3(3)) Zone which permits a retirement home in existing buildings for retired clergy; private chapel in existing buildings for residing clergy; retreat centre with administrative offices in existing buildings and an Open Space (OS4) Zone which permits Conservation lands; Conservation work, Golf courses without structures; Private parks without structures; Public parks without structures; Recreational golf courses without structures; Cultivation or use of land for agricultural/horticultural purposes; Sports fields without structures TO a Residential (R9) Special Provision (R9-7()) Zone which permits Apartment buildings; Lodging house class 2; Senior citizens apartment buildings; Handicapped persons apartment buildings ; Continuum-of-care facilities including special provisions to allow Townhouse dwellings, a density exceeding 150 units/ha., a maximum building height of 60 m., a front yard setback of 7.0 m., interior side yard (east) of 12.4 m., an interior side yard (west) of 9.2 m., a rear yard setback of 9.5 m and an Open Space (OS4) Zone. Council may also consider a Bonus zone to allow a density that exceeds 150 units/ha in exchange for enhanced Urban Design.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Former Sisters of St. Joseph’s retreat • Frontage – 136 m. • Depth – 103 m. • Area – 1.41 hectare (3.47 acre) • Shape - Irregular

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<p>SURROUNDING LAND USES:</p> <p>North: Open space/ stormwater management facility, future low density residential.</p> <p>South: Fanshawe Park Road West, Medium Density</p> <p>East: High density residential development (Amica residence); Medway Creek.</p> <p>West: Existing shopping plaza (Sunningdale Village) and Wonderland Road North</p>
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<p>OFFICIAL PLAN DESIGNATION:</p> <p>Multi-Family Medium Density Residential <i>The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes. The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing.</i></p> <p>EXISTING ZONING: Community Facility Special Provision (CF3(3)) Zone and Open Space (OS4) Zone. The current zoning is Community Facility (CF3(3)) Zone and Open Space (OS4) Zone which permits a retirement home in existing buildings for retired clergy; private chapel in existing buildings for residing clergy; retreat centre with administrative offices in existing buildings and an Open Space (OS4) Zone which permits Conservation lands; Conservation work, Golf courses without structures; Private parks without structures; Public parks without structures; Recreational golf courses without structures; Cultivation or use of land for agricultural/horticultural purposes; Sports fields without structures.</p>
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<p>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</p>
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<p>PUBLIC LIAISON:</p>	<p>On November 21, 2013, Notice of Application was sent to 72 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on November 21, 2013. A "Possible Land Use Change" sign was also posted on the site.</p>	<p>18 replies were received</p>
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Nature of Liaison: Change the Official Plan land use designation from a 'Multi-Family Medium Density Residential' designation to a 'Multi-Family High Density Residential' designation. Change Zoning By-law Z.-1 **FROM** a Community Facility (CF3(3)) Zone which permits a retirement home in existing buildings for retired clergy; private chapel in existing buildings for residing clergy; retreat centre with administrative offices in existing buildings and an Open Space (OS4) Zone which permits Conservation lands; Conservation work, Golf courses without structures; Private parks without structures; Public parks without structures; Recreational golf courses without structures; Cultivation or use of land for agricultural/horticultural purposes; Sports fields without structures **TO** Residential (R9) Special Provision (R9-7()) Zone which permits Apartment buildings; Lodging house class 2; Senior citizens apartment buildings; Handicapped persons apartment buildings ; Continuum-of-care facilities including special provisions to allow Townhouse dwellings, a density exceeding 150 units/ha., a maximum building height of 60 m., a front yard setback of 7.0 m., interior side yard (east) of 12.4 m., an interior side yard (west) of 9.2 m., a rear yard setback of 9.5 m and an Open Space (OS4) Zone. Council may also consider a Bonus zone to allow a density that exceeds 150 units/ha in exchange for enhanced Urban Design.

Responses: The responses received were all generally in objection of the proposed development. The main areas of concern included:

1. Construction – dust and noise during construction
2. Traffic – increase in Traffic on Fanshawe Park Road West / Traffic lights.
3. Safe access to and from the subject site.
4. Speed on Fanshawe Park Road West
5. Height of the proposal.
6. Housing prices affected by development.
7. Density.

Response to Public Comments

- The City will require that construction activity comply with the City's Noise By-law. Generally the Noise By-law limits construction noise between the hours of 6 pm and 7 am. If noise levels are excessive to a point of reception for residential uses, then the City can be notified.
- The City will require a traffic and pedestrian management plan to be developed for the duration of the construction period part of the site plan approval process. It is the City's practice to require that sidewalks be maintained for public access. There may be some times during construction where access to the sidewalks will be restricted; however, this would be for a limited time only. This would be no different than what was required when the Amica building was under construction.
- A Traffic Impact Study (TIS) was required as part of the OPA/ZBA application and prepared by Paradigm Transportation Solutions Limited. The TIS assessed the need for traffic lights at this location and concluded that they were not warranted based on the City's standards.
- The easterly access to the proposed development is intended to be the secondary access into the project with the central driveway being the primary access.
- The proposed development is intended to be built in phases therefore there will be some areas on site for construction parking as well the potential to park on the south side of Fanshawe Park Road on the City Boulevard. Similar to the contractors working on the Amica site where received approval from City to park on the south side of the road.
- The City will require the preparation of a sediment and erosion control plan to outline how such measures are to be addresses. This is required as part of the Site Plan approval process.

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- The large treed area on the north half of the property is identified as a ‘no build’ area and no construction activity is proposed within this area. The existing tree line along the common property line will be maintained and construction fencing/hoarding will be installed.

SIGNIFICANT AGENCY COMMENTS

Stormwater Management – City of London

As requested the SWM Unit has reviewed the information provided regarding the subject site:

- *A 'h' holding provision must be placed on the subject lands until the conceptual design of the proposed storm/drainage and SWM servicing works are completed and approved prior to the site plan application are considered, all to satisfaction of the City Engineer.*
- *A 'h' holding provision must be placed on the subject lands subject to the following criteria: the design shall include, but not be limited to, the required engineering evaluations and confirmation of the existing outlet capacity to the Medway Creek main channel via Amica’s storm sewer and channel, address minor and major flows conveyance, SWM measures (quantity, quality and erosion control), all in accordance with City of London Design Permanent Private Systems (PPS) and MOE’s requirements, all to the satisfaction of the City Engineer and the MOE ECA’s requirements. The Owner’s consulting engineer must ensure that the proposed PPS for storm/drainage and SWM servicing works for the subject lands will be sized to address the proposed land use on the subject lands and the limitation in the outlet system, no adverse impact on the downstream lands or the existing water resources/storm conveyance and SWM system.*
- *The Owner agrees to provide all required adequate easements at no cost to the City, in relation to proposed stormwater/drainage and SWM servicing works from this development into the Sunningdale 7 SWMF outlet system established on the northern part of this parcel, all to the satisfaction of the City Engineer.*

In addition to the application, the SWM Unit provides the following comments engineering to be addressed at the site plan approval stage:

- *The subject lands are located in the Medway Creek Subwatershed. The Owner shall be required to comply with the SWM criteria and environmental targets identified in the Medway Creek Subwatershed Study 1995 and applicable updates, the Council accepted Sunningdale Storm Drainage and SWM Facility 7 Servicing Work Municipal Class EA study.*
- *The Owner agrees to promote the implementation of SWM Best Management Practices (BMP’s) within this development application and all to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and all to the satisfaction of the City Engineer.*
- *The Owner is required to provide a lot grading and drainage plan that includes, but it is not limited to, minor, major storm/drainage flows that are mostly contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.*
- *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
- *The owner shall be required to comply with the City’s Drainage By-Law WM-4, to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, , all to the satisfaction of the City Engineer.*

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Wastewater and Drainage Engineering – City of London
No objection.

Transportation Advisory Committee – City of London

At its meeting held on December 3, 2013, the Transportation Advisory Committee (TAC) reviewed and received a Notice, dated November 21, 2013, from N. Musicco, Planner II, with respect to an application submitted by MHBC Planning Urban Design and Landscape Architecture, relating to the property located at 545 Fanshawe Park Road West.

The TAC requested the consideration of the following points:

- a) *while an increase in residential density is generally supported in principle, a development of this size would ideally be located near one of the nodes and corridors as outlined in the Official Plan to promote the implementation and use of transit; and,*
- b) *the traffic flow to and from the development due to its location on Fanshawe Park Road could be problematic. (7/1/TAC)*

Transportation – City of London

The close proximity of this subject site in relation to a major intersection such as the intersection of Fanshawe Park Rd and Wonderland Rd makes access problematic. This intersection accommodates significant volume of traffic on a continual basis. As traffic volume grows due to development in the north part of the city and other parts, it is anticipated that Fanshawe Park Rd and Wonderland Rd will be widened to 6 lanes within the next 20 years as recommended in the recently Council approved Transportation Master Plan. Dual westbound left turn lanes were constructed at this intersection to accommodate existing and future traffic volume and include a centre median island for safety and operation of the dual left turn lanes. The island extends approximately across half the frontage of this site and will block the proposed centre access shown on the concept plan.

During pre-application consultation Transportation staff indicated this access would be restricted to right in/out only and the far easterly access may be problematic considering the traffic volumes on Fanshawe Park Rd and the need to provide a left turn lane for the site. It was further stated that a transportation impact statement would be required to focus on the easterly access - type, safety and the limited infrastructure (turn lane) available to serve this site.

A transportation impact assessment was included with this application that showed both the centre and easterly access to be full turn movement accesses despite our comments to the contrary.

Transportation staff do not support the conclusions of the TIA that the centre median can be modified and a left turn lane constructed for the centre access. It should be noted that the suggested eastbound left turn lane to the subject site is substandard and does not meet the Transportation Association of Canada Geometric Design Guidelines.

This modification would reduce the length of the existing westbound left turn lane at the Wonderland Rd intersection that is required for future traffic growth and will result in an unsafe traffic environment. Other issues that need clarification include trip distribution and the impact on the development to the east. Based on these serious traffic concerns, Transportation staff request two holding provisions be placed on the zoning for this site including;

- 1) *the proposed centre access be restricted to right in/right out only to the satisfaction of the City Engineer and the easterly access reviewed through the transportation impact assessment to determine if full access is safe and efficient to the satisfaction of the City Engineer and*
- 2) *a holding provision for the completion of a transportation impact assessment to reflect access arrangements identified at pre-consultation and to the satisfaction of the City Engineer.*

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Environmental and Parks Planning:

Environmental and Parks Planning (E&PP) have reviewed the official plan and zoning by-law amendment application and associated EIS submission prepared by BioLogic dated October 22, 2013 regarding the proposal to construct two apartment buildings at 545 Fanshawe Park Road West and provide the following comments.

Environmental Impact Study

E&PP are in general agreement with the Development Limit identified as 10 m from Top of Slope on Figure 8 as it provides protection for the majority of the vegetation associated with the wooded slope and ravine.

The EIS identifies setbacks and buffers are primarily based on the geotechnical line work, which generally exceed the buffers provided through the Environmental Management Guidelines minimum buffer approach (10 m beyond the dripline of the trees, 15 m from the high water mark of the intermittent stream and 10 m from the top of bank).

Based on the proposed land use change, all of the Recommendations in the Impacts and Mitigation Section on pages 7 & 8 are to be included as conditions of site plan approval. As a point of clarification the City hopes to work with the proponent to connect the existing SWM access road / multi-use pathway to the north through the north-west corner of this site in order to connect with the property at 599 Fanshawe Park Road West.

Parkland Dedication

Parkland dedication for the proposed development is calculated in the following table based on the requested density and unit count. These values will change to reflect the final approved development. Parkland dedication for this development will be in the form of land dedication to acquire the majority of the open space lands and cash-in-lieu of parkland consistent with the provisions of By-law CP-9 and taken at time of site plan approval.

Other site plan comments will be provided at the time of site plan review including fencing.

Land Use	Unit Count	Dedication Rate	Expected Dedication (ha)
Townhouse	15	1ha / 300 units	0.05
Apartment	235	1ha / 300 units	0.78
Total Parkland Dedication Required			0.83 ha

Urban Design – City of London

Urban design staff have reviewed the application as well as the submitted urban design brief for the above noted address and provide the following comments consistent with the Official Plan, applicable by-laws, and guidelines:

The existing character of the area is mixed. Generally, the area is made up of single family homes (1-2 storey), townhomes (2 storey) and big box retail stores (tall 1 storey) with the exception of one 8 storey seniors apartment building situated directly adjacent to the site on the property to the east. As this site is located along a major arterial road and next to an existing apartment building the proposal is in keeping with its context. With the sitting of the proposed building located on the southern portion of the site, along the arterial away from the open space and single family residential to the north urban design staff are supportive of the proposed design. The applicant is commended for their proposal of two point towers with a townhouse podium base. This proposal is in line with the type of development envisioned along arterial roads.

The following should be considered during the site plan process:

- Further develop the edge treatment in order to create an urban edge condition between the building face and public sidewalk.*

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This can be achieved by enlarging the terraced gardens along the entire Fanshawe Park frontage incorporating the proposed staircases as shown on the existing plan.

- *Explore options for the edge treatment which abuts the Open Space in order to create a positive relationship between this site and the Open Space. In particular special consideration should be made in regards to fencing, landscaping and the location of parking.*

Urban Design Peer Review Panel

The following comments from the Panel are based on the submitted Urban Design Brief, questions directed to and responses by the Applicant on December 18, 2013.

- 1. The Applicant is commended for submitting a comprehensive Brief and for having both the Planner and the Architect engaged in the presentation to the Panel.*
- 2. Consider a courtyard space at the central drive by eliminating the centre lane and incorporating a water feature or public art, along with a high level of planting.*
- 3. Ensure a high level of planting between the public sidewalk and the parallel pathway at the podium. Further, consider planters that are not as symmetrical in response to the topography.*
- 4. Consider adding another pedestrian connection, or shifting the proposed connection to the public sidewalk at the southwest corner of the site, to relate more to the likely pedestrian activity to the adjacent commercial development.*
- 5. More study in plan and section is encouraged to use the slope as an opportunity to be developed as a natural podium. Consider multiple steps and the possibility of sunken courtyards for the townhomes.*
- 6. The hammerheads at the north-west and north-east corners of the site appear oversized.*
- 7. Further study of the interface of the site with the ravine is encouraged.*
- 8. Carefully consider opportunities for the townhome at the south-east corner to articulate the east elevation.*
- 9. Ensure that all building elevations are included in the Applicant's next submission to the City.*
- 10. Consider high quality building materials that are consistent with the high quality of the design.*
- 11. Consider the provision of a green roof to enhance the amenity space at the podium roof and to reduce the heat island effect on this site.*
- 12. For storm water management purposes, consider using permeable paving materials wherever possible and cost-effective.*

Upper Thames River Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed the following submission in support of this application:

SLOPE ASSESSMENTS

- 1. It is noted that there is fill material on the site. The depth of the fill material ranges from 0.7 metres to 2.1 metres in Borehole 1 and 2 respectively. Please advise whether this fill material was considered in the Factor of Safety (FOS) analysis.*
- 2. In Section 3.4, mention is made to minor slope movement. Please provide details of this slope movement including the cause of the slope movement. Also, please propose measures for the site to protect the development from future slope movement.*

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3. The proposed 2 metre toe erosion is for a slope with no evidence of active erosion and when the bankfull width is less than 5 metres. In Section 3.4 minor movement of the slope and active erosion are noted however no evidence of the active erosion is mentioned in Section 4.2. Table 3 of the Ministry of Natural Resources Technical Guide – River and Streams Systems: Erosion Hazard Limit” (2002) as referenced in the report, suggests a toe erosion component of 8 metres to 15 metres for soft/firm cohesive soil with evidence of active erosion. Please provide a suitable toe erosion component in accordance with the MNR Table 3.

4. In Section 4.5, engineered structural fill is proposed to be placed on the table land near the crest of slope. The UTRCA does not permit allow any fill on the face of the natural slope and within the 6 m erosion access limit. Please address.

5. The toe of the slope is not shown on the cross-sections and therefore, the existing slope of 1.8:1, as reported on the cross-section AA could not be confirmed. However, the existing slope of 1.8:1 is equal to an angle of approximately 29 degrees. The angle calculated based on the crest and toe elevations reported on cross-section AA is approximately 25.7 degrees which represents a slightly flatter slope of 2:1 and is the stable top of slope. Please clarify.

6. The length of cross-section AA as shown on DWG 1 is approximately 26 metres as per the scale shown on the drawing but the length shown on cross-section AA is approximately 25 metres. Please report the actual length of the cross-section or otherwise provide justification for the discrepancy.

EIS

1. The UTRCA does not agree that one site visit is adequate to determine the presence of a wetland. To change or confirm the boundary of the unevaluated wetland, a full three season inventory with a comprehensive vegetation inventory of all 4 vegetation layers (canopy, sub canopy, shrub and herbaceous) is required. Without this level of analysis, the edge of the vegetation limit is considered the limit of the wetland and development must remain outside of that boundary. A list of only the top six species cannot be used to confirm or refute the presence of a wetland. Given that the UTRCA was not included in the pre-consultation for this proposal and the necessary supporting studies, we recommend that a meeting be arranged to scope the UTRCA’s requirement for the EIS which is a requirement of our Section 28 approval process.

2. The drainage channel on the subject lands is named the Case Foster Drain. Despite alterations undertaken on the “Amica” property to the east, this watercourse has the potential to contain fish habitat and outlets into Medway Creek. Medway Creek contains kidneyshell mussels and silver shiners. Milksnake and Snapping Turtle may also be found in nearby Medway creek. The EIS must demonstrate that the fish habitat within the Case Foster Drain as well as the downstream habitat for all fish, snake and turtle species (including water quality and quantity) will not be altered by the proposed development. This may require additional tableland to act as a buffer for this feature and for the associated slope and ravine.

3. The EIS describes community 1 as a cultural woodland with a meadow marsh inclusion (community 1b) and community 2 as a tableland cultural woodland with an old field meadow inclusion (community 2b). However, the ELC information in Appendix B states that communities 1 and 2 both contain a swamp thicket and mineral meadow marsh. Therefore:

- a. Is there an additional inclusion that is a SWT2?
- b. Does community 2 contain a SWT2, a MAM2, and a CUM1-1 inclusion?

4. Please provide the scientific name for “Cheese Weed” which is listed in Community 1b. According to the urban dictionary, “Cheese Weed” is one of several nicknames given to *Malva neglecta*, a winter-summer annual weed (also known as Common Mallow, Cheeses, Cheese Mallow, Dwarf Mallow, Running Mallow, Malice, Round Dock, Button Weed, Round-Leaved Mallow and Low Mallow). Alternatively, “cheese weed” is also a nickname for *cannabis indica*. Neither of these plants is usually found in the canopy or sub canopy layer.

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5. *The entire feature which includes fish habitat is considered a Provincially Significant Woodland according to criteria described in the Natural Heritage Reference Manual and applied to all woodlands in Middlesex County (MNHS). The EIS must provide an appropriate buffer discussion that protects the Provincially Significant Woodland feature.*

6. *Appendix D is inadequate and should contain an analysis of all criteria in the Significant Wildlife Habitat Technical Guide with respect to the subject lands. Note that if the subject lands contain a portion of a Significant Wildlife Habitat, then that portion on the subject lands must be protected. For example, Appendix D argues that the cultural woodland on the subject lands is less than the required 10ha. It is unclear whether this is only for the cultural woodland on the subject lands, or the entire woodland feature that may extend outside of the subject land boundary.*

7. *This site is not surrounded by urban development. Portions of the lands located to the east of the site remain as woodland/forest and are protected with an OS5 zoning. As such, please consider opportunities for naturalization.*

8. *The woodland on the subject lands is part of a larger patch and therefore it is appropriate to use the City of London woodland evaluation guidelines to determine if the woodland is significant. Given the number of medium ranks, and the single high rank for the woodland on the site, without the full consideration of the entire woodland patch, it appears that the woodland is significant at the municipal level.*

9. *On Figure 8 Development Proposal Overlay, it appears that a portion of the parking garage/podium is encroaching into the erosion hazard limit which is not consistent with UTRCA policy. Development is not permitted in the erosion hazard limit and as such the foot print of the garage should be revised accordingly.*

10. *Given the significance of the natural heritage features on the property and the ravine, the UTRCA recommends that consideration be given to rezoning these lands OS5 rather than the proposed OS4. This zoning would represent an extension of the OS5 zoning on the lands to the east.*

Upper Thames River Conservation Authority Concerns

On December 11, 2013 Planning Staff were advised by the Upper Thames River Conservation Authority that the Official Plan and Zoning By-law amendment application should be deferred until they had sufficient time to review the Environmental Studies submitted by the Applicant. On February 5, 2014, Planning Staff received a second memo from the UTRCA, with a list of outstanding questions and concerns regarding the Geotechnical / Natural Heritage component of the application. The applicant submitted revised studies to the UTRCA for their review. On March 6, 2014, Planning Staff were advised that Geotechnical review was completed, with all comments and concerns satisfactorily addressed. Finalization of natural heritage review/comments has yet to be completed.

Environmental and Ecological Planning Advisory Committee

EEPAC agrees with the p. 5 of the EIS to expand the OS to include the gully and to protect the wooded slope and ravine. EEPAC agrees that by constraining this ravine community from development the ravine slope, meadow marsh inclusion (1b) and drainage feature (fish habitat) will be protected [Figure 6].

THEME #1 – Erosion Access Allowance

As stated in Section 4.3 of the ExP submission, the Erosion Access Allowance as specified in Section 3.4 of the MNR Technical Guide is a distance of 6 m from the top of the slope.

This allowance is required in order to provide access for repairs to the slope and channel from the top of the slope. The proposed development is outside of the Recommended Development Limit Setback. This is very important as the structures will also put a heavy load on the ground. Structures should not encroach.

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Recommendation 1: *EEPAC agrees with Exp that a distance of 6 m for the erosion access allowance be provided on the table land. No permanent structures should be constructed within the 6 m of the erosion access allowance.*

Recommendation 2: *The proposed development must be outside of the Recommended Development Limit Setback as shown in EXP's drawings 1 and 2.*

THEME #2 – Geotechnical and Hydrogeological

EXP recommends a site specific geotechnical investigation is required to determine the bearing capacity and foundation design option.

Recommendation 3: *EEPAC agrees with EXP. EEPAC also recommends a hydrogeological study as the parking garage/podium as shown in Figures 8 and 9 as extending below the top of slope set back.*

Theme #3 – Run off from the site post development

There is no obvious way to retain runoff on the site, and the drop down to the stream will need significant engineering. Attention should be paid to the compound impact of the proposed development and existing Storm Water Management facility to the north of the site. The latter facility does not appear to be capturing all runoff and may pose some threats to the stream below. The state and resilience of the engineered channel (armouring) should be assessed and assured. The site should be graded such that surface water is directed away from the slope. No water from the table land should outlet down the slope. EXP recommends that water from downspouts and perimeter weeping tile etc. should be collected in a controlled manner and directed away from the slope and EEPAC agrees.

Recommendation 4: *EEPAC agrees with EXP that no run off from the site should be directed towards the water course.*

Recommendation 5: *The city investigate the construction of the SWM facility on the Drewlo lands and the outlet to the watercourse on the York lands to ensure there is no danger of a breach.*

THEME #3 – Construction Impacts

EXP recommends spoils from any excavation should be removed from the site. Excavated soils should not be placed over the table land near the crest of slope, unless the soil is placed as engineered structural fill. We disagree with EXP about stockpiles of materials, supplies and construction debris being located on the site at all. Given the scope of the construction for the footings and underground parking, no materials should be left on the site at all, let alone near the slope. A sudden storm, similar to the one that washed stockpiles from the adjacent Amica site during construction, would have an extremely negative impact on the watercourse, the downstream SWM facility and the Medway Creek. While the EIS mentions storing materials 30 m from the feature, given the amount of work required to excavate the site for two 14 storey towers and underground parking, EEPAC recommends no storage of excavated materials on site. There is too much to store on site and too large a risk of it ending up in the watercourse as happened with the Amica site to the east when it was constructed.

Recommendation 6: *All excavated materials that are not used as engineered fill must be removed from the site each day. If this practice is not a condition of approval, any materials left on site must be covered by heavy tarps to reduce the possibility of a discharge into the water course during a storm event.*

Recommendation 7: *to have some kind of real-time monitoring during rain to see if there is an increase in suspended sediment going down the ravine to Medway*

THEME #4 – Post construction

Recommendation 8: *Plantings should be non- invasive native species consistent and appropriate with an area associated with a tributary of a significant stream corridor (Medway Creek). Plants that are drought tolerate are preferred as regular watering could result in runoff.*

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Recommendation 9: *EEPAC recommends fencing to keep people and debris out of the ravine. It will be of no benefit to stormwater management or the natural heritage system if flows are changed due to human interruption caused by access or garbage or dumping of landscaping wastes.*

Recommendation 10: *not only should permanent structures be avoided for erosion access allowance but the table land should be completely vegetation-covered in order to mediate gullyng originating from surface runoff (during construction and once the site is intact).*

THEME #5– Other relevant points

EEPAC does not understand the purpose of the city requested stairwell across the vegetated feature (ravine). It will likely only be used in daylight in good weather. It does not appear to protect the feature. Figure 1 of the EIS, prepared in October 2013 shows the site as it existed about 5 years ago before the building to the east and the SWM to the north were constructed. While minor, it is suggestive of lack of attention to detail EEPAC has seen in recent EIS work.

Bell Canada

Bell Canada requests to be circulated on any future draft plan of subdivision, condominium, site plan or any other development application that is proposed to implement the subject Official Plan Amendment and Zoning By-law amendment application. Though these processes, Bell Canada will provide a more detailed review and comments with respect to any requirements Bell Canada may have to service the subject property.

London Hydro

London Hydro has no objection to this proposal.

ANALYSIS

Subject Site

The subject Site is located on the north side of Fanshawe Park Road West, approximately 200 meters east of Wonderland Road. The property is within the Sunningdale Planning Area and is owned by York Developments. The Site is approximately 1.4 hectares (3.47 ac) and includes approximately 136 meters of frontage along Fanshawe Park Road West. The property was previously utilized by the Sisters of St. Joseph as a retreat centre. Several vacant buildings associated with that activity remain on the premises.

A natural area incorporating a drainage channel is located within the northeastern quadrant of the property. Site topography gradually slopes from southwest to northeast towards the stream channel. There are steeper, vegetated slopes found in the northeastern limits of the property, in close proximity to the channel. A portion of the Site is also within the Regulation Limit of the Upper Thames River Conservation Authority (UTRCA)

Surrounding Land uses

The development site forms part of an established, mixed use development area located in the immediate vicinity of the Fanshawe Park Road West/Wonderland Road North intersection. This area integrates low, medium and high density residential forms, an extensive commercial area, office park development and an open space system associated with the Medway Valley Heritage Forest Environmentally Significant Area (ESA).

Purpose of Application

The purpose and effect of the requested Official Plan and Zoning By-law amendment is to provide for the development of two residential towers and low rise townhouse forms providing for a total height of 60m. and a total of 250 residential units. Generally, the site layout incorporates two high-rise structures, two-storey townhouse units (base of the apartment), indoor and outdoor amenity space and a multi-level parking area.

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Summary of Proposal (Use)

The proposed development integrates two high rise residential point towers into the site, each with a two-storey townhouse podium base along Fanshawe Park Road. Tower 'A' is a 15-storey building located on the west side of the property; Tower 'B' is a 14-storey building located on the east side of the property. A central entrance from Fanshawe Park Road West into the site has been designed between the two buildings to allow for sufficient separation for privacy, light and landscaped open space. This entrance acts as a visitor pick-up/drop off with access to the lobbies, and provides access to the visitor parking area. A secondary vehicular entrance is proposed on the east side of the property to provide access to the underground parking garage and to the loading and servicing areas. However, the location and configuration of the proposed vehicular access points are still being reviewed by Transportation Engineering Staff.

The proposed development contains a total of 250 units distributed between the towers with a total of 235 residential dwelling units (Tower 'A': 115 units, Tower 'B': 120 units) and the townhouse podiums contain a total of 15 units (Tower 'A': 7 units, Tower 'B': 8 units). The proposed underground parking garage includes 349 vehicular parking stalls, and an above ground visitor parking area includes 15 additional stalls. The townhouse podiums provide an active urban street edge along Fanshawe Park Road West, and additional landscaping and terracing creates an aesthetically pleasing environment that improves and enhances this segment of Fanshawe Park Road. Additional landscaping is incorporated into the roundabout design in the visitor pick-up/drop-off area, and on the north and west edges of the property to buffer the development from the adjacent uses and provide interesting views throughout the site. A pedestrian connection has been proposed to the west of the visitor parking area to allow residents to easily access the adjacent cluster of commercial uses. An additional pedestrian connection is proposed to the east of the visitor parking which provides access to an outdoor amenity area at the rear of the site adjacent to the ESA.

Intensity

The requested density is to permit a total of 250 units (178 units per hectare). The requested density calculation is based on the entire site area (including the Open Space lands). Staff are recommending the requested number of units, based only on the CF zoned area (1.02 hectares) as is required by the Zoning By-law. This results in a density of 246 units per hectare.

Form

The massing of the two buildings is designed to create a contemporary form that reflects the prominence of the Site yet also provides a pedestrian orientation. The two-storey townhouse elements are used to frame both high-rise forms along the arterial corridor to promote a pedestrian scale. At-grade and deck parking, situated to the rear of the structures, is also screened from the street by the massing of the townhouses and apartment buildings. The point towers positioned atop the podium bases provide residents with maximum exposure to light and views, while minimizing the high-rise footprints to decrease shadowing effects on adjacent properties.

Fronting Fanshawe Park Road West



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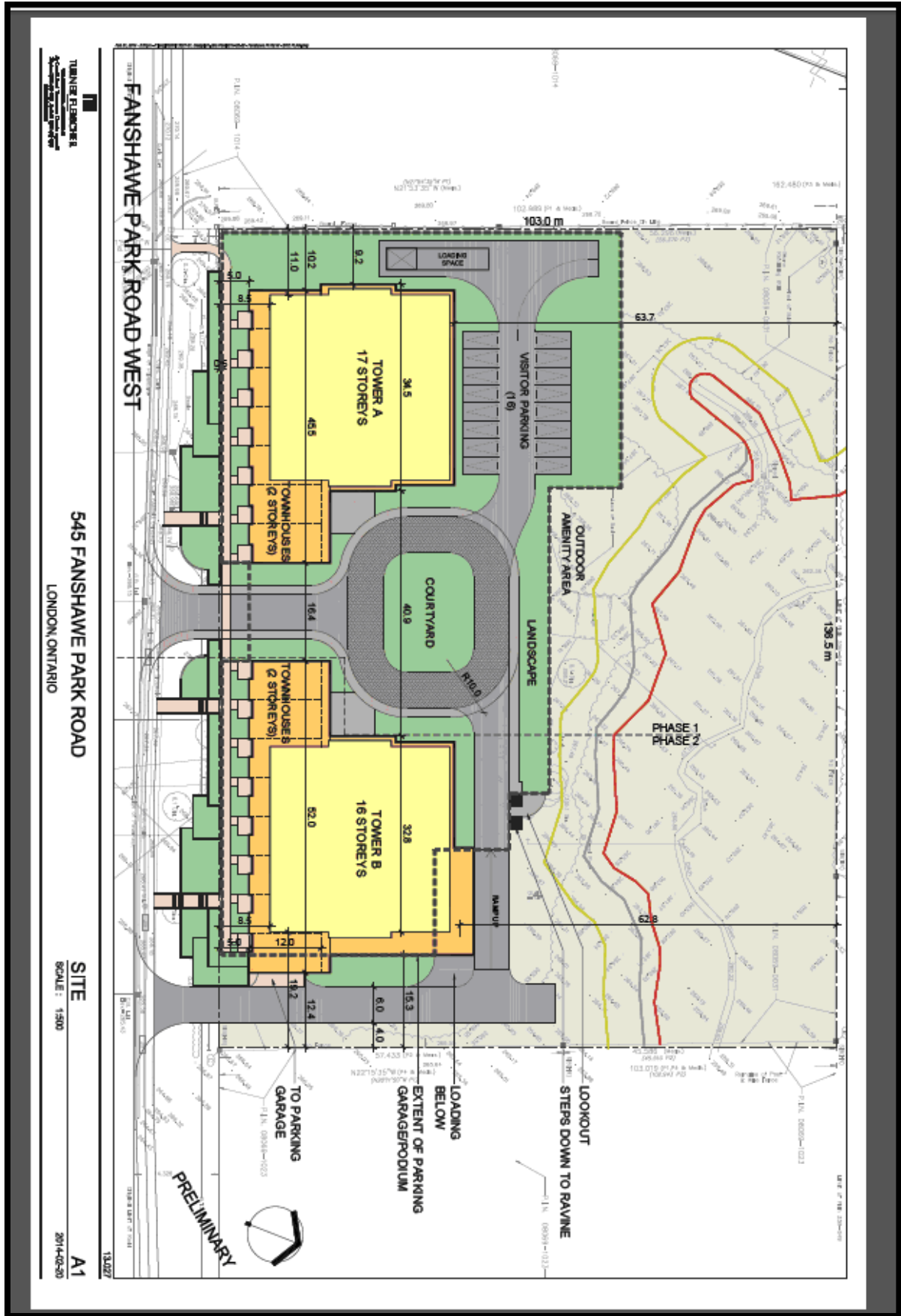
Rendering fronting Fanshawe Park Road West



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Conceptual Site Plan



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Provincial Policy Statement

1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - The proposed residential development will contribute to the long term financial well-being of the Province of Ontario and the City of London by maximizing the existing infrastructure.
 - The subject lands are being planned for high density residential development, are in close proximity to an established commercial and office uses, front an arterial corridor and are situated near the intersection of two arterial roadways.
- b) promoting cost-effective development standards to minimize land consumption and servicing costs;*
 - The proposed development will accommodate a range of residential densities in proximity to a major transportation corridors and established residential districts.
- c) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.*
 - Servicing studies have been completed for the subject lands to ensure that the development proceeds in a cost-effective manner, and to confirm that necessary servicing infrastructure will be available to meet projected needs. It is anticipated that existing public service facilities will be able to accommodate the projected needs of this development

1.1.2 Sufficient land shall be made available through intensification and redevelopment and if necessary, designated growth areas, to accommodate an appropriate range and mix of employment opportunities; housing and other land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternative time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

- The development of the Site represents an intensification of residentially-designated lands within the Urban Growth Boundary. This proposal will support a mixture of medium and high density residential units, which will help the City of London meet projected housing needs.

1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- b) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
 - The recommended amendment is intended to facilitate the development of an appropriate housing type which will help meet the social, health and well-being requirements of current and future residents of this area.
 - Promotes a mix of residential densities in an area where low density residential development in the form of single detached dwellings / medium density is the most common type of housing provided.

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d) promoting densities for new housing which efficiently use land, resources, infrastructure, and public services facilities, and support the use of alternative modes and public transit in areas where it exists or is to be developed.

- The planned development will provide opportunities for medium and high density residential housing forms which will utilize existing land and servicing resources in an efficient manner and will be supported by the arterial road transportation network and public transit services.

1.6.5.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods and are appropriate to address projected needs.

- The Transportation Impact Study prepared by Paradigm Transportation Solutions concluded that the existing road network can accommodate the proposed development provided the recommended improvements are implemented.

2.1.1 Natural Features should be protected for the long term.

- The portion of the Site proposed for development does not contain any known natural heritage features. Mitigation measures set out in the BioLogic Environmental Impact Study (EIS) will also be implemented to protect existing natural heritage features and functions.

Official Plan

Section 3.1.1 - General Objectives for All Designations

This section provides the policy goals and objectives for all forms of residential land use designations within the City. Section 3.1.1. lists overall planning objectives for lands designated 'Low Density Residential', 'Multi-Family, Medium Density Residential' and, 'Multi-Family, High Density Residential'.

Several objectives have applicability to this proposal:

- i) Provide for a supply of residential land that is sufficient to accommodate the anticipated demand for a broad range of new dwelling types over the planning period;*

- The Site incorporates a total residential land base of approximately 1.4 ha (3.5 ac) which is proposed to be developed for a combination of medium and high density residential units and conservation lands. The supply of dwelling types incorporated into the proposal will provide opportunities to address housing needs in northeast London over the planning period.

ii) Support the provision of a choice of dwelling types according to location, size, affordability, tenure, design, and accessibility so that a broad range of housing requirements are satisfied;

- The concept plan proposes 250 residential units within high-rise towers and townhouse forms. In combination, these housing options will provide a variety of choice in relation to dwelling type, location, design and accessibility to help meet market demands.

iii) Support the distribution of a choice of dwelling types by designating lands for a range of densities and structural types throughout the City;

- The recommendation supports the intensification of lands designated for higher density residential development which are also situated adjacent to a high-rise apartment complex to the east and in close proximity to established low and medium density residential neighbourhoods. The residential units integrated into this design will enhance the range of higher density housing choices in northwest London.

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v) *Direct the expansion of residential development into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints; and in a form which can be integrated with established land use patterns;*

- Technical studies have been completed in conjunction with this proposal to confirm (1) that the physical characteristics of the Site are suitable for medium and high density residential activities and (2) that municipal services are available to accommodate the scale of the planned development.

vii) *Minimize the potential for land use compatibility problems which may result from an inappropriate mix of: low, medium and high density housing; higher intensity residential uses with other residential housing; or residential and non-residential uses;*

- The concept plan has been designed in a comprehensive manner and with consideration for the land use transition between the intensive housing forms proposed on-site and adjacent development. In particular, the medium density townhouses proposed along the arterial frontage will promote a pedestrian scale along Fanshawe Park Road West and will serve as a transition between the central tower features and surrounding land uses. Low density residential development north of the Site and the high density retirement residence east of the Site will also be buffered from on-site development by existing vegetation and planned open space. Moreover, the high-rise tower and townhouse units will function as an interface with Fanshawe Park Road West which will screen internal areas from the arterial road corridor.

viii) *Support the provision of services and amenities that enhance the quality of the residential environment;*

- The proposal incorporates several features designed to support and enhance the residential environment including a centralized park feature, an outdoor amenity area integrating the existing open space lands, ground and second storey amenity space and rooftop patios. The project will integrate urban design and landscaping components to offer an aesthetically-pleasing residential setting. An internal walkway connecting the Fanshawe Park Road West sidewalk system with the parking area will also promote pedestrian movement throughout the Site and improve accessibility to transit services, adjacent shopping areas and nearby naturalized areas. Further, opportunities to provide a trail system connection between the residential development north of the site and the adjacent commercial centre will also be explored during the Site Plan Approval process.

Requested Official Plan Designation

3.1.4 Multi-Family, High Density Residential Objectives

The High Density Residential designation outlines two objectives, both of which relate to this application. The High Density Residential objectives state;

- Support the development of multi-family, high density residential uses at locations which enhance the character and amenity of a residential area and where arterial streets, public transit, shopping facilities, public open space, and recreational facilities are easily accessible; and where there are adequate municipal services to accommodate the development.*
 - Promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to, the site.*
- The requested amendment provides an alternative housing choice to the low and medium density types of housing within the area. The development of the subject site for high density residential uses capitalizes on a large underutilized lot within the City's urban growth boundary. The proposal encourages a dense form of residential development, which will utilize the existing municipal services and has been designed in a manner that takes into consideration the established land uses in the area.

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2.4.1 – Infill and Intensification

Section 2.4.1 of the Official Plan describes a number of policies that will guide the City's Structure over the life of the Plan. Policies with particular relevance to this proposal are discussed below:

vi) High and medium density residential development shall be directed to appropriate areas within and adjacent to the Downtown, near the periphery of Regional and Community Shopping Areas, and in selected locations along major roads specifically along transit nodes and corridors as identified in Chapter 18, and near Open Space designations. It is Council's intent that on large parcels of land within the Multi-Family, High Density Residential designation, a mix of housing types, building heights and densities will be developed.

- Implementation of this proposal would facilitate the provision of medium and high density housing forms at a site adjacent to existing high density residential development, having direct access to the arterial road network, serviced by the public transit system and situated in close proximity to the Medway Valley Heritage Forest ESA (a feature of the City's Natural Heritage System). Given these considerations, the subject lands are well suited for higher density housing forms.

xvii) Where lands and buildings are appropriately located in accordance with policy 3.2.3. and appropriately serviced in accordance with Chapter 17, infill development and intensification of lands or buildings suitable for residential development shall be encouraged.

- The project supports intensification of lands designated for residential development and located adjacent to an existing high density residential structure and an established commercial node. The proposal is also in keeping with Section 3.2.3., which prescribes residential intensification as a means to provide opportunities for the efficient use of land and to encourage compact urban form. Based upon servicing assessments completed as part of this proposal, available municipal services are adequate to accommodate the intended use.

3.4.2 Location

Compatibility

i) Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.

Municipal Services

ii) Adequate municipal services can be provided to meet the needs of potential development.

Traffic

iii) Traffic to and from the location should not have a significant impact on stable low density residential areas.

Buffering

iv) The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.

Proximity to Transit and Service Facilities

v) Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance.

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- The Site has access to adequate servicing, is of a sufficient physical size to accommodate permitted housing forms. The subject lands abut an arterial road and are serviced by an existing bus route. Surrounded by shopping and public open space and provides a scale of development which should not impact upon the character of

3.4.3 Scale of Development

Net residential densities in the Multi-Family, High Density Residential designation will vary by location and will be directed by the policies in this Plan. Excluding provisions for bonusing, net residential densities will normally be less than 350 units per hectare (140 units per acre) in the Downtown Area, 250 units per hectare (100 units per acre) in Central London (the area bounded by Oxford Street on the north, the Thames River on the south and west and Adelaide Street on the east), and 150 units per hectare (60 units per acre) outside of Central London.

- The subject site is located outside the Central London area and is subject to a net residential density of 150 units per hectare (60 units per acre). However, the above policy permits provisions for Bonusing to exceed the general density maximums. The requested 250 units on the subject property within two, apartment buildings and 15 townhouse dwellings will result in a density of 246 units per hectare. The height and density limitations that are specified in the Zoning By-law will be guided by the following policies:

i) Height and Density outside of the Downtown and Central London Areas

Outside of the Downtown and Central London areas it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated Multi-Family, High Density Residential areas. Such areas, which will normally exceed 3 hectares (7.4 acres) in size. Although the subject site does not exceed 3 hectares in size, the following criteria are helpful to assess the appropriateness of this proposed development:

a) A transition in scale shall be encouraged, where appropriate, to avoid extremes in building height and bulk between the new development and the existing built fabric of adjacent properties;

- Both buildings have been designed using a base, middle and top. The townhouse podium forms the base and is designed to provide a human scale at the ground level. The middle section continues through the tower portion of the buildings, with a change in material and vertical articulation to create visual interest.
- The top of the buildings have been designed to be distinctive and unique to positively contribute to the skyline, with large canopy overhangs together with glass walls and screening the mechanical equipment to break up the visual bulk of the proposed development.

b) all areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings, in order to minimize the overwhelming effect of large high-rise developments;

- The proposed development includes a diversity of townhouse units at grade and two point tower apartments. The townhouse forms address the street to help support a strong urban street edge as Fanshawe Park Road West continues to develop with higher densities and more uses through intensification. The proposal sets a positive example that will promote the further evolution of properties along this corridor.

c) high-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service) with densities and building heights decreasing as the distance from an activity node increases;

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- The proposed development is located adjacent to the Amica building, which is a highrise form along Fanshawe Park Road West. The proposed development will support and enhance the viability of the existing commercial node to the west. This proposal, will help to reurbanize Fanshawe Park Road West through the addition of medium and high rise buildings providing a mix of uses.
- d) *massive, at-grade or above-grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation; and*
- The majority of parking for the apartment buildings is located underground and the surface parking is provided to accommodate 15 guest parking spaces which would not be considered a “massive at-grade parking”. Pedestrian circulation and access to transit was incorporated into the site design.

Pedestrian Circulation



e) *conformity with this policy and the urban design principles in Section 11.1, shall be demonstrated through the preparation of a secondary plan or a concept plan of the site, and the final approval of zoning may be withheld pending a public participation meeting on the site plan, and the enactment of a satisfactory agreement with the City.*

- Through the submitted concept site plan and consideration of comments provided by the Urban Design Review Panel and Urban Design Staff the proposal is to be considered in conformity with this policy and the principles of Section 11.1 of the Official Plan. The Bonus Zone will ensure that the design is built out and the recommendations provides direction to the Site Plan Approval Authority.

19.4.4 - Density Bonusing

iv) Council, under the provisions of policy 19.4.4. and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. Bonusing on individual sites may exceed 25% of the density otherwise permitted, where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the owner of the subject land shall enter into an agreement with the City, to be registered against the title to the land.

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The design concept integrates a series of components which demonstrate that the development can achieve the prescribed height and density criteria within this 1.40 ha site. In this regard, the proposal supports a range of higher density development, incorporates a defined transition from medium to high density forms, has orientation parallel to the arterial road system to support the established street wall, screens parking areas and encourages pedestrian connectivity. A concept plan was prepared in conjunction with this request for Official Plan and Zoning By-law amendment and is attached to the report to assist the Site Plan Approval process and to demonstrate conformity with the prescribed policies and the urban design principles set out in Section 11.1.

The recommended density is 246 units per hectare (excluding the Open Space OS4 lands). As mentioned above, parkland dedication for this development will be in the form of land dedication to acquire the majority of the open space lands and cash-in-lieu of parkland consistent with the provisions of By-law CP-9 and taken at time of site plan approval.

Sections 3.4.3 ii) and iv) grant Council the authority to increase in the density above the limit otherwise permitted by the Zoning By-law, in return for the provision of certain public facilities, amenities or design features. The intent of the Bonus Zoning is to facilitate the construction of a specified building design which is in accordance with the illustration attached as Schedule '1' to this report. Bonus zoning is a unique tool permitted under Section 37 of the Planning Act enabling Council to "authorize increases in the height and density of development ... in return for the provision of such facilities, services or matters as are set out in the by-law."

In order to enable the Bonus provisions, the Planning Act requires that the municipality have an official plan in effect that contains provisions relating to the authorization of increases in height and density of development. The City of London does have Official Plan policies relating to the use of Bonus provisions in conformity to the requirements of the Planning Act.

The Density Bonusing policies enable Council to allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities, or design features where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the Official Plan requires the owner of the subject lands to enter into an agreement with the City, to be registered against the title to the land in conformity with the requirements of the Planning Act. The requested amendment seeks to increase the height and density above the limit otherwise permitted by the Zoning By-law as is contemplated by the Official Plan. The Implementation section below outlines the facilities, services and matters that may be provided in return for the increases in height and density.

Chapter 19 – Implementation

Section 19.2. prescribes that Area studies, commonly referred to as community plans and area plans, and guideline documents may be used to assist in the implementation and refinement of the Plan. The Sunningdale Community Plan, (June 1998), has been adopted by Council as the basis for current Official Plan designations and as a guideline for the review of development applications for lands within this 517 ha (1,278 ac) planning area. The Sunningdale Community Planning Area is bounded by the City limits to the north, Fanshawe Park Road West to the south, Richmond Street to the east and Wonderland Road North to the west.

In accordance with the 'Preferred Land Use Plan', the subject lands and the adjacent Amica residence (517 Fanshawe Park Road West) were recommended for medium density residential uses. Although, no provision for high density residential development was recommended in the plan. The Vision '96 planning program, which provided a framework for the Sunningdale Community Plan, anticipated that 15% of the residential land component would support high density residential forms.

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Current Zoning

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. The permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal.

The current zoning is Community Facility Special Provision(CF3(3)) and Open Space (OS4) which permits a retirement home in existing buildings for retired clergy; private chapel in existing buildings for residing clergy; retreat centre with administrative offices in existing buildings and an Open Space (OS4) Zone which permits Conservation lands; Conservation work, Golf courses without structures; Private parks without structures; Public parks without structures; Recreational golf courses without structures; Cultivation or use of land for agricultural/horticultural purposes; Sports fields without structures.

The property was previously utilized by The Congregation of the Sisters of St. Joseph as a retreat centre (Medaille Retreat House). Several vacant buildings associated with that activity remain on the premises. These structures and associated parking facilities are located in close proximity to the arterial road frontage.

Requested Zoning

Residential (R9) Special Provision /Open Space Zone (R9-7())/OS4 Zone permits: Apartment buildings; Lodging house class 2; Senior citizens apartment buildings; Conservation lands; Conservation works; Private parks without structures; Public parks without structures.

The requested amendment includes the following special provisions:

- Townhouse dwellings, a density exceeding 150 units/ha.
- a maximum building height of 60 m.,
- a front yard setback of 5.0 m.,
- interior side yard (east) of 12.4 m.,
- an interior side yard (west) of 9.2 m.

Recommended Zoning

A Holding Residential R9 Special Provision Bonus / Open Space (h-11-h-55-h-(*)-h-(**)-(R9-7()) -B(*)/OS4)) Zone has been recommended. The recommended zoning will incorporate special provisions including: reduced rear, interior side yard, front yard setbacks and a maximum building height of 60 meters. A 'Bonus (B) Zone' has also been recommended to permit a total of 250 residential units on the Site at a density of 246 units per hectare and to integrate all other site-specific zoning regulations. The Residential R9 Special Provision (R9-7()) Zone and the B-() zone will implement the illustrations which depict what the finished product will look like.

The reduced front yard setback is necessary to promote a strong street wall consistent with contemporary urban design objectives. Pursuant to Zoning By-law requirements, the rear yard setback results from the measurement of the apartment complex to the abutting OS4 Zone rather than the abutting property. In comparison, the rear yard setback from the structure to the neighbouring lot line is 60.8 m.

Lands in the vicinity of the rear property line are also screened from the development site by an open space corridor integrating mature trees associated with the tributary corridor; and potential impacts from reduced interior side yard setbacks are mitigated by (1) the vegetated slope, residential parking area and access driveway located immediately east of the Site and (2) the commercial parking field and access route situated immediately west of the Site.

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**File: OZ-8286
Planner: N. Musicco**

Holding Provisions

In order to address the access concerns raised by the Transportation Department and Engineering/Stormwater Management concerns, the following Holding Provisions have been recommended:

The Holding (h-11) provision to ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

The Holding (h-55) provision is to ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-55 " symbol shall be deleted upon the acceptance of the traffic study by the City of London.

An 'h' holding provision h-(*) will be placed on the subject lands at the request of the Storm Water Management Unit until the conceptual design of the proposed storm/drainage and SWM servicing works will be completed and approved prior to the site plan application will be considered, all to satisfaction of the City Engineer.

A 'h' holding provision h-(**) will be placed on the subject lands at the request of the Storm Water Management Unit subject to the following criteria: the development design shall include, but not be limited to, the required engineering evaluations and confirmation of the existing outlet capacity to the Medway Creek main channel via Amica's storm sewer and channel, address minor and major flows conveyance, SWM measures (quantity, quality and erosion control), all in accordance with City of London Design Permanent Private Systems (PPS) and MOE's requirements, all to the satisfaction of the City Engineer and the MOE ECA's requirements. The Owner's consulting engineer must ensure that the proposed PPS for storm/drainage and SWM servicing works for the subject lands will be sized to address the proposed land use on the subject lands and the limitation in the outlet system, no adverse impact on the downstream lands or the existing water resources/storm conveyance and SWM system. Development of the site will not proceed until the holding provisions have been removed.

CONCLUSION

The development of high density residential apartment buildings on these lands represents an efficient development and land use pattern and maximizes the use of a site that is located within a developing area. The proposed apartment buildings introduce a mix of residential uses to this area which is largely comprised of low density forms of housing, thus providing a choice of housing opportunities. The increase in height and density to the zoning of the subject lands shall be permitted in return for enhanced urban design elements that consist of an increased residential density, up to a total of 246 units per hectare at 545 Fanshawe Park Road West, by way of 2 residential apartment buildings and 15 townhouse units. Site design will be in accordance with the conceptual site plan shown in the bonusing clause of any development agreement for this site. The subject lands are of a size and shape to accommodate the proposal. The recommended amendment provides appropriate regulations to control the use, intensity and form of the building.

Agenda Item # Page #

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**File: OZ-8286
Planner: N. Musicco**

PREPARED BY:	SUBMITTED BY:
NICOLE MUSICCO – PLANNER II CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

March 6, 2014
/nm

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**File: OZ-8286
Planner: N. Musicco**

**Bibliography of Information and Materials
OZ-8286**

Request for Approval:

City of London Official Plan/Zoning By-law Application Form, completed by MHBC Planning, November 12, 2013.

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z-1*, May 21, 1991, as amended.

Studies Submitted with complete application:

- Planning Justification Report – MHBC Planning, October 2013.
- Urban Design Brief - MHBC Planning, October 2013.
- Environmental Impact Study – BioLogic – October 2013.
- Traffic Impact Study – Paradigm Transportation Solution – October 2013.
- Conceptual Site Plan – Turner Fleischer – October 2013.
- Preliminary Stormwater Management Report – R.W Stratford Consulting Inc. 2013
- Sanitary Drainage Report - R.W Stratford Consulting Inc – September 2013
- Water Servicing/Supply Analysis - R.W Stratford Consulting Inc – September 2013

Correspondence: (all located in City of London File No. OZ-8286. unless otherwise stated)

City of London:

B. Page., City of London Parks Planning and Design. Memo dates January 8, 2014

Moore, R. – WADE – email to N. Musicco December 2, 2013.

Lysynski, H. Memo to N. Musicco – December 6, 2013.

Departments and Agencies:

Creighton C., UTRCA. Various emails - November 2013 – March 2014.

Dalrymple D., London Hydro. Memo to H. N. Musicco – November 26, 2013.

Raffoul, Lina. Bell Canada – Memo to N. Musicco – December 3, 2013.

City of London Planning Division. Various e-mails with Carol Weibe (MHBC) / Ali Soufan (York Developments) November 2013 – March 2014.

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File: OZ-8286
Planner: N. Musicco

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 545 Fanshawe Park Road West.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on April 1, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – April 1, 2014
Second Reading - April 1, 2014
Third Reading - April 1, 2014

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**File: OZ-8286
Planner: N. Musicco**

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To change the designation of certain lands described herein from Multi-Family Medium Density Residential to Multi-Family High Density Residential on Schedule "A", Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 545 Fanshawe Park Road West in the City of London.

C. BASIS OF THE AMENDMENT

The development of high density residential apartment buildings on these lands represents an efficient development and land use pattern which sustains the financial well-being of the Province and municipality over the long term by facilitating development that maximizes the use of a site that is located within a developing area. The proposed apartment buildings introduce a mix of residential uses to this area which is largely comprised of low density forms of housing, thus providing a choice of housing opportunities.

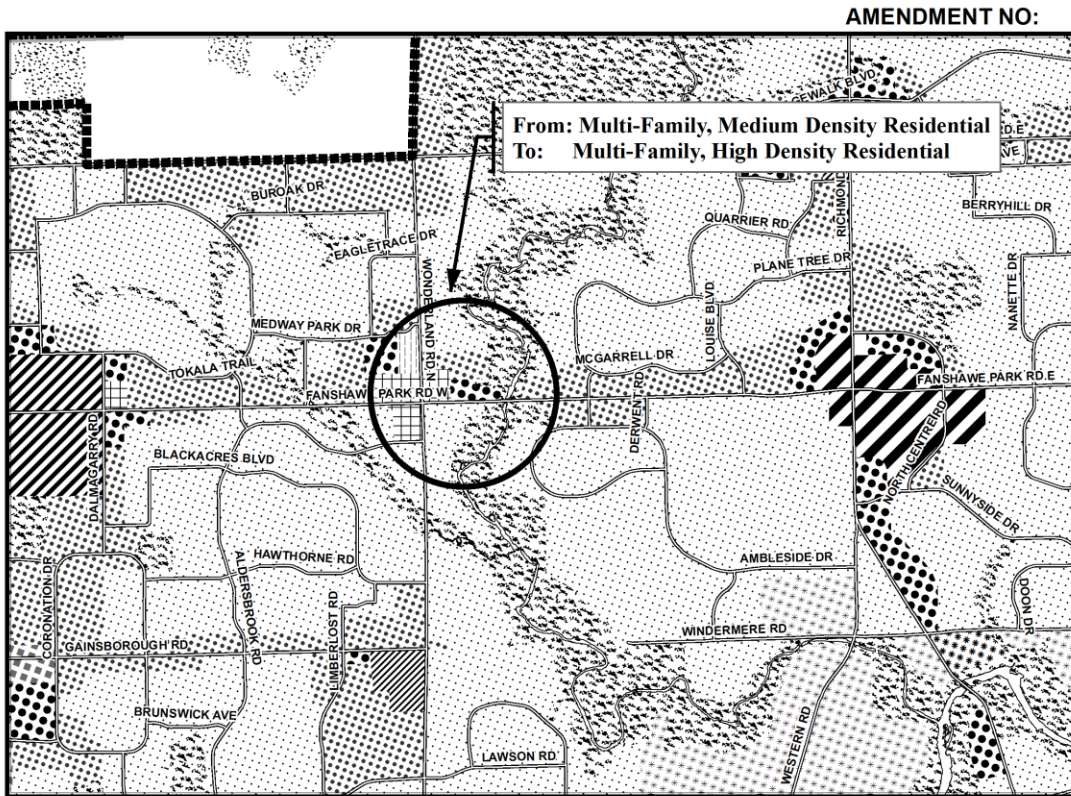
D. THE AMENDMENT

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

Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 545 Fanshawe Park Road West in the City of London, as indicated on "Schedule 1" attached hereto from Multi-Family Medium Density Residential to Multi-Family High Density Residential.

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File: OZ-8286
Planner: N. Musicco



Legend

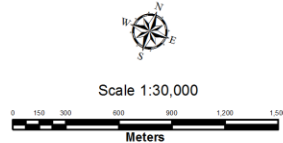
- | | |
|--|--|
| <ul style="list-style-type: none"> Downtown Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area Office/Residential | <ul style="list-style-type: none"> Office Business Park General Industrial Light Industrial Regional Facility Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture Urban Growth Boundary |
|--|--|

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8286

PLANNER: NM

TECHNICIAN: CK

DATE: 2014/03/04

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\amendments\OZ-8286\mxd\scheduleA_NEW_b&w_8x11.mxd

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**File: OZ-8286
Planner: N. Musicco**

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 545 Fanshawe Park Road West.

WHEREAS MHBC Planning Urban Design and Landscape Architecture has applied to rezone an area of land located at 545 Fanshawe Park Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

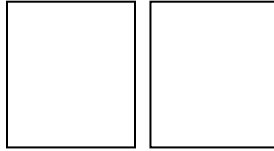
THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 545 Fanshawe Park Road Road West, as shown on the attached map comprising part of Key Map No. A102, **FROM** a Community Facility Special Provision (CF3(3)) and an Open Space (OS4) Zone **TO** a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-(*)•h-(**))•R9-7()•B(*) and an Open Space (OS4) Zone.

1. Section Number 3.5(2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:

h-*_) Purpose: A (h-*) holding provision shall not be deleted until the conceptual design of the proposed storm/drainage and SWM servicing works is completed and approved prior to the site plan application being considered to satisfaction of the City Engineer.

h-**_) Purpose: A (h-**) holding provision shall not be deleted until the following development design criteria are met: the design shall include, but not be limited to, the required engineering evaluations and confirmation of the existing outlet capacity to the Medway Creek main channel via Amica's storm sewer and channel, address minor and major flows conveyance, SWM measures (quantity, quality and erosion control), all in accordance with City of London Design Permanent Private Systems (PPS) and MOE's requirements, all to the satisfaction of the City Engineer and the MOE ECA's requirements. The Owner's consulting engineer must ensure that the proposed PPS for storm/drainage and SWM servicing works for the subject lands will be sized to address the proposed land use on the subject lands and the limitation in the outlet system, no adverse impact on the downstream lands or the existing water resources/storm conveyance and SWM system.



**File: OZ-8286
Planner: N. Musicco**

2. Section 13 of the Residential R9 Zone of By-law No. Z.-1 is amended by adding the following Special Provision:

13.4_ R9-7() 545 Fanshawe Park Road West

a) Regulations

- | | | |
|------|--|-------------------------|
| i) | Front Yard Setback
(Minimum) | 5.0 meters (16.4 feet) |
| ii) | Interior Side Yard Setback (East)
(Minimum) | 12.4 meters (40.8 feet) |
| iii) | Interior Side Yard Setback (West)
(Minimum) | 9.2 meters (30.2 feet) |
| iv) | Rear Yard Setback
(Minimum) | 9.5 meters (31.2 feet) |

3. Section Number 4 of the General Provisions of By-law No. Z.-1 is amended by adding the following Site Specific Bonus Provision:

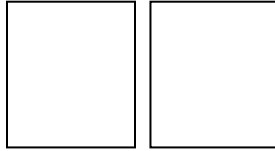
4.3_ (B()) 545 Fanshawe Park Road West

The increase in height and density to the zoning of the subject lands shall be permitted in return for enhanced urban design elements consisting of 2 residential apartment buildings and a podium base which is generally in keeping with the illustrations included as Schedule "1" of the amending by-law, which shall be implemented through a development agreement in return for the provision of the following services, facilities, and matters:

- A development design which includes two point tower forms with a common podium in the form of two-storey townhouses comprised of:
 - a maximum of 235 residential dwelling units within the two point tower forms (Tower A: 115 units; Tower B: 120 units);
 - a maximum of 15 residential dwelling units within the two-storey townhouses (Tower A: 7 units; Tower B: 8 units);
- Building orientation toward the Fanshawe Park Road West corridor;
- Building elevations that have been divided into a series of modulated components that are defined by complementary changes in articulation and cladding materials;
- A variation of building materials and the use of cornices that define the major changes in cladding materials on the elevations;
- The inclusion of a base, middle and cap with a base consisting of a two-storey townhouse form, a middle that consists of 14-storeys above the base for Tower 'A' and 13-storeys above the base for Tower 'B', and a one-storey cap above the middle;
- A mix of underground and surface parking spaces that are located in the rear yard;
- Enhanced landscaping features including a centralized park feature and an outdoor amenity area integrating the existing open space setting;
- Ground floor and second floor private amenity space; and,
- Rooftop patios

a) Regulations

- | | | |
|------|---------------------------------------|-----------------------|
| i) | Building Height
(Maximum) | 60 meters |
| ii) | Number of Dwelling Units
(Maximum) | 250 units |
| iii) | Density
(Maximum) | 246 units per hectare |



**File: OZ-8286
Planner: N. Musicco**

- | | |
|--|-------------------------|
| iv) Front Yard Setback
(Minimum) | 5.0 meters (16.4 feet) |
| v) Interior Side Yard Setback (East)
(Minimum) | 12.4 meters (40.8 feet) |
| vi) Interior Side Yard Setback (West)
(Minimum) | 9.2 meters (30.2 feet) |
| vii) Rear Yard Setback | 9.5 meters (31.2 feet) |

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

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

PASSED in Open Council on – April 1, 2014

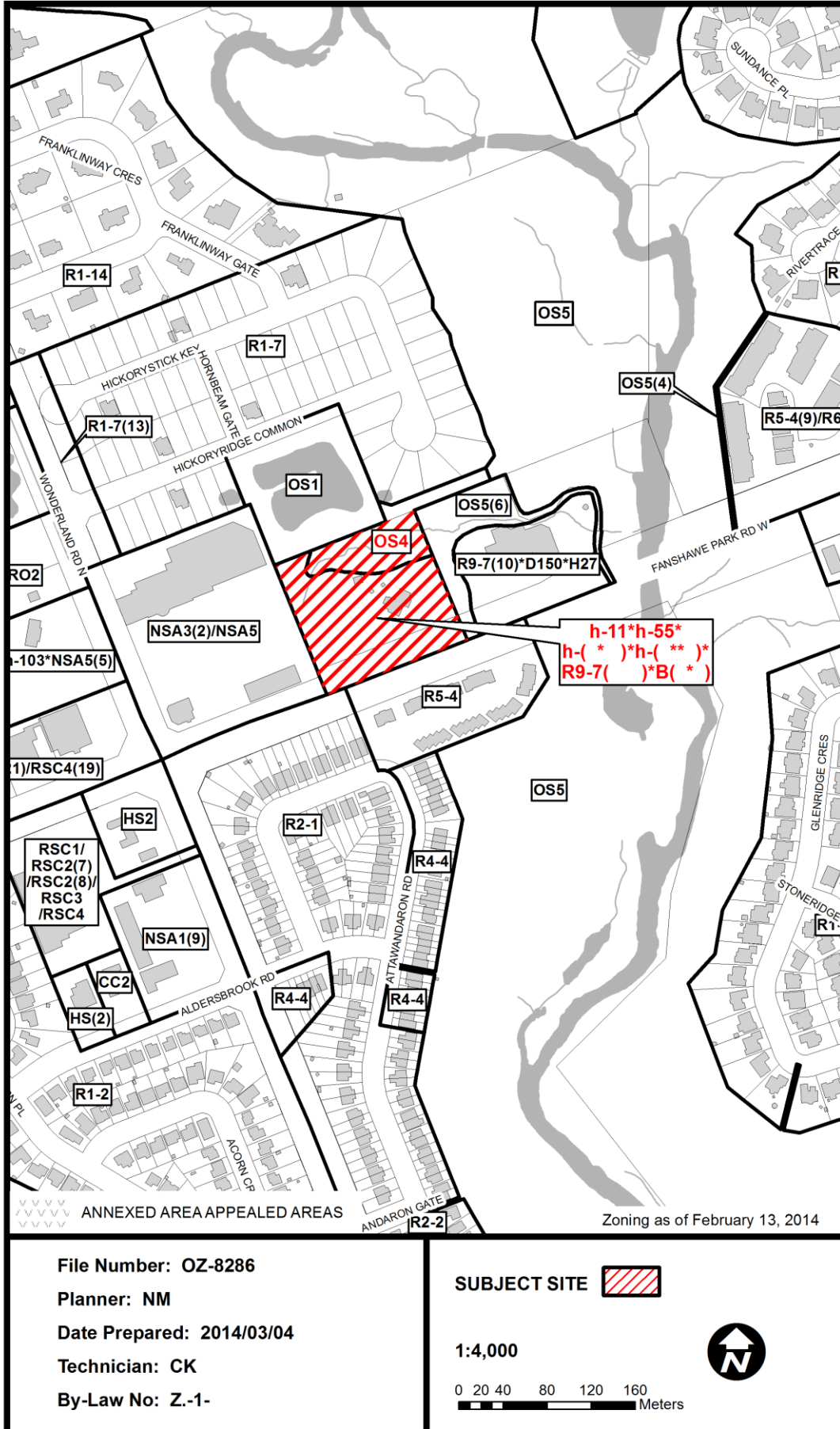
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – April 1, 2014.
Second Reading – April 1, 2014.
Third Reading – April 1, 2014.

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

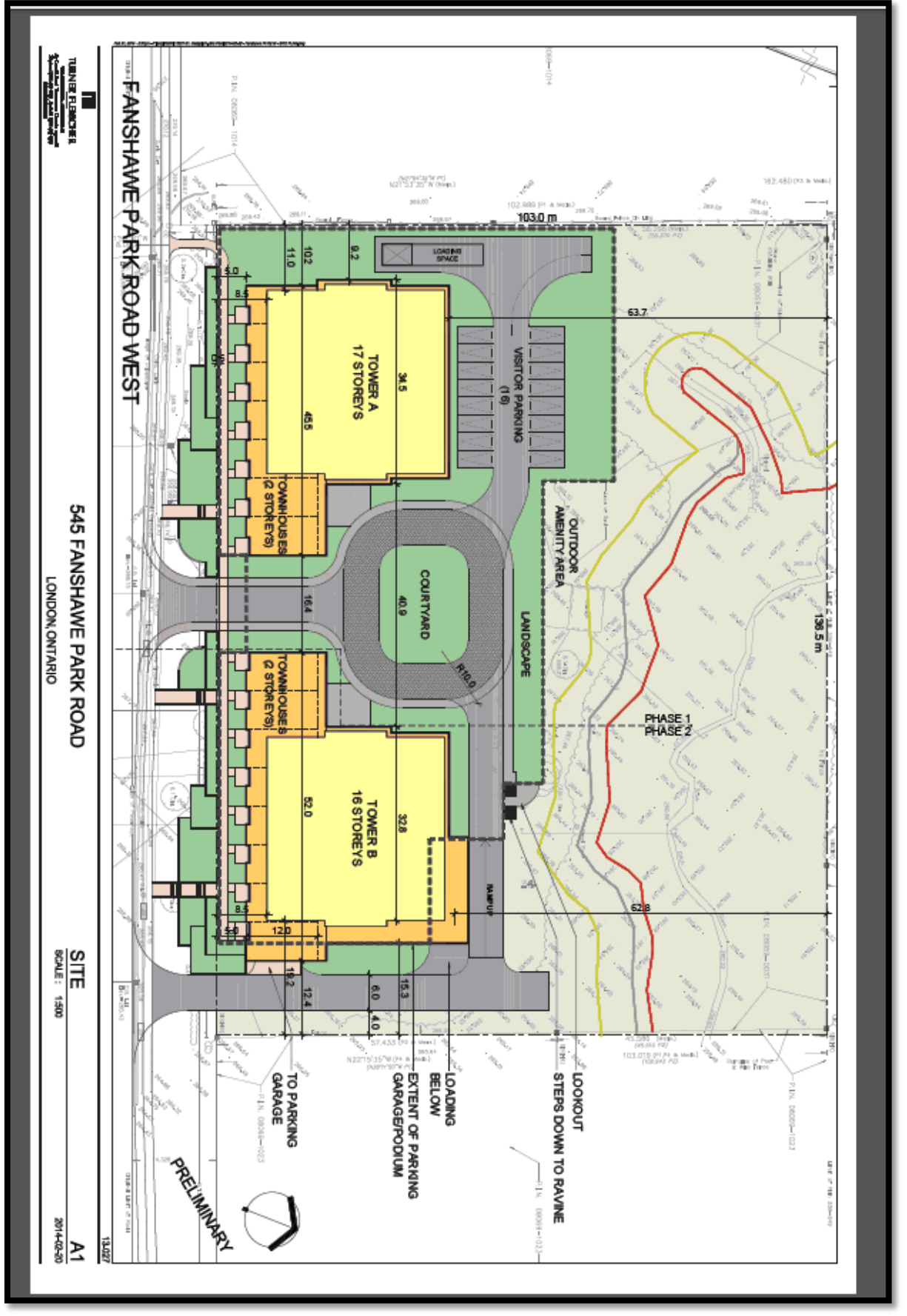


Geodatabase

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File: OZ-8286
 Planner: N. Musicco

Schedule '1'



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File: OZ-8286
Planner: N. Musicco

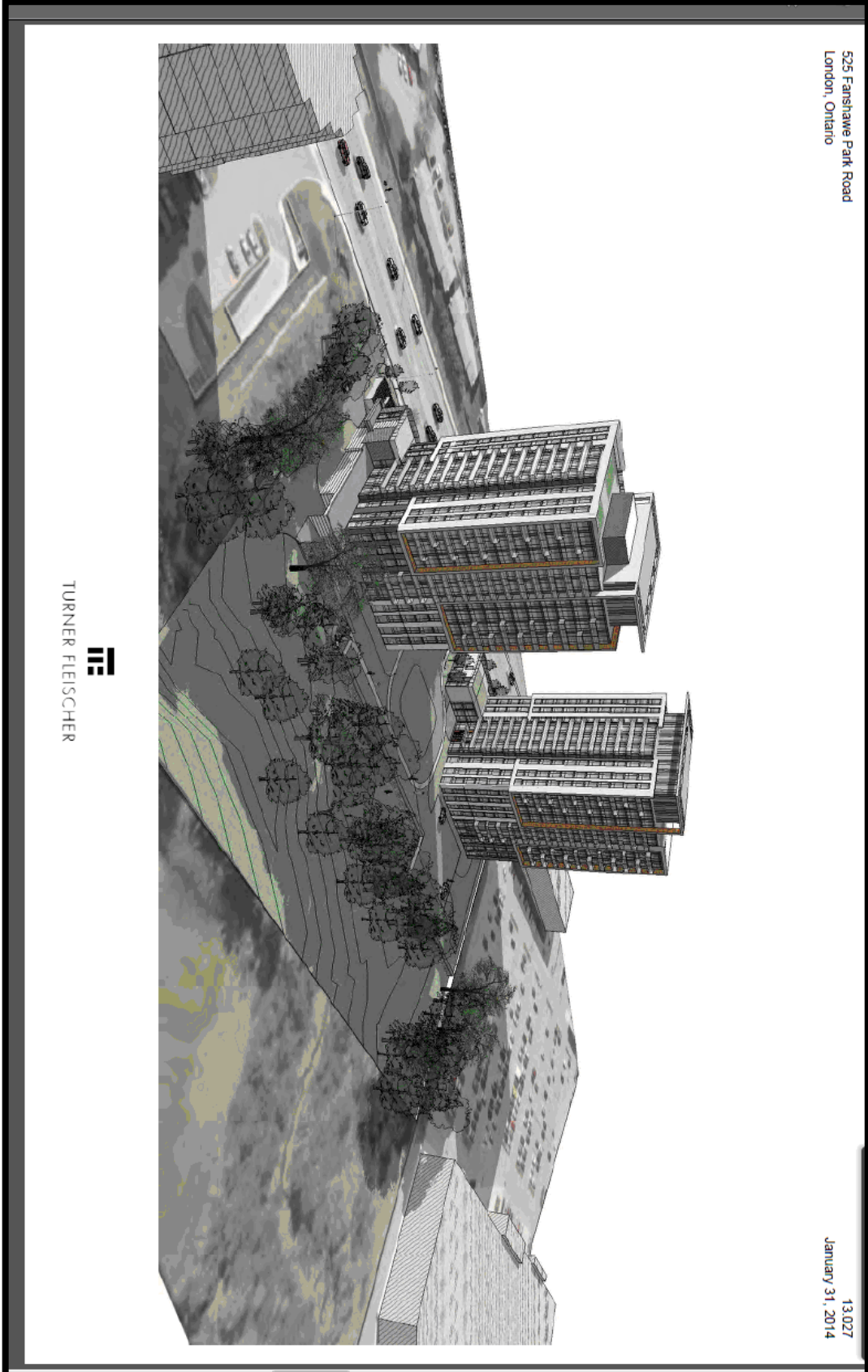
Schedule '1'



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File: OZ-8286
Planner: N. Musicco

Schedule '1'



Agenda Item # Page #

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File: OZ-8286
Planner: N. Musicco