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File: Z-8190

Planner: Amanda-Brea Watson

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: DREWCO DEVELOPMENT CORPORATION 2250 BLACKWATER ROAD, 660 & 670 GARIBALDI AVENUE 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 Drewco Development Corporation:

- a) relating to the property located at 2250 Blackwater Road and 660 Garibaldi Avenue, the proposed by-law attached hereto as Appendix "A" **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, to change the zoning of the subject property **FROM** a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone **TO** a Residential R6 Special Provision/Residential R7 (R6-5(*)/R7•D63•H12) Zone;

- b) relating to the property located at 670 Garibaldi Avenue, the proposed by-law attached hereto as Appendix "A" **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, to change the zoning of the subject property **FROM** a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone **TO** a Residential R6 Special Provision Bonus/Residential R7 (R6-5(**)•B-(_)/R7•D75•H18) Zone with a bonus zone to permit a maximum height of 21 metres and 99 units per hectare which shall be implemented through a development agreement in return for the provision of the following services, facilities and matter:
 - A 6-storey apartment building design that is aesthetically pleasing, functional and pedestrian supportive which, with minor variations at the City's discretion matches the conceptual plan shown in Schedule "1" and attached to this report, and includes:
 - Exterior construction materials including brick facade and articulation as shown in Schedule "1".
 - Minimum of one (1) level of below grade parking with a minimum of 100 vehicular parking spaces.
 - Berm and dense landscaping along the Garibaldi Avenue frontage, south of the location of the Civic Space, to maximize privacy between the proposed parking area on the subject lands and the abutting residential properties to the west.
 - Minimal yard depths from the apartment building to Adelaide Street North to allow the maximum achievable yard depth possible from the apartment building to Garibaldi Avenue.
 - Pedestrian connections from the subject property to the abutting commercial lands, existing sidewalks and future municipal pathway.
 - Dedication of a portion of land, with an area of approximately 500 square metres, to be used as a Civic Space abutting the pedestrian pathway with a frontage on Garibaldi Avenue. The total land area of this Civic Space may be in combination with the lands at 660 Garibaldi Avenue.
 - The Civic Space shall be improved to the satisfaction of the Managing Director, Planning and City Planner at no cost to the City of London prior to dedication.

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- c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Ensure exterior lighting provided on the apartment buildings is directed to minimize its impact on abutting landowners;
 - ii) Encourage provision of non-glare lighting fixtures throughout the development, including parking areas and open spaces to minimize effect on neighbouring lands;
 - iii) Install privacy fencing and enhanced landscaping, including a berm to screen parking lot from existing single detached residential lots on Garibaldi Avenue;
 - iv) Encourage provision of benches, picnic table and refuse receptacles in the green space between Garibaldi Avenue and the parking area for Building 3, as well as in the green space between Building 1 and Building 2 which parallels Sunningdale Road East, to maximize the potential of these areas to serve as outdoor amenity space;
 - v) Introduce small ponds or bio-swales into the landscaped open space to provide naturalized vegetation features which also assist in site drainage;
 - vi) Meander the proposed non-vehicular pathway between 600 and 670 Garibaldi Avenue to provide visual variety and modulate wheeled travel speed between the residential development and commercial lands to the northeast;
 - vii) Pool/Exercise Pavilion to be located Southeast corner of 660 Garibaldi Avenue to coincide with the location of the Civic Space.
 - viii) Confirm siting and configuration of land to be gifted and dedicated to the City of London to improve and enlarge the entrance of the pathway block between Garibaldi Avenue and Adelaide Street. This includes considerations of the final Civic Space design, pathway connection location and other development issues such as servicing, easements, access, fencing, monuments which may not be reflected in the concept plan attached as Schedule "1".

- d) Pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as:
 - The change in building height is minor in nature and maintains the same form of development that had been previously discussed between the applicant and members of the community;
 - The change in building height is the result of a grade change and not to a physical increase in the building height; and
 - Consideration of the recommended building heights was the basis on which the Revised Notice of Application and Notice of Public Meeting were given.

- e) **IT BEING NOTED** that a portion of land fronting Garibaldi Avenue shall be improved and dedicated, at the discretion of the Managing Director, Planning and City Planner, to the City to be used by the public for the purposes of a Civic Space at no cost to the City of London.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Staff Report on Z-8190 was presented to the Planning and Environment Committee on September 24, 2013 which recommended approval to change the zoning of the subject properties to a Holding Residential R6 Special Provision/ Residential R7 (h-5•R6-5(_)/R7•D75•H18) Zone to increase the maximum density to 75 units per hectare and height to 18 metres, for the permitted range of uses, which would allow for the development of three 6-storey apartment buildings with a total of 314 residential dwellings units. Municipal Council recommended that this matter be referred back to staff for further consultation between the proponent and neighbours.

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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended Zoning By-law amendment is to allow for the development of three apartment buildings comprised of two, four-storey apartment buildings located along the Sunningdale Road frontage, each with a total of 88 units (176 total units), and a six-storey apartment building located long Adelaide Street North frontage with a total of 138-units.

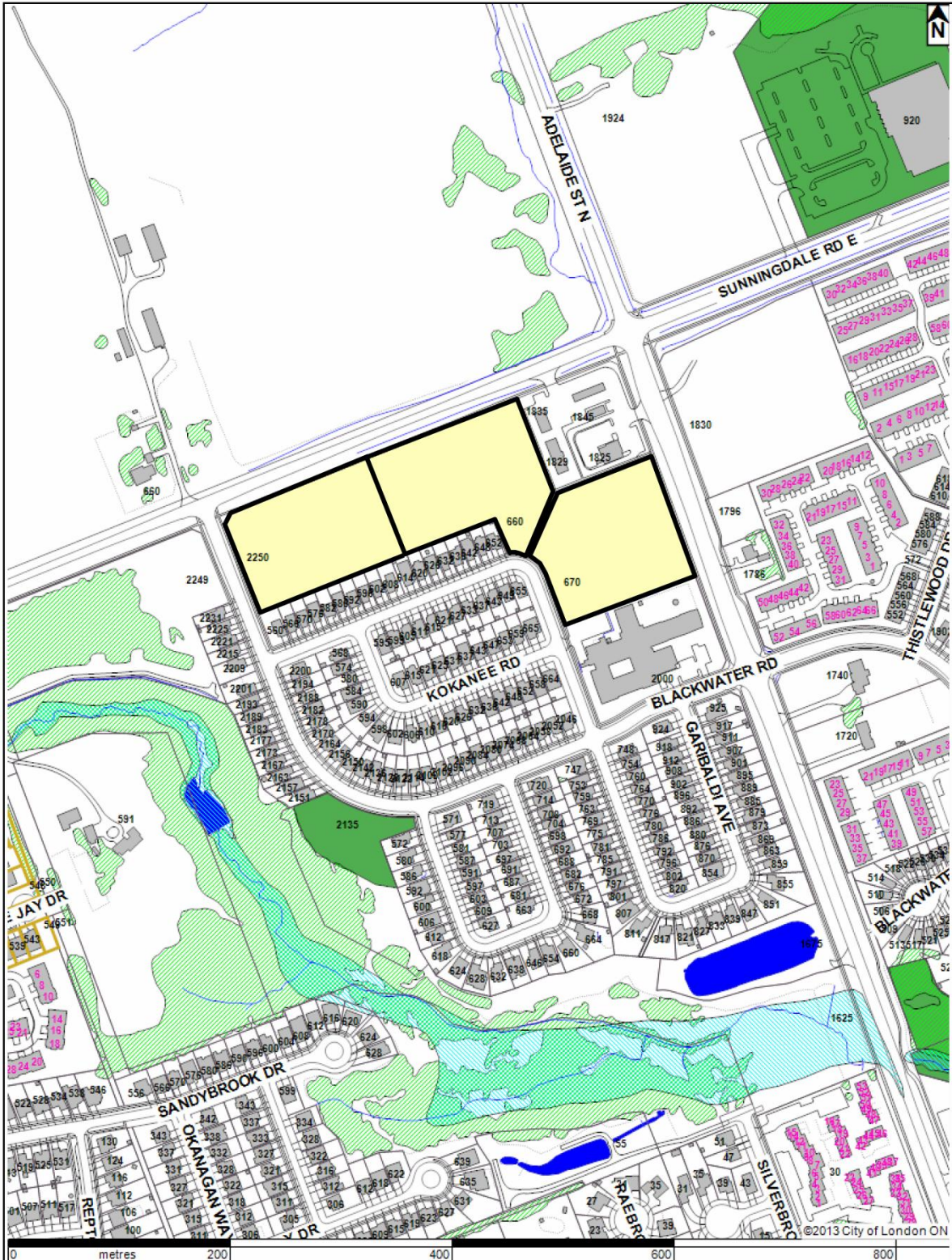
The recommended amendment allows for a re-configuration of the requested amendment sought by the applicant which initially proposed the development three, 6-storey apartment buildings with a total of 314 units at a maximum density of 75 units per hectare and a maximum height of 18 metres. The revised concept shown in Schedule "1" as attached to this report is a result of extensive consultation between City Staff, the developer and the Uplands community, and is supported by City Planning Staff.

The R6-5 Zone variation allows for: single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings and fourplex dwellings as permitted uses. The R7 Zone variation allows senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments. All of these uses are currently permitted under the existing zone. The recommended amendment would increase the height and density for residential uses.

RATIONALE

- i) The recommended Zoning By-law amendment is consistent with policies of the *Provincial Policy Statement, 2005* that encourage efficient development and land use patterns which sustain the financial well-being of the municipality; accommodate an appropriate range and mix of land uses; and promote cost-effective development standards to minimize land consumption and servicing costs.
- ii) The recommended Zoning By-law amendment permits a form and intensity of residential development that is in conformity with Multi-Family, Medium Density Residential policies of the Official Plan for the City of London, and can provide a compatible transition from the existing developed area to future land uses that are planned for the surrounding area;
- iii) The recommended Zoning By-law amendment allows development that is consistent with the land use concepts and guidelines in the Uplands Community Plan, which encourage medium density housing forms in this location that are designed without the need for noise attenuation walls and recognize transition with existing residential development;
- iv) The proposed use for the subject site is for three apartment buildings, comprised of two, four-storey buildings and a six-storey building, which contributes to the range and mix of housing options in the area. Given that the subject site currently sits undeveloped within a growing area of the City, the proposed use represents an efficient development and land use pattern;
- v) The subject lands are of a size and shape to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building.






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LOCATION MAP

Subject Site: 2250 Blackwater Rd., 660 Garibaldi Ave., and 670 Garibaldi Ave.
 Applicant: Drewco Development Corp.
 File Number: Z-8190
 Planner: Amanda-Brea Watson
 Created By: Amanda-Brea Watson
 Date: 2013-05-14
 Scale: 1:4200

LEGEND

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



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File: Z-8190
Planner: Amanda-Brea Watson

BACKGROUND

Date Application Accepted: May 10, 2013	Agent: George Bikas
<p>REQUESTED ACTION: Change Zoning By-law Z.-1 from a Residential R6 Special Provision/ Residential R7 (R6-5(5)/R7•D35•H12) Zone which permits single detached, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, apartment buildings, senior citizens apartment buildings, handicap persons apartments buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments at a maximum density of 35 units per hectare and a maximum height of 12 metres, to a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D75•H18) Zone to increase the maximum density and height for apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments to 75 units per hectare and 18 metres respectively.</p>	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - vacant • Frontage - approximately 80 metres (263 feet) along Blackwater Road • Depth - approximately 290 metres (951 feet) • Area - 4.21 hectares (10.40 acres) • Shape - rectangular (roughly) • Topography - There is approximately a 23 metre (75 feet) change in elevation across the site sloping downhill from the northwest corner to the southeast corner

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - farmland (urban reserve) • South - residential (single detached dwellings & Chateau Gardens long term care facility) • East - residential • West - residential, open space and vacant/undeveloped lands

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Residential R6 Special Provision/ Residential R7 (R6-5(5)/R7•D35•H12)

PLANNING HISTORY

September 24, 2013 Staff presented a report on Z-8190 to the Planning and Environment Committee which recommended approval to change the zoning of the subject properties to a Holding Residential R6 Special Provision/ Residential R7 (h-5•R6-5(_)/R7•D75•H18) Zone to increase the maximum density to 75 units per hectare and height to 18m for the permitted range of uses.

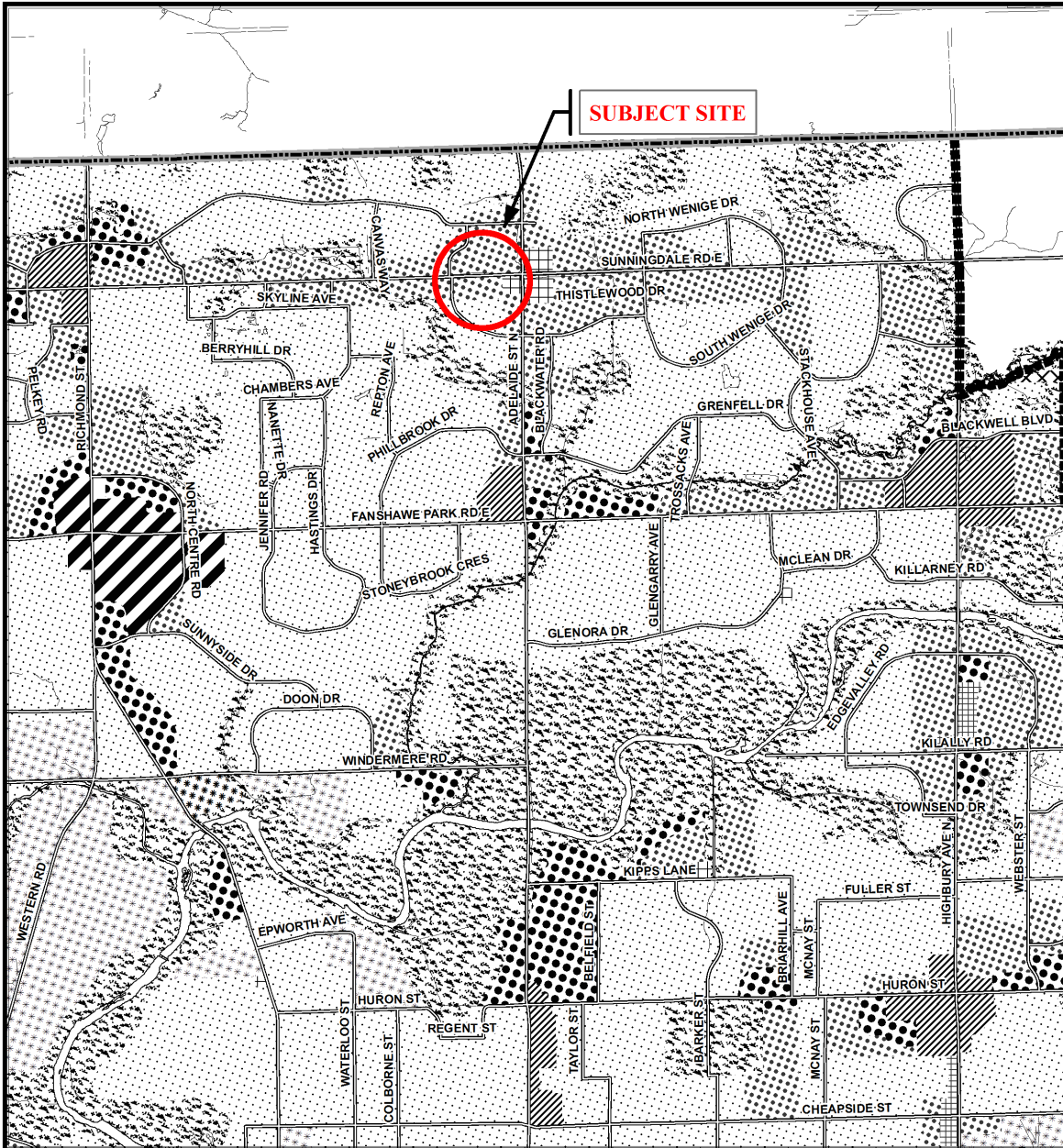
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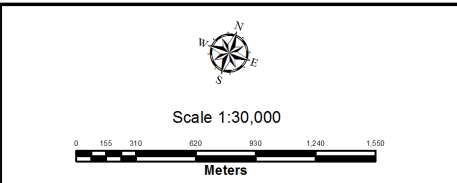
- October 1, 2013 Council recommendation that the be referred back to the Civic Administration for consultation with the developer and the community on issues related to, but not limited to, height, density and setbacks.
- November 5, 2013 Developer held community representative meeting to discuss how a meaningful consultation can be undertaken between City Staff, the developer and the community.
- November 13, 2013 City held Community Meeting at Mother Theresa Catholic Secondary School with the developer and the community to address issues raised by the neighbouring land owners with respect to Z-8190, including but not limited to, height, density and setbacks. During the meeting Drewco presented 6 different conceptual plan designs in response to issues raised by the community and provided an opportunity for discussion. All concepts included 314 residential dwelling units and an overall net density of 75 units per hectare.
- November 28, 2013 Developer held community representative meeting to discuss the City initiated Community Meeting and determine how the community feels about the various concepts and how to proceed.
- January 8, 2014 Community representatives held a private community meeting at at Mother Theresa Catholic Secondary School to discuss community's feelings regarding the latest proposals that have been put forth by Drewco Development Corporation.
- January 22, 2014 Community representatives provide written response to Drewco Development Corporation which summarizes the community's opinion on the proposed revised concepts.
- January 23, 2014 At the request of the community representatives City staff met with them to discuss: the status of the application, possible amendments to the application as well as target dates for bringing the matter to Planning and Environment Committee.
- January 27, 2014 Developer held community representative meeting to discuss: the community representative's letter of January 22nd, possible reconfiguration of proposed Building 3, next steps for applicant, and target dates for bringing the matter to Planning and Environment Committee.
- January 31, 2014 At the request of the developer City staff met with the applicant and their agent to discuss possible policy exceptions to allow direct access onto Adelaide Street and possible timelines for moving the application forward.
- February 9, 2014 Drewco submitted a revised concept plan "A1.10" (attached as Shedule "1" to this report) which includes a number of changes such as: the redistribution of the residential density; the reduction in height of proposed Buildings 1 and 2; the increase in building footprint of proposed Building 3; direct accesses onto both Sunningdale Road and Adelaide Street North; and
- February 20, 2014 Staff provided a Revised Notice of Application by mail and published in the Londoner.

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

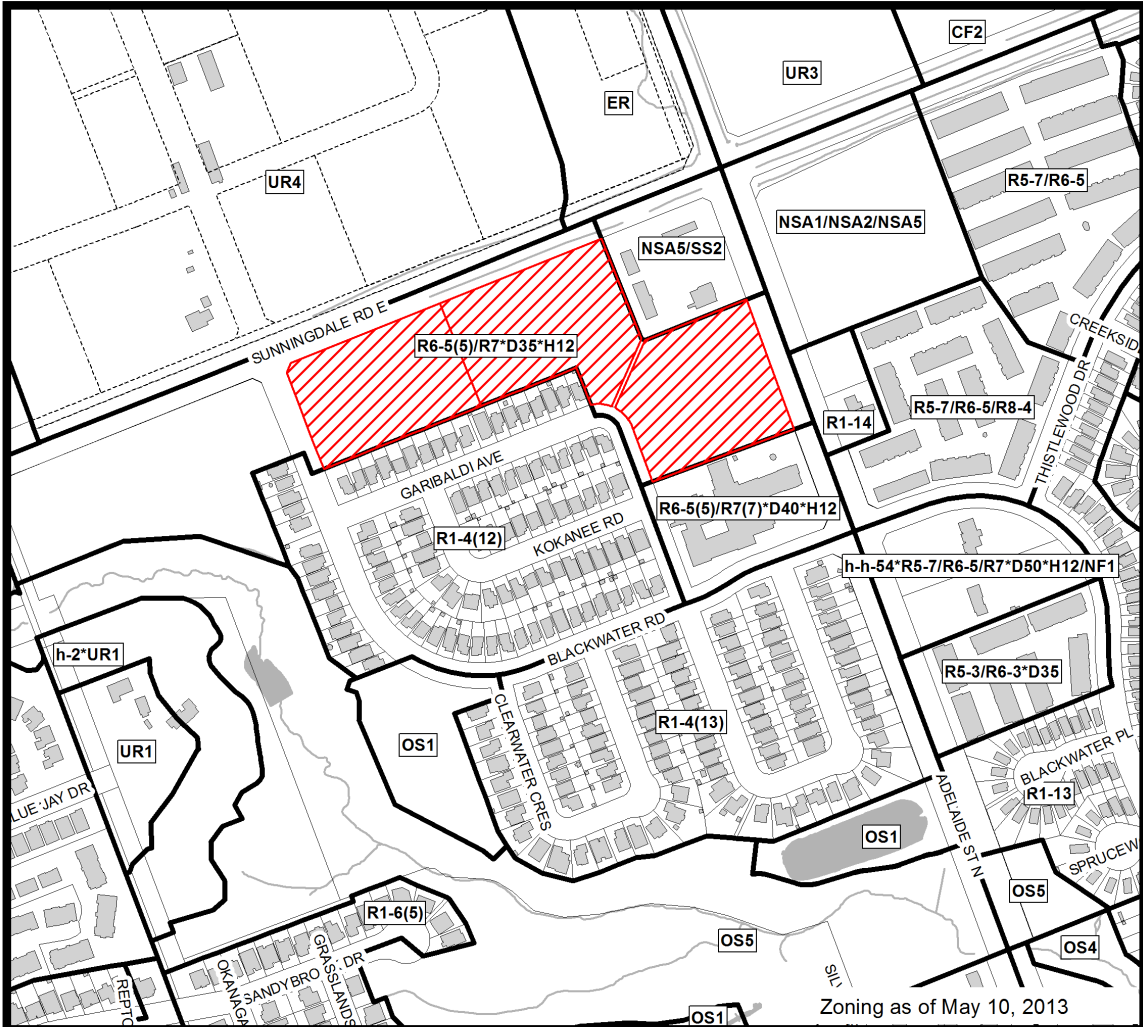
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8190
 PLANNER: AW
 TECHNICIAN: MB
 DATE: 2013/05/21

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File: Z-8190
Planner: Amanda-Brea Watson



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R6-5(5)/R7*D35*H12

1) **LEGEND FOR ZONING BY-LAW Z-1**

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

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

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

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

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

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

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

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z-1
SCHEDULE A



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

FILE NO:
Z-8190 **AW**

MAP PREPARED:
2013/05/21 **MB**

1:5,000

0 25 50 100 150 200 Meters

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority (Original Notice Of Application)

*The UTRCA has no objections to this application.
The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act.
There are no vulnerable [drinking water system] areas associated with the subject lands.*

London Hydro (Original Notice Of Application)

No objection to this proposal or possible zoning amendment.

Bell Canada (Original Notice Of Application)

No conditions/objections to the application as submitted.

Stormwater Management Unit (Original Notice Of Application)

No objections to the proposed rezoning application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval stage.

Wastewater and Drainage Engineering Division (Original Notice Of Application)

*WADE has no objection to the rezoning.
The proposals at 2250 Blackwater Road, 660 Garibaldi Avenue & 670 Garibaldi Avenue under design population therefore no capacity constraints.*

Water Engineering Division (Original Notice Of Application)

*Municipal Water Servicing for 2250 Blackwater and for 660 Garibaldi is to be from the Uplands High Level Water Distribution System. There is an existing 250 mm watermain on Blackwater Road which can provide municipal water servicing to 2250 Blackwater.
Servicing can be provided to 660 Garibaldi Avenue by extending the high level watermain on Sunningdale Road so that it fronts this site, or by extension of private watermain in conjunction with the servicing for 2250 Blackwater Road. If more than 300 apartment units are being created, it will be a requirement to provide a looped water system.
Municipal Water Servicing for 670 Garibaldi is to be from the low level water system. There is an existing 200 mm watermain fronting this site which is available for servicing.
Where there is the potential that private water servicing may have the potential to have a negative impact on the municipal water system, perimeter isolation at property line will be required.*

Transportation Planning & Design Division (Original Notice Of Application)

- *Based on the transportation study submitted with this application traffic volume will be within acceptable limits on both Garibaldi Ave. and Blackwater Rd. with the one access option, traffic calming measures are in place on Blackwater Rd. and the intersection of Blackwater Rd. and Adelaide St. will be monitored in the future for traffic signals.*
- *The transportation study (TIA) reviewed different access scenarios to Garibaldi Ave including a two access option and a one access option. Both options include an access to Blackwater Rd just south of Sunningdale Rd. The two access option shows that traffic volume generated by the site using Garibaldi Ave would be approximately 1,900 vehicles per day. The one access options shows that traffic volume on Garibaldi Ave would be approximately 650 vehicles per day. Local streets like Garibaldi Ave are to provide local property access only and accommodate a maximum of 1,500 vehicles per day. As the study shows the one access option should be used for development of the site.*
- *Traffic volume on Blackwater Rd with the one access option is estimated to be 2,800 vehicles per day which is below the 5,000 vehicle per day maximum expected on secondary collector streets like Blackwater Rd. Through the plan of subdivision process traffic calming*

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measures are constructed on secondary collector streets to reduce vehicle speeds and discourage through traffic. Speed cushions were constructed on Blackwater Rd for this purpose.

- *The TIA indicates that traffic signals may be warranted at Blackwater Rd and Adelaide St in the future. Transportation will monitor the intersection as development occurs on this site to determine if traffic signals become warranted.*

Transportation Planning & Design Division (Revised Notice of Application)

- *Transportation and Planning staff met with representatives of Drewlo on January 31, 2013 to discuss access issues for the developments shown in the proposed site plan. It was agreed that a full access on Adelaide St would be allowed, provided it met the City's Access Management Guidelines for design including a 30 meter right turn taper, a 10 meter tangent line separation distance from start of the taper to end of the access curve to the north, and the provision of a northbound left turn lane on Adelaide St to the site. It was also agreed that no access to Sunningdale Rd would be provided since the main safe access to the site is from Blackwater Rd. The proposed access on Sunningdale Road does not conform to the City's Access Management Guidelines.*
- *It was agreed at the meeting that a revised site plan be submitted for review that does not show an access on Sunningdale Rd and a full access on Adelaide St as note above. The proposed access on Sunningdale Rd is unsafe, is not justified from site traffic operation perspective, and does not address the residents' concerns. Therefore, Transportation staff request a holding provision for access not to be lifted until access is provided to the satisfaction of the City Engineer.*

Urban Design Peer Review Panel (May 15, 2013 - Original Notice Of Application)

1. *The Applicant is commended for their full understanding the challenging contours of the site and their careful consideration of the massing and articulation of the three proposed apartment buildings.*
2. *Parking that is at a higher elevation than the neighbours is not favourable and enhanced landscaping is encouraged to act as a buffer and visual screen, in particular the ends of the drive aisles in the parking lot.*
3. *Using grades to advantage in the landscape is encouraged. For example, the outdoor amenity space does not have to be considered a flat plane.*
4. *Although a storm water retention pond is in the neighbourhood, consider integrating small ponds or bio-swales into the landscape that would benefit the outdoor amenity space.*

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PUBLIC LIAISON:	<p>On May 22, 2013, Notice of Application was sent to 155 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 May 23, 2013. A "Possible Land Use Change" sign was also posted on the site.</p> <p>Upon receipt of the Notice of Application letter neighbouring landowners circulated a petition opposing the proposed amendment to all residents within the Subdivision located south of Sunningdale Road East and west of Adelaide Street North. Specifically properties fronting on Garibaldi Avenue, Blackwater Road Kokanee Road and Clearwater Crescent. The petition circulation area included an estimated 257 households, 114 of which were beyond the 120 metre circulation distance for notice as required under the Planning Act.</p> <p>On February 20, 2014, Revised Notice of Application was sent to 197 property owners in the surrounding area as well as being published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> .</p>	<p>136 Respondents opposed the application</p> <p>17 Telephone Calls received</p> <p>64 Written Reponses received</p> <p>158 Households Signed Petition</p> <p>Zero (2) replies was received respecting the Revised Notice of Application</p>
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Nature of Liaison:

Original Notice Of Application

Change Zoning By-law Z.-1 from a Residential R6 Special Provision/ Residential R7 (R6-5(5)/R7•D35•H12) Zone which permits single detached, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, apartment buildings, senior citizens apartment buildings, handicap persons apartments buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments at a maximum density of 35 units per hectare and a maximum height of 12 metres, to a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D75•H18) Zone to increase the maximum density and height for apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments to 75 units per hectare and 18 metres respectively.

Revised Notice Of Application

Change Zoning By-law Z.-1 **FROM** a Residential R6 Special Provision/ Residential R7 (R6-5(5)/R7•D35•H12) Zone which permits single detached, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, apartment buildings, senior citizens apartment buildings, handicap persons apartments buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments at a maximum density of 35 units per hectare and a maximum height of 12 metres, **TO** a Residential R6 Special Provision/ Residential R7 (R6-5(5)/R7•D63•H12) Zone for the lands at 2250 Blackwater Road and 660 Garibaldi Avenue to increase the maximum density for apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments to 63 units per hectare **AND** a Residential R6 Special Provision/Residential R7/Bonus (R6-5(5)/R7•D75•H18/B-()) Zone for the lands at 670 Garibaldi Avenue to increase the height and density to 18 metres and 75 units per hectare respectively as the base zone with a bonus zone to permit a maximum height of 21 metres and 99 units per hectare in return for the provision of such facilities, services or matters as are set out in the Zoning By-law.

Please note at their regular meeting on October 1, 2013 Council referred application Z-8190 back to Civic administration for consultation with the developer and the community which requested to amend the Zoning By-law in order to allow for the development of three (3) 6-storey apartment buildings with a total of 314 units on the site at a maximum density of 75 units per hectare and a maximum height of 18 metres. The attached revised concept "A1.10" is a result of the consultation process.

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Responses:

Original Notice of Application

In total there were 136 Respondents to the original Notice of Application and Notice of Public Meeting (for the September 24 PEC meeting) which staff have interpreted to represent approximately 50% of the 273 residential lots in this Subdivision. Some neighbours provided comments in multiple forms (telephone conversation, email submission and signed a petition) therefore the actual number of comments exceeds 240.

In reviewing the significant amount of comments staff were able to identify emergent themes which were categorized into 11 groups as shown below.

No comments were received in support of the Zoning By-law amendment application.

- 17 telephone calls were received, 5 of which provided a written response and signed the neighbourhood petition;
- 65 written responses were received via email, 48 of those who responded in writing also signed the neighbourhood petition; and
- 158 households were represented in the neighbourhood petition, 49 of which had either previously had a telephone conversation with staff and/or provided written responses.

The *Analysis* section of this report provides a table listing comments received as a result of the public liaison process including the neighbourhood petition. The comments are summarized to succinctly articulate the comments that were submitted. Comments were also received respecting matters that the municipality has no authority to implement by way of policy or by-law. As a result, these comments were noted and filed but are not summarized given that they are not directly related to the proposed amendment.

The table, starting on Page 18 of this report, is organized to highlight the summarized comments and opinions in the left hand column, followed by the right column containing a staff analysis summary of the comments indicating how and why comments will be, will not be, or have already been incorporated in the proposed amendment.

Revised Notice of Application

In response to the Revised Notice of Application there were two (2) responses.

At the time staff prepared this report the public comment period was open. Additional comments respecting the revised concept "A1.10" will be presented as an added to the March 25th PEC Agenda.

ANALYSIS

Subject Site:

The subject lands, known as 2250 Blackwater, 660 & 670 Garibaldi Avenue are located on the southwest corner of the intersection of Sunningdale Road East and Adelaide Street North. The lands are part of a Multi-Family, Medium Density Residential designation. This designation spans both sides of these arterial roads with the exception of three Neighbourhood Commercial Nodes located at the southwest, southeast and northeast corners of the Sunningdale/Adelaide intersection. The subject lands consist of three vacant properties, each essentially being rectangular in shape, with a total area of 4.21 hectares (10.40 acres) and a variation in topography. The change in elevation across the site slopes downhill from the northwest corner to the southeast corner by approximately 23 metres (75 feet) in height.

The three subject parcels were created through a Plan of Subdivision which was registered in 2004. This subdivision application included a total of 257 single detached dwelling lots, 7 medium density multi-family blocks, 2 stormwater management blocks, 1 commercial block, 1 park block, 4 pipeline utility blocks, and 1 open space block extending along the Powell Drain. The subdivision was developed in three phases beginning with the single detached dwellings on

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Blackwater Road, followed by the single detached dwellings along Garibaldi Avenue and Kokanee Road, including the creation of Blocks 62, 63 & 64, being the subject lands, and lastly the single detached on Grasslands Way, Okanagan Way and Firefly Drive.



Figure 1 – 2250 Blackwater Road: facing southeast. Highest elevation of subject lands



Figure 2 – 2250 Blackwater Road: facing southeast. Subject lands below grade of Blackwater Road



Figure 3 – 2250 Blackwater Road: facing east. Single detached dwellings at significantly lower grade.

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Figure 4 – 2250 Blackwater Road: facing southeast. Existing dwellings at significantly lower grade.



Figure 5 – 660 Garibaldi Avenue: facing southwest. Topography of lands divergent from Sunningdale.



Figure 6 – 660 Garibaldi Avenue: facing north. Topography of lands divergent from Sunningdale.

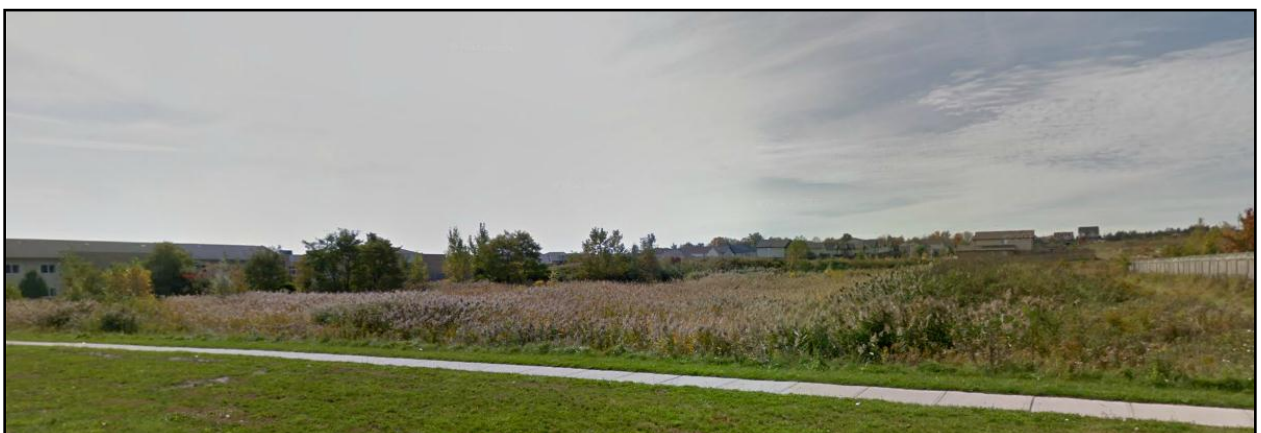


Figure 7 – 670 Garibaldi Avenue: facing west. Topography of lands similar to Adelaide Street North.

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Figure 8 – 670 Garibaldi Avenue: facing east. Subject lands undeveloped with varying topography.

Nature of Application:

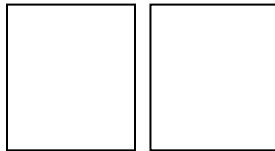
The intent of the original application was for Drewco Development Corporation to construct three (3) apartment buildings, each building being a maximum height of 18 metres at a maximum density of 75 units per hectare. The requested development would have resulted in a total of 314 new residential units, which in accordance with the Zoning By-law requires 471 off street parking spaces.



Figure 9 – Original Conceptual Site Plan proposed for subject lands

In order to permit the original development proposal Drewco submitted a Zoning By-law amendment to modify the current regulations to increase the maximum height from 12 to 18 metres and increase the maximum density from 35 to 75 units per hectare. As the originally proposed vehicular access to the site was intended to be provided at two locations, buildings 1 & 2 were proposed to share access from Blackwater Road and Building 3 was proposed to have access from Garibaldi Avenue. The parking areas were intended to be located in the rear yard of the subject lands and screened by landscaping and fencing.

Throughout the application process some misunderstanding emerged around whether the proposed apartment buildings were 5 or 6 storeys in height. Due to the topography of the subject lands portions of the “main floor” space in proposed buildings were proposed below grade. The buildings themselves were designed to be stepped with some portions having 5 floors and some having 6 floors. All buildings were identified as being no greater than 18 metres in height, which was described in the application and consistently included the notifications.



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Nature of Revised Notice of Application

As outlined in the Planning History section (pages 5 and 6) of this report, since Council deferred the matter on October 1, 2013, there has been substantial consultation between City Staff, the developer and Uplands community residents.

In response to issues raised by the community, Drewco produced approximately 11 conceptual designs between November 2013 and January 2014 which incorporated: alternative building forms; alternative vehicular access points directly onto Sunningdale Road and Adelaide Street North; enhanced landscaping features including enlarged berms; the provision of a private exercise pavilion; a “Public Parkette”; and partial underground parking. All of the various concept plan designs included 314 residential dwelling units and an overall net density of 75 units per hectare which maintains the intent of the applicant’s original Zoning By-law amendment application.

Drewco has not formally amended their Zoning By-law amendment application, as on May 23, 2013, to permit three (3) apartment buildings, each building being a maximum height of 18 metres at a maximum density of 75 units per hectare.

The final concept “A1.10” (attached as Scheduled “1” to this report) prepared by Drewco is a result of the Council-directed consultation process. This concept includes three (3) apartment buildings, comprised of two, four-storey apartment buildings located along the Sunningdale Road frontage, each with a total of 88 units (176 total units), and a six-storey apartment building located along the Adelaide Street North with a total of 138-units, and direct access onto Adelaide Street North. The Revised Notice of Application included concept “A1.10”, and is being recommended by Planning Staff by means of an alternative Zoning By-law amendment (attached to this report as Appendix “A”) that maintains the intent of the original Zoning By-law amendment application made by Drewco.

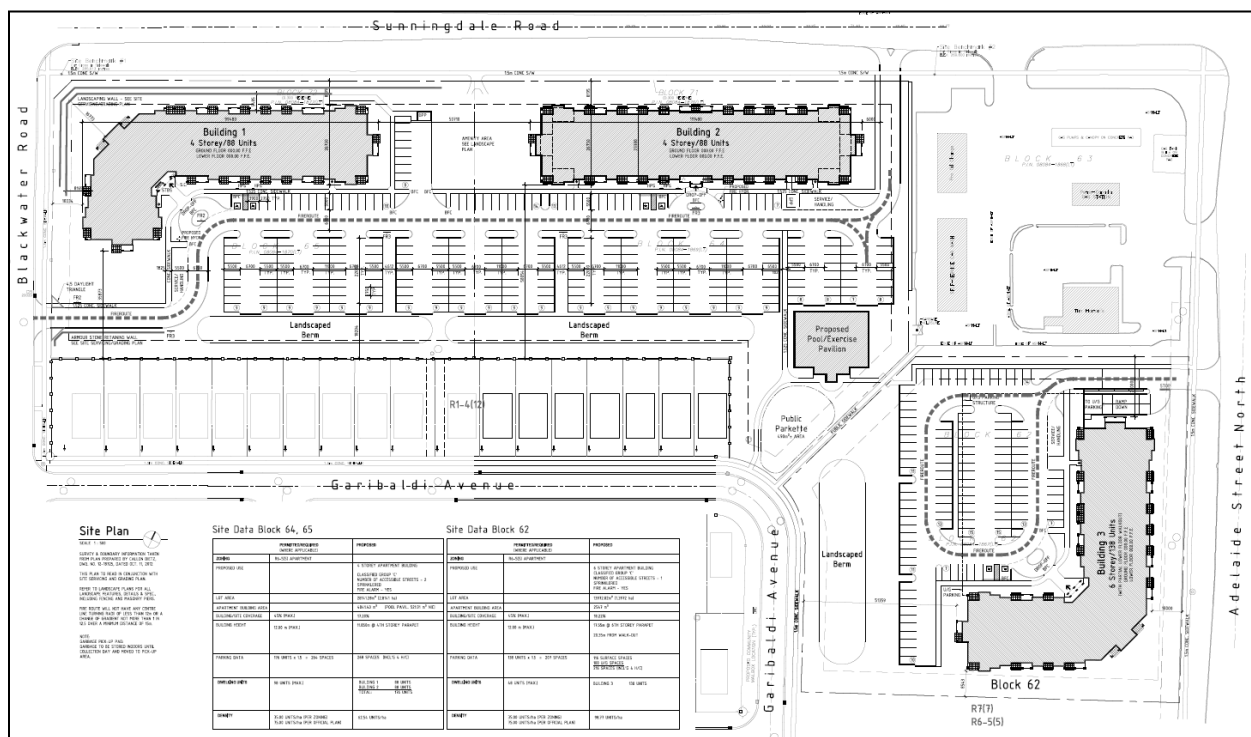


Figure 10 – Revised Conceptual Site Plan “A1.10” proposed for subject lands.

In the opinion of Staff, as a result of the Uplands Community input, the revised concept “A1.10” is able to mitigate many of the concerns raised by the public in their initial response to the original conceptual plan, as summarized earlier in this report. The table below highlights how the revised concept “A1.10” has addressed community concerns:

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Initial Public Response

Public Issue/Concern	Staff Response	Consideration with "A1.10"
<p>i) <u>Land Use Change</u> Existing neighbours purchased property on the pretense that the subject lands would be developed to accommodate low rise condos. Drewco's change of direction for development of this site will be at the expense of the existing residents.</p>	<p>The proponents are seeking permission to build a medium density residential development in accordance with the existing Medium Density designation of the Official Plan.</p> <p>Drewco Development Corporation proposes to build three apartment buildings which are permitted under the existing (R6-5(5)/R7•D35•H12) Zone.</p> <p>The requested to Zoning By-law amendment seeks to increase the maximum height and maximum density. The application does not seek a change in the permitted uses.</p>	<p>The recommendation does not change permitted uses.</p> <p>The recommended Zoning By-law amendment is to allow for the development of three apartment buildings with a total of 314 units by increasing the maximum height of proposed Building 3 and increasing the maximum density of all three buildings.</p> <p>The revised concept includes two, four-storey apartment buildings located along the Sunningdale Road frontage, each with a total of 88 units (176 total units). This is a reduction from the original proposal of two, six-storey buildings each with a total of 106 units (212 total units).</p> <p>The revised concept also includes a six-storey apartment building located along the Adelaide Street North frontage with a total of 138-units. This maintains the original requested height by the applicant, but an increase of 36 units from the request 102 by creating an "L" shaped building to accommodate the additional units.</p>
<p>ii) <u>Traffic</u> Currently Blackwater Road is very busy with speeding traffic which has had traffic calming measure installed. Currently, it is difficult at most times to negotiate a left hand turn out of the subdivision from Blackwater Road onto Adelaide Street. The addition of 314 apartment units triples the size of the number of units</p>	<p>A Transportation Impact Assessment was submitted with this Zoning By-law amendment application.</p> <p>The study reviewed two scenarios: a one-access option to Garibaldi Avenue, and a two access option to Garibaldi Avenue. Both options include an access to Blackwater Road just</p>	<p>Shifting 36 additional dwelling units to proposed Building 3 changes the potential traffic impacts.</p> <p>The recommended concept "A1.10" redirects vehicular access from proposed Building 3 to Garibaldi Avenue and provides full direct access (left and right</p>

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<p>in the neighbourhood and traffic will not flow easily through the subdivision. The increased traffic will also create additional noise as well as the extra car emissions which will be a significant nuisance factor this residential neighbourhood.</p>	<p>south of Sunningdale Road. The two access option shows that traffic volume generated would be approximately 1,900 vehicles per day compared to the one access option which shows traffic volume generated being approximately 650 vehicles per day.</p> <p>Garibaldi Avenue is classified as a Local Street and designed to accommodate a maximum of 1,500 vehicles per day. As the study shows, the one access option should be used for this development.</p> <p>Traffic volumes will be within acceptable limits on both Garibaldi Avenue and Blackwater Road.</p> <p>The TIA indicates that in the future traffic signals may be warranted at Blackwater Road and Adelaide Street. Transportation Division will monitor the intersection as development occurs on this site to determine if traffic signals become warranted.</p>	<p>turns) to Adelaide Street North.</p> <p>With the reduction of 36 units from proposed Buildings 1 & 2 the traffic volumes being generated onto Blackwater Road are anticipated to be less than volumes identified in the TIA.</p> <p>Direct access shown on concept "A1.10" from proposed Building 2 to Sunningdale is not supported by City staff.</p>
<p>iii) <u>Parking</u> Currently Chateau Gardens, located immediately south of proposed Building 3, does not have adequate parking onsite and vehicles are parking on Blackwater Road or Garibaldi Avenue. There are also residents of the subdivision, their visitors, residents who run home based businesses their patrons who already park on street, boulevards, or driveway aprons at all hours of the day. Although 477 parking spaces sounds plentiful for 314 units, if at least half of the families who occupy the proposed apartment units have two vehicles, all of the parking will be utilized. This will force other residents of the apartment units and their visitors to park on local streets, again impacting and impairing the safe flow of traffic through the subdivision. Also, during winter</p>	<p>On-street parking is typically permitted along local streets such as Blackwater Road & Garibaldi Avenue.</p> <p>In total the proposed development includes 314 residential units. In accordance with the Zoning By-law a total of 471 parking spaces (1 space per 1.5 dwelling units) and 236 bicycle spaces (1 space per 0.75 units) are required onsite.</p> <p>The proposed concept plan provides a total of 497 parking spaces. This exceeds the minimum requirement by 26 spaces.</p> <p>Space for 236 bicycles is provided in the concept plan which satisfies the minimum bicycle parking requirements.</p> <p>Staff require Council's direction to study the appropriateness of the on-street parking regulations</p>	<p>The recommended concept "A1.10" does include any direct accesses from the proposed apartment buildings to Garibaldi Avenue.</p> <p>The proposal includes 100 below-grade and 111 surface parking spaces being provided for proposed Building 3.</p> <p>Given the parking and access reconfiguration it is less likely that vehicles will be parking along Garibaldi Avenue.</p>

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<p>months Garibaldi north of Blackwater is essentially reduced to one lane due to prevailing winds causing snow to accumulate. Snow crews can never completely clean the roads due to parked cars which essentially means residents only have one lane to drive in most of the winter months. Increased traffic would exacerbate this already hazardous situation.</p>	<p>in this area.</p>	
<p>iv) <u>Sight Lines</u> Apartment buildings that are 5/6 stories tall, will negatively affect the sight line of the neighbourhood. It is already difficult to negotiate the turn from Blackwater Road onto Sunningdale. The addition of these apartment buildings will further impair and endanger a driver's view to safely make that turn.</p>	<p>The City of London requires that all structures are located with sufficient setback distances to ensure visibility at intersection and corner lots.</p> <p>Before any buildings are constructed on the subject lands a Site Plan Application must be received and approved by the City of London. The site plan process considers these setback requirements and will ensure that corner visibility is maintained.</p>	<p>Site Lines will be addressed prior to any buildings being constructed on the subject lands through a Site Plan Application.</p> <p>The site plan process considers setback requirements and will ensure that corner visibility is maintained.</p>
<p>v) <u>Property Value</u> The addition of the apartment buildings in this neighbourhood will have a negative effect on existing residents' property values. Three buildings of this size will degrade the appearance of the neighborhood. They will be much larger than any other structure, which will affect the views from each house. The appearance of these buildings will degrade over time and Drewco has little control over the manner in which each tenant keeps the external appearance of their apartment. The increased traffic and obvious decrease in property values as a result makes us feel vulnerable and uncertain about our future here.</p>	<p>The Planning Act, R.S.O. 1990, Chapter P.13, does not consider property values.</p> <p>Land Use Planning principles consider use, intensity and form in determining the suitability of proposed uses in accordance with the Provincial Policy Statement, Official Plans, Zoning By-laws and Community Area Plans.</p> <p>The matter of property value is not included as part of an evaluation undertaken by land use planners.</p> <p>Declining property values are often cited when intensification projects are proposed, however this concerns does not materialize as the intensification projects are integrated into the neighbourhood fabric.</p>	<p>The Planning Act, R.S.O. 1990, Chapter P.13, is does not consider property values.</p>

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<p>vi) <u>Park/Amenity Space</u> Our subdivision currently contains one small park area. The addition of 314 higher density units would put additional strain on the already crowded and over-used park area. It is also anticipated that increased vehicular traffic along Blackwater Road, immediately adjacent to the current park area, would be hazardous for children and other users of the park.</p>	<p>In accordance with the Planning Act, 2.03 hectares (5 acres) of parkland were dedicated during the subdivision planning stage.</p> <p>Parkland dedication included a neighbourhood park (Northbrook Park), and a portion of the Powell Drain.</p> <p>After assuming the lands, the City constructed the neighbourhood park in 2008 which includes: an activity circle with play equipment and swings; benches, trees; a pathway; and un-programmed green space. These features are consistent with the specific level of service defined for neighbourhood parks as set by development charges in 2008.</p> <p>During this time the applicant also constructed a pathway network and a bridge on the Powell Drain lands to help improve neighbourhood connectivity to the west including Virginia Park.</p>	<p>The recommended concept "A1.10" includes a 490 square metre portion of land which is intended to be dedication to the City for public use as an "Urban Parkette" in connection with public pathways.</p> <p>While there is no requirement for this dedication, it was presented in response to the community's comments of Northbrook Park being crowded.</p> <p>The design and facilities to be included are yet to be determined and will require co-ordination between the City and developer.</p> <p>It should be noted however that an urban park will not function as a traditional neighbourhood park</p>
<p>vii) <u>Compatibility</u> The housing density is disproportionate to the small size of our subdivision. We were advised by both our builder and the representative of Drewlo Holdings Inc. that one-storey luxury row condos were going to be built on the land in question. We were comfortable with this and went ahead with the build. We have now lived in this community for seven years and have grown to love the quiet, calm, safe and friendly neighbourhood for our daughter to grow up in. We are happy to hear that Drewlo wishes to develop the subject lots but I ask that the city deny their request to do so at the expense of the current area residents. A development which meets the current zoning requirements would be</p>	<p>The subject lands have been designated as Multi-Family, Medium Density Residential since being incorporated into the City of London's Official Plan in 1998.</p> <p>The Official Plan recognizes that Multi-family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use such as the commercial nodes at the intersection of Sunningdale Road East and Adelaide Street North.</p> <p>Under the Multi-Family, Medium Density Residential designation the Official Plan permits multiple-unit residential developments having densities not exceeding an approximate net density of 75 units per</p>	<p>The recommended concept includes two, four-storey apartment buildings located along the Sunningdale Road frontage and a six-storey apartment building located along the Adelaide Street North frontage. The existing zoning allows for up to four storeys in height.</p> <p>The Multi-Family, Medium Density residential designation allows for up to 75 units per hectare before bonusing. As shown proposed Buildings 1 & 2 are now at a density of 63 units per hectare which is in keeping with the Multi-Family, Medium Density residential designation.</p> <p>Proposed Building 3 is now at a density of 99 units per hectare, which can be</p>

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<p>welcomed. One which more than doubles allowable density and traffic, impacts safety, and dramatically changes the character of the neighbourhood should not be permitted.</p>	<p>hectare</p>	<p>accommodated in the Multi-Family, Medium Density residential designation by means of bonusing.</p> <p>Bonus Zoning is provided to encourage development features which result in a public benefit. Bonus zoning is used to support the City's urban design principles which foster compatibility.</p> <p>It should be noted that the overall net density remains at 75 units per hectare which is consistent with the Multi-Family Medium Density residential policies of the Official Plan.</p>
<p>viii) <u>Uplands Community Plan</u> This zoning change contravenes the recommended land use set in the Uplands North Area Plan prepared by the City of London Planning Division in May of 2003 which recommends land use for Multi-Family Medium Density at 30 units per hectare.</p>	<p>The density identified for medium residential areas in the Uplands Community Plan does not supersede the densities established in the Official Plan.</p> <p>In 2001 Council approved application Z-6139 which allowed increases in density from 35 to 40 units per hectare to accommodate the development of Chateau Nursing Homes Inc.</p> <p>Guidelines for medium density residential areas in the Uplands Community Plan encourage a mix of housing types and varying levels of affordability that are intended to meet the needs of the community.</p> <p>The Community Plan anticipated that normal density expectation for <u>townhousing</u> would be approximately 30 units per hectare and is silent on maximum height requirements.</p> <p>The Community Plan determined appropriate densities for residential development within the plan area based on densities of subdivisions created in and around the area at that time.</p>	<p>The Upland Community Plan is a guideline document that identifies the subject lands for medium density residential development.</p> <p>The proposed development is a Multi-Family Medium Density residential form of housing which is consistent with the current land use designation applied to the subject lands.</p>

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	<p>Densities along with estimated percentages (being 60% detached/semis, 15% row housing and 25% apartments) were used to determine servicing requirements in the Community Plan. These percentages have not been realized. Currently there are adequate municipal services and capacities to support the proposed development.</p>	
<p>ix) <u>Privacy</u></p> <p>These higher-density buildings will not only negatively alter the character and landscape of our neighbourhood but they will also be in conflict with the natural features of this area.</p> <p>Since these buildings will be at the top of the hill, these tenants are going to be able to look into most yards in the subdivision. We paid a lot of money for our house and would not have purchased our house in this location had we known that the zoning would be changed in the area. The last thing I want is a building full of people who can sit out on their balcony and have a clear view to my fenced-in back yard.</p> <p>These apartments would cause a huge lack of any privacy in our homes and backyards. We would be living in a fish bowl concept and that is totally unacceptable!</p>	<p>As part of the Zoning By-law amendment application 3D modelling was undertaken to complete the Urban Design Brief. The modelling placed a person in an existing Garibaldi residential rear yard facing proposed Buildings 1 & 2 and compared the sight lines to a theoretical 4 storey building that would comply with existing zoning setback and height requirements.</p> <p>Both views show that a 4 storey apartment building, as permitted under existing zoning (minimum setback distance of 4.8 metres from the residential rear yard) would have a greater impact on neighbouring residents than the proposed 6-storey apartments are recommended 4-storey apartment buildings (which are located 75.5 metres from the residential rear yards).</p> <p>City Staff also undertook a 3D modelling of the proposed development which confirmed these findings.</p> <p>Fencing, tree planting, swale/berms and the parking area situated between the existing and proposed residential units means a greater separation distance between existing and proposed buildings. These features would also act as a buffer to lessen the impacts of lights and protect privacy of the neighbouring land owners.</p>	<p>The recommended conceptual plan "A1.10" maintains the overall design including substantial setback distances from the existing single detached dwellings and the three proposed apartment buildings.</p> <p>The recommended plan incorporates more substantial landscaped berms in order to provide additional buffering and privacy.</p>

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<p>x) <u>Safety</u></p> <p>There was one accident a couple of years ago where a speeding car did not make the bend, went through part of the park and hit a fence and deck of a house. This was during the night but can easily happen during the day.</p> <p>It is known that cars travel at a higher rate of speed on this road at all hours of the day. Children and teenagers already use Blackwater Road as a large hill to skateboard down. They are out there at all times of the day flying down the street with their skateboards.</p> <p>Several families have expressed their concerns about the speed shown by cars and LTC busses on Blackwater Road. This will be enhanced and a greater danger imposed with the extra traffic load.</p> <p>Safety concerns extend to: our kids at the park and getting on and off the school busses; residents getting mail on Garibaldi: staff and visitors to Chateau Gardens increased congestion; problems and safety concerns for city busses and community traffic turning onto Sunningdale and Adelaide.</p>	<p>The Transportation Impact Assessment submitted with this application, as accepted by the City of London's Transportation Planning & Design Division shows that traffic volumes will be within acceptable limits on both Garibaldi Avenue and Blackwater Road with the one access option.</p> <p>Garibaldi Avenue is classified by the City as a Local Street and is designed to accommodate a maximum of 1,500 vehicles per day.</p> <p>Blackwater Road is classified by the City as a Secondary Collector and is designed to accommodate a maximum of 5,000 vehicle per day maximum</p> <p>Through the plan of subdivision process traffic calming measures are constructed on secondary collector streets to reduce vehicle speeds and discourage through-traffic. Speed cushions were constructed on Blackwater Road for this purpose.</p> <p>Transportation Department will monitor the intersection of Blackwater Road and Adelaide Street as development occurs on this site to determine if traffic signals become warranted.</p>	<p>In response to community concerns the recommended concept "A1.10" provides alternate access locations directly onto both Sunningdale Road and Adelaide Street North.</p> <p>Only the access to Adelaide Street North is supported by staff.</p> <p>Additional Transportation Impact Study may be required to consider these alternate access points.</p>
<p>xi) <u>Potential for High Student Occupancy</u></p> <p>We moved to this neighbourhood for the express purpose of avoiding NOT living next door to any such development.</p> <p>We very much enjoy the neighbourhood we are in and we understand and accept that the property in question is currently zoned for townhouse type development. Given with the proximity to the college there are concerns this area could be the next "Fleming Drive".</p>	<p>The City does not anticipate that existing long term residents of this neighbourhood will deal with issues relating to student housing.</p> <p>The Subject lands are not located within the Near Campus Neighbourhoods Area.</p>	<p>The City continues to believe that existing long term residents of this neighbourhood will not deal with issues relating to student housing.</p> <p>The Subject lands are not located within the Near Campus Neighbourhoods Area.</p>

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Provincial Policy Statement

The Provincial Policy Statement, 2005 (PPS) provides policy direction on matter of provincial interest related to land use planning and development. The PPS promotes healthy, liveable, and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of residential, employment and other land uses; and, promoting cost effective development standards to minimize land consumption and servicing costs.

The proposed rezoning will allow three (3) Multi-Family, Medium Density Residential apartment buildings to be developed on vacant lands, located within a developing area which bound by the north and east by arterial roads and can be adequately serviced by municipal infrastructure.

The proposal conforms to section 1.1.3 which directs that *settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted*. The PPS recommends that land use patterns within settlement areas shall be based on: densities which efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities; and minimize negative impacts to air quality and climate change, and promote energy efficiency.

The recommended Zoning By-law amendment, to increase the maximum height and density in the form of apartment buildings, is within a designated growth area located adjacent to an existing built-up area with a compact form and densities that allow for the efficient use of land, infrastructure and public service facilities.

The proposal also conforms to Section 1.4 of the PPS which specifically addresses housing. The subject lands have appropriate levels of infrastructure and public service facilities to provide densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed.

Official Plan

The Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

This proposal does not include any amendments to the Official Plan. The subject property is designated Multi-Family, Medium Density Residential in the Official Plan. The recommended Zoning By-law amendment does however include density bonusing which allow for exceptions to the usual density limit. The planning objectives for Multi-Family, Medium Density Residential land use designations have certain criteria which should be maintained, including:

3.1.3 Multi-Family, Medium Density Residential Objectives

- i) Support the development of multi-family, medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.*
- ii) Encourage the development of well-designed and visually attractive forms of multi-family, medium density housing.*
- iii) Promote the retention of desirable natural features through the appropriate location of buildings and parking areas.*

The recommended Zoning By-law amendment is in keeping with these planning objectives for the following reasons:

- The design of the recommend apartment buildings eliminates the need for a noise attenuation wall, provides street presence, and enhances the character of the area.
- The recommended site design includes access to transit, safe pedestrian linkages, public space amenities and landscaping to enhance the character and amenity of a residential area

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as well as the connectivity with adjacent land uses.

- The recommended design follows principles that were used in the original site and building design and which were supported by the Urban Design Peer Review Panel, who acknowledged the high design quality of the apartments.
- The design considers and intends to maintain the existing grading of the subject lands and integrate native and drought tolerant landscaping.
- The recommended design provides a public parkette to be used as urban recreational space.
- There are no significant natural features found on the subject lands.

The Official Plan recognizes that *Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use.* The Official Plan directs that Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having densities that exceed those found in Low Density Residential (30 units per hectare) areas but do not approach the densities intended for the Multi-Family, High Density Residential designation (maximum 150 units per hectare).

3.3.1 Permitted Uses

The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged.

Apartment buildings are recognized as a permitted use under the existing Zoning on the subject parcel. The proponent is seeking to change the maximum height and density for the proposed apartment buildings. Normally, in Multi-Family, Medium Density Residential designations height limitations will not exceed four storeys and the density does not exceed 75 units per hectare. The Official Plan does recognize that in some instances, height and density may be permitted to exceed these limits up to a maximum of 6-storey and 100 units per hectare.

3.3.3 Scale of Development

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development.

- Height* i) *Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys. In some instances, height may be permitted to exceed this limit...*
- Density* ii) *Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre). Exceptions to the density limit may be made without amendment to the Official Plan for developments which:*
 - b. Qualify for density bonusing under provision of Section 19.4.4 of this plan*

Typically, where exceptions are made to the usual density limit the prescribed height limitations will remain in effect. In this case the recommended amendment includes Bonusing to allow both a height and density exception for proposed Building 3 to allow a maximum height of 21 metres (6-storeys) and 99 units per hectare. The exception to both height and density for proposed Building 3 is deemed to be acceptable based on the reduction of both the height and density of proposed Buildings 1 & 2. The recommended amendment is within the maximum density of 100 units per hectare for developments which are permitted to exceed the density limit in the Multi-Family, Medium Density Residential designation.

In accordance with the Official Plan all proposals including exceptions to either the usual height or density limitations shall be evaluated on the basis of Section 3.7.3 Planning Impact Analysis. The applicant has provided a detailed Urban Design Brief and Scoped Compatibility Report based on their application which demonstrates how the proposed development is mindful of the subject lands' unique topography and what effects this proposal may have on the neighbouring lands. The rationale used to demonstrate that the requested Zoning By-law amendment is consistent with these policies of the Official Plan can also be considered for the recommended

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Zoning By-law amendment in that:

- The recommended design allows for transition and compatibility between adjacent existing lower forms of residential uses by providing significant separation distances from the proposed apartment buildings, a high level of landscaping and planting. The absence of noise walls and gates creates connectivity to the street and residential neighbourhood, while the building design and location will assist with transitions to potential future commercial developments to the north and east.
- The recommended site design includes a reduction in height of proposed Buildings 1 & 2 from 6-storeys to 4-stories which is in keeping with the maximum height of the existing Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone. While proposed Building 3 has been increased in size and changed in shape from a rectangle to an “L”, it continues to propose a 6-storey height and is still situated close to Adelaide Street. The inclusion of 100 below grade parking spaces and a landscaped berm between Garibaldi Avenue and the above ground parking lot (west of proposed Building 3) are deemed improvements to the proposed form of development. The recommended design is therefore not expected to have any more impact on the neighbouring lands than the development of three (3) 4-storey apartment buildings, if located 4.8 metres from the property line, which is currently permitted under the existing zone.
- The recommended site design includes direct access from proposed Building 3 onto Adelaide Street North which alleviates potential traffic concerns of local residents along Garibaldi Avenue, due to the increased density (from requested 75 units per hectare to recommended 99 units per hectare, or 102 units to 138, being an increase of 36 units).
- Lighting throughout the development is to be provided by using non-glare lighting fixtures in parking areas and open spaces.
- Privacy fencing is already located in most of the adjacent single detached rear yards. This is intended to be supplemented by landscaping, including a berm and large species planting which would produce a compatible interface between the proposed buildings and the existing residence.

While not part of the requested amendment, or required as part of the original concept plan forming the application, the recommended Zoning By-law amendment includes density bonusing to allow an exception to the usual density limit for proposed Building 3.

19.4.4 Bonus Zoning

Under the provisions of the Planning Act, a municipality may include in its Zoning By-law, regulations that permit increases to the height and density limits applicable to a proposed development in return for the provision of such facilities, services, or matters, as are set out in the By-law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.

Principle i) The facilities, services or matters that would be provided in consideration of a height or density bonus should be reasonable, in terms of their cost/benefit implications, for both the City and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted...

Objectives ii) Bonus Zoning is provided to encourage development features which result in a public benefit which cannot be obtained through the normal development process. Bonus zoning will be used to support the City's urban design principles, as contained in Chapter 11 and other policies of the Plan, and may include one or more of the following objectives:

- b) to support the provision of common open space that is functional for active or passive recreational use;*
- c) to support the provision of underground parking;*
- d) to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;*

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File: Z-8190

Planner: Amanda-Brea Watson

- e) *to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements.*

In consideration of Bonus Zoning for the height and density of proposed Building 3 the recommended revised concept plan “A1.10” provides:

- a land dedication to the City for public use as an “Urban Parkette” in connection with public pathways which enhance of the design of future public urban recreational amenity space;
- safe pedestrian linkages to access public transit, commercial lands and future public space amenities that result in a benefit to the general public;
- enhanced landscaping by means of berms and planting to buffer the parking areas from existing single detached residential dwelling lots in the area;
- a portion of parking area for proposed Building 3 being below ground which affords more space for *enhanced landscaping*;
- the incorporation design principles that were used in the original site and building design concepts, and of urban design which were supported by the Urban Design Peer Review Panel, who acknowledged the high design quality of the apartments;
- street presence, which enhances the residential character of the area by incorporating design details which eliminate the need for a noise attenuation walls;

In accordance with the Official Plan, as a condition to the application of bonus zoning provisions, the owner of the subject lands will be required to enter into an agreement with the City that deals with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given. The agreement will be registered against the title to the land.

Uplands Community Plan 1998

The Uplands Community Plan is intended to provide additional guidance which supplements the more generalized designations and policies of the Official Plan. Key elements of the Uplands Community Plan that are relevant to this Zoning By-law amendment application include: residential density; transition with existing residential development; parks and open space; pedestrian linkages; and mitigation of arterial road noise.

The Plan area includes lands south of Sunningdale Road and north of Fanshawe Park Road between Richmond Street and Adelaide Street as shown below.

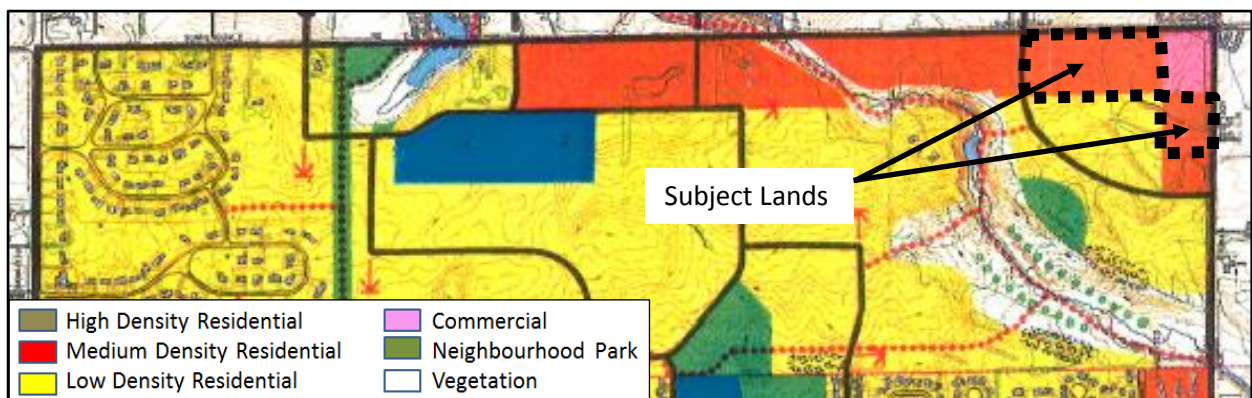


Figure 14 - Uplands Community Plan Preferred Land Use Concept

Residential Density

The subject lands are identified as part of a medium density residential area within the Uplands Community Plan. These locations were selected for medium density residential development for several reasons including: proximity to arterial road system which allows easy access to main traffic-carrying roads, and efficient use of infrastructure; greater opportunity to incorporate building and land use design elements without the need for noise attenuation walls along arterial roads; and the use/development of public transit routes.

Guidelines for medium density residential areas in the Uplands Community Plan encourage a mix of housing types and varying levels of affordability that are intended to meet the needs of

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File: Z-8190

Planner: Amanda-Brea Watson

the community. The Plan determined appropriate densities for residential development within the plan area based on densities of subdivisions created in and around the area at that time. These densities along with estimated percentages (being 60% detached/semis, 15% row housing and 25% apartments) were used to determine servicing requirements the Uplands Community Plan.

The density identified for medium residential areas in the Uplands Community Plan does not supersede the densities established in the Official Plan. As an example, in 2001 Council approved application Z-6139 which allowed increase in density from 35 to 40 units per hectare. The amendment accommodated the development of Chateau Nursing Homes Inc. which is located adjacent to the subject lands (670 Garibaldi Avenue).

Transition with Existing Development

As recommended in the Uplands Community Plan development phasing has generally occurred from south to north, building contiguously from existing development. The subject lands, located at the north east corner of the Plan Area are among the last to be developed. The proposed residential development facilitates significant separation space between each of the new apartment buildings and from existing neighbouring buildings. The height and location of the proposed apartment buildings will also help mitigate potential noise and visual issues which may arise from future commercial uses expected in two additional nodes at the Sunningdale/Adelaide intersection.

Parks and Open Space

Provision of parks and open space in appropriate locations has been an important consideration in the Uplands Community Plan as has been the integration of parks within the natural heritage/open space. The Community Plan recommends three areas for neighbourhood parks as well expanding facilities within the existing Virginia Park area, and developing a broader community focus with greater facilities.

The subject lands form part of a registered plan of subdivision 33M-444. While there were initially significant environmental concerns/issues that have been addressed through the plan of subdivision, there is no natural heritage or environmental concerns with this application.

As part of the subdivision process, parkland dedication was collected for the subject lands which included a neighbourhood park (Northbrook Park) and a portion of the Powell Drain which is a sensitive environmental area. The neighbourhood park was constructed by the City in 2008 once the lands were assumed from the applicant. The park contains an activity circle with play equipment and swings, benches, trees, a pathway, and un-programed green space. These features are consistent with the level of service defined by development charges in 2008. In addition to the neighbourhood park, a pathway network and a bridge were constructed by the owner on the Powell Drain lands to help improve neighbourhood connectivity to the west including Virginia Park. The Plan of Subdivision had envisioned that these parks would service future residential development on the subject site.

Pedestrian linkages

The Uplands Community Plan incorporates pedestrian and cycling pathways on open spaces throughout the Plan area. Currently pathways connect Northbrook Park to Sandybrook Drive as a way to gain access to Virginia Park and the Leelanau School located on Hastings Drive. The proposed development builds on the trail network by providing pedestrian/cycling pathways from Garibaldi Avenue to the existing commercial lands on the southwest corner of the Sunningdale/Adelaide intersection. The recommended concept also includes linkages between public sidewalks (along Sunningdale Road, Adelaide Street, Garibaldi Avenue and Blackwater Road) and the proposed apartment buildings.

Mitigation of Arterial Road Noise

The Uplands Community Plan strives to avoid the need for noise walls as they are aesthetically unappealing and have a tendency to isolate the communities behind them. The Plan recognizes that locating medium density residential development adjacent to the arterial roads provides greater opportunity to incorporate design considerations which alleviate the need for noise attenuation walls. The subject lands are adjacent to Sunningdale Road and Adelaide Street.

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File: Z-8190

Planner: Amanda-Brea Watson

Both are arterial roads. Accordingly, site layout has been designed without the need for noise attenuation walls. The apartment buildings are expected to mitigate arterial road noise within the community and with their interior by means of appropriate design and building materials.

The recommended development of three apartment buildings comprised of two, four-storey apartment buildings located along the Sunningdale Road frontage, each with a total of 88 units (176 total units), and a six-storey apartment building located along the Adelaide Street North frontage with a total of 138-units would provide an alternative to single detached residential parcels which consists of the majority of housing stock in the area. The proposal is consistent with objectives of the Uplands Community Plan for medium density residential area in that it:

- maintains an overall average of 75 units per hectare which is in keeping with a medium density residential development, proposed within a medium residential area identified in the Uplands Community Plan that is located in a manner which makes efficient use of municipal infrastructure;
- provides a mix of housing option styles and affordability in the area;
- provides pedestrian linkages;
- provides for additional urban recreational space, and
- is designed and oriented in a manner that does not necessitate a continuous noise wall along arterial street frontage.

ZONING BYLAW

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. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important that all three criteria of use, intensity and form must be considered and deemed to be appropriate to the approval of any development proposal.

10.1 General Purpose of the R6 Zone

These Zone variations provide for and regulate medium density development in various forms of cluster housing from single detached dwellings to townhouses and apartments.

11.1 General Purpose of the R7 Zone

This Zone provides for and regulates apartment buildings and similar structures for senior citizens and special populations that may have different standards and needs than regular residential developments. Zone variations are differentiated on the basis of the intensity of the use. These zones may be compounded with other apartment zones.

The subject lands are currently zoned Residential R6 Special Provision/ Residential R7 (R6-5(5)/R7•D35•H12) Zone which permits single detached, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, apartment buildings, senior citizens apartment buildings, handicap persons apartments buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments at a maximum density of 35 units per hectare and a maximum height of 12 metres. The recommended amendment does not represent a change in use, rather it seeks to change the scale of the permitted uses by increasing the maximum height and density.

Specifically, the recommended amendment would permit an increase to the maximum density to 63 units per hectare for the lands at 2250 Blackwater Road and 660 Garibaldi Avenue; and increase the height and density to 18 metres and 75 units per hectare respectively as the base zone with a bonus zone to permit a maximum height of 21 metres and 99 units per hectare for the lands at 670 Garibaldi Avenue in return for the provision of such facilities, services or matters as are set out in the Zoning By-law.

Special provisions include regulations for the maximum density calculations that shall be based on the total block area which existing on the date of the passing of the By-law so that in the event of lands being dedicated to the City, to be used by the public for urban recreation area, the reduction in area of the subject lands does not affect the proponents ability to development.

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File: Z-8190
Planner: Amanda-Brea Watson

CONCLUSION

The recommended Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement, 2005 which promotes healthy, liveable and safe communities by encouraging efficient development and land use patterns which sustain the financial well-being of the municipality. Increasing the maximum height and density to accommodate mid-rise medium density residential development allows for responsible use of existing municipal services and encourages a compact form of development.

The recommended Zoning By-law amendment permits a form and intensity of medium density residential development that is in conformity with Multi-Family, Medium Density Residential policies of the Official Plan for the City of London, and can provide a compatible transition from the existing developed area to those land uses that are planned for the surrounding area;

The recommended Zoning By-law amendment allows development that is consistent with the land use concepts and guidelines in the Uplands Community Plan, which encourages a mix of housing types and varying levels of affordability, and in particular, residential buildings be located along arterial roads which make the efficient use of infrastructure and that are designed without the need for noise attenuation walls in this location and recognizes transition with existing residential development;

The recommended use for the subject site is for two 4-storey apartment buildings and one 6-storey apartment building, contributing to the range and mix of housing options in the area. Given that the subject site currently sits vacant within an established built-up area, the proposed use represents an efficient development and land use pattern;

The subject lands are of a size and shape to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building and limits the development.

PREPARED BY:	SUBMITTED BY:
AMANDA-BREA WATSON, MCIP, RPP PLANNER II CURRENT PLANNING DIVISION	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING CURRENT PLANNING DIVISION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

March 3, 2014
ABW
"Attach."

Y:\Shared\implemen\DEVELOPMENT APPS\2013 Applications 8135 to\8190Z - 2250 Blackwater Rd, 660 & 670 Garibaldi Ave

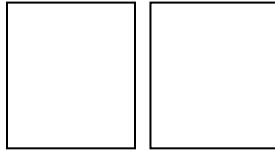
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File: Z-8190
Planner: Amanda-Brea Watson

Responses to Public Liaison Letter and Publication in “Living in the City”

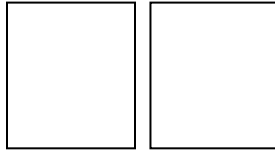
Original Notice Of Application

<u>Telephone</u>	<u>Written</u>	<u>Signed Petition</u>
Susan Sangster 2058 Blackwater Rd.		Michael & Susan Sangster 2058 Blackwater Rd.
	Dragan & Mira Arezina 632 Kokanee Rd.	Mira & Dan Arezina 632 Kokanee Rd.
Shabnam Rajaie 2170 Blackwater Rd.		
Akbar Rajaie 2225 Blackwater Rd.		Akbar Rajaie 2225 Blackwater Rd.
Selfa Pyentam 649 Garibaldi Ave.		Selfa Pyentam 649 Garibaldi Ave.
	Drew Brundritt 632 Garibaldi Ave.	Cynthia & Drew Brundritt 632 Garibaldi Ave.
Niki Neal 664 Clearwater Cres.		Niki Neal 664 Clearwater Cres.
	Neil Carruthers 636 Garibaldi Ave.	Neil Carruthers & Jill Smith 636 Garibaldi Ave.
Jeff Gribble 626 Garibaldi Ave.		
	Marlene Chamberlain 600 Clearwater Cr.	Marlene Chamberlain 600 Clearwater Cr.
Tom Poole 586 Sandybrook Dr.		
	Alexei Chkouro 796 Garibaldi Ave.	
	John Clarke 2157 Blackwater Rd.	John Clarke 2157 Blackwater Rd.
Mathew Clark 2201 Blackwater Rd.	Matthew & Jennifer Clark 2201 Blackwater Rd.	Mathew Clark 2201 Blackwater Rd.
	Debbie Couchman 792 Garibaldi Ave.	Debbie Couchman 792 Garibaldi Ave.
Fraser Macaulay 2231 Blackwater Rd.		Kristina & Fraser Macaulay 2231 Blackwater Rd.
Ingrid Hollader 2215 Blackwater Rd.		Ingrid Hollader 2215 Blackwater Rd.
	Wendy & Clint Currie 652 Garibaldi Ave.	Wendy Currie 652 Garibaldi Ave.
Paul Marshman 269 Elderberry Ave.		
	Joanna & Michael Dales 2074 Blackwater Rd.	Michael Dales 2074 Blackwater Rd.
	Rick De Jong 620 Garibaldi Ave.	
	Serbo Dimic 759 Garibaldi Ave.	Serbo Dimic 759 Garibaldi Ave.
	Mina Dragovic 760 Garibaldi Ave.	Zoran & Mina Dragovic 760 Garibaldi Ave.
	Renee Egan 2128 Blackwater Rd.	Renee & Brian Egan 2128 Blackwater Rd.
	Ruth Endersby 889 Garibaldi Ave.	Ruth Endersby 889 Garibaldi Ave.
Michelle Febbraro 614 Garribaldi Ave.	Michelle & Nick Febbraro 614 Garibaldi Ave.	Nick Febbraro 614 Garibaldi Ave.
	Bela & Frank Franze 2046 Blackwater Rd.	Fran Franze 2046 Blackwater Rd.
	Kelly German 691 Clearwater Cr.	
	Dennis L. German 691 Clearwater Cr.	



File: Z-8190
Planner: Amanda-Brea Watson

	Maria Gomez 847 Garibaldi Ave.	Humberto Ponce-De-Leon & Maria Gomez 847 Garibaldi Ave.
	Linda & Don Groke 642 Garibaldi Avenue	Linda Groke 642 Garibaldi Avenue
	Corinne Habkirk 652 Kokanee Rd.	Corinne Habkirk 652 Kokanee Rd.
	Hugh Henry 2177 Blackwater Rd.	Hugh Henry 2177 Blackwater Rd.
	Lioubov Sovtous & Ted Janiszewski 714 Clearwater Cr.	Lioubov Sovtous & Ted Janiszewski 714 Clearwater Cr.
	Bonnie Jennings 2183 Blackwater Rd.	
	Cassandra Johnson 786 Garibaldi Ave.	Chris & Cassandra Johnson 786 Garibaldi Ave.
Elvin Korah 566 Garibaldi Ave.	Elvin Korah 566 Garibaldi Ave.	
	Patricia Koziol 664 Kokanee Rd.	Patricia Koziol 664 Kokanee Rd.
	Michael Lankin 632 Clearwater Cr.	
	Le Gia Duong 2068 Blackwater Rd.	
	Bruce & Brenda Marshall 606 Clearwater Cres.	Bruce Marshall 606 Clearwater Cres.
Petra Mason 2064 Blackwater Rd.	Grant & Petra Mason 2064 Blackwater Rd.	Grant & Petra Mason 2064 Blackwater Rd.
	Greg & Anna Mayea 807 Garibaldi Ave.	Greg Mayea 807 Garibaldi Ave.
	Faye & Fred McDonald 821 Garibaldi Ave.	Faye & Fred McDonald 821 Garibaldi Ave.
	Lee Ann & Brian McKivor 885 Garibaldi Ave.	Lee Ann & Brian McKivor 885 Garibaldi Ave.
	Senando & Claire Mortera 708 Clearwater Cres.	Claire & Nancy Mortera 708 Clearwater Cres.
	Dr. Reina Persaud 720 Clearwater Cr.	Reneeza Persaud 720 Clearwater Cr.
	Carolyn Pickering 627 Garibaldi Ave.	Craig & Carolyn Pickering 627 Garibaldi Ave.
	Ashley & Chris Poblocki 643 Garibaldi Ave.	Ashley & Chris Poblocki 643 Garibaldi Ave.
Ted Podonis 586 Clearwater Cr.	Ted & Maria Podonis 586 Clearwater Cr.	Ted & Maria Podonis 586 Clearwater Cr.
Cindy & Ken Rath 2173 Blackwater Rd.	Ken & Cindy Rath 2173 Blackwater Rd.	Ken & Cindy Rath 2173 Blackwater Rd.
	Lee-Anne Ridley & Shawn Pollock 594 Kokanee Rd.	Lee-Anne Ridley 594 Kokanee Rd.
	Beth Sinclair 2167 Blackwater Rd.	Beth Sinclair 2167 Blackwater Rd.
	Lora & Mike Sirie 621 Garibaldi Ave.	Lora & Mike Sirie 621 Garibaldi Ave.
	Drew Smith 2151 Blackwater Rd.	Drew Smith & Tiffany Tryon-Smith 2151 Blackwater Rd.
	Wanda & Richard Terrio 647 Kokanee Rd.	Wanda & Richard Terrio 647 Kokanee Rd.
	Len & Pat Thompson 707 Clearwater Cr.	Pat Thompson 707 Clearwater Cr.
	Robert & Dianne Vandermeersch 892 Garibaldi Ave.	Robert & Dianne Vandermeersch 892 Garibaldi Ave.
	Daryl Weber 817 Garibaldi Ave.	



File: Z-8190
Planner: Amanda-Brea Watson

	Shane Webster 560 Garibaldi Ave.	Sarah Webster 560 Garibaldi Ave.
	Weiyen Wen & Shangxi Liu 2052 Blackwater Rd.	
	Millan & Anna Yeung 854 Garibaldi Ave.	M. Yeung 854 Garibaldi Ave.
	John & Trisha Zanin 698 Clearwater Cr.	John & Trisha Zanin 698 Clearwater Cr.
	Lucille Zapora 879 Garibaldi Ave.	
	Zhuxu Zhang 597 Clearwater Cr.	Zhuxu Zhang 597 Clearwater Cr.
	Shannon & Zack Amaral 2136 Blackwater Rd.	Shannon & Zack Amaral 2136 Blackwater Rd.
	Adrian Biljan 602 Garibaldi Ave.	Adrian Biljan 602 Garibaldi Ave.
	Barry & Cheryl Brock 654 Clearwater Cr.	Cheryl Brock 654 Clearwater Cr.
	Stan Brown no address provided	
	Lee Cadogan 2209 Blackwater Rd.	
	Nicola Cason 2177 Blackwater Rd.	
Paul & Zella Faria 776 Garibaldi Ave.		Paul & Zella Faria 776 Garibaldi Ave.
	Jerry Chappell 908 Garibaldi Ave.	Jerry Chappell 908 Garibaldi Ave.
	Mark & Sherri Couto 2182 Blackwater Rd.	
	Patrick Crewdson & Jessica Hinton 659 Kokanee Rd.	Patrick Crewdson & Jessica Hinton 659 Kokanee Rd.
	Dan D'Amico 599 Garibaldi Ave.	Daniel & Christine D'Amico 599 Garibaldi Ave.
		Lidia Michalowski 2163 Blackwater Rd.
		Jasna & Andrew Mitchell 2193 Blackwater Rd.
		Cliff Cadogan 2209 Blackwater Rd.
		Robert Thompson 2164 Blackwater Rd.
		Wenham Liu 2096 Blackwater Road
		Jenna & Scott Rathwell 2090 Blackwater Rd.
		Zia Barakziye 2142 Blackwater Rd.
		Le Duong 2068 Blackwater Rd.
		Leva Naujokaityte 2194 Blackwater Rd.
		Agim Luli 2080 Blackwater Rd.
		Mario Fatibene 2221 Blackwater Rd.
		Victor Ivanon 2200 Blackwater Rd
		Stephane Vaillancourt 2188 Blackwater Rd.
		Shabnam Rajaie 2170 Blackwater Rd.

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File: Z-8190
Planner: Amanda-Brea Watson

		Jessica Vaccaro 2156 Blackwater Rd.
		Margaret Filipowski 2178 Blackwater Rd.
		Chris & Janet Annis 2122 Blackwater Rd.
		Bozimir Rajic 2150 Blackwater Rd.
		Mahmoud Adbel Salam 2114 Blackwater Road
		Maureen Gilroy 2108 Blackwater Rd.
		Eunseon Lee 2102 Blackwater Rd.
		Josephine Baldasarre 2084 Blackwater Rd.
		Crystal deWinter 582 Garibaldi Ave.
		Mia Olegario 648 Garibaldi Ave.
		Kevin Arding 655 Garibaldi Ave.
		Jang Park 633 Garibaldi Ave.
		Tommy Fok 615 Garibaldi Ave.
		M. Rafic Chaudhry 595 Garibaldi Ave.
		Nannette Anderson James 596 Garibaldi Ave.
		Scott Borland 608 Garibaldi Ave.
		Tracey De Lellis 592 Garibaldi Ave
		Neena Gupta 605 Garibaldi Ave.
		Merwais Nasrati 570 Garibaldi Ave.
		Al Binnie 692 Clearwater Cr.
		Thomas Kallumadyil 682 Clearwater Cr.
		Paul Podonis 676 Clearwater Cr.
		Nebi Selmani 668 Clearwater Cr.
		Jeffrey Devos 660 Clearwater Cr.
		Diana Tuca 618 Clearwater Cr.
		Adelaide Larivera 592 Clearwater Cr.
		Carolyn Rundle 580 Clearwater Cr.
		Adnan Saadeddin 571 Clearwater Cr.
		Mujo Kafadar 587 Clearwater Cr.
		Reisha Basdeo 627 Clearwater Cr.
		Lori Sashegyi 663 Clearwater Cr.

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File: Z-8190
Planner: Amanda-Brea Watson

		Fatima & Antonio Campos 687 Clearwater Cr.
		Ashley Lee 703 Clearwater Cr.
		Karen Ridler 719 Clearwater Cr.
		Stephen West 672 Clearwater Cr.
		Dan Pasculescu 612 Clearwater Cr.
		Sonia & Robert Bulhoes 603 Clearwater Cr.
		John Almeida & Elsa De Jesus 609 Clearwater Cr.
		Lucy Vidiales & Alberto Gertrudiz 747 Garibaldi
		Ahn Yun Kyong 697 Clearwater Cr.
		Jennifer Dall 631 Kokanee Rd.
		Kim Rowe 621 Kokanee Rd.
		Vera King 607 Kokanee Rd.
		Allison Kinnaird 598 Kokanee Rd.
		Scott Palmer 602 Kokanee Rd.
		Cristina Casavechia 636 Kokanee Rd.
		Danielle Clewlow 584 Kokanee Rd.
		Michael Cluchey 590 Kokanee Rd.
		Reena Prashar 606 Kokanee Rd.
		Eileen De Jager 616 Kokanee Rd.
		Lucia Lehman 620 Kokanee Rd.
		Laura Castillo-Wharton 626 Kokanee Rd.
		Allison Twohey 637 Kokanee Rd.
		Aliah Omid 568 Kokanee Rd.
		Dan Sepetan 665 Kokanee Rd.
		Ken Takken 642 Kokanee Rd.
		Sam & Mary Haynes 653 Kokanee Rd.
		An Chi Dam & Shao Qiong Liu 625 Kokanee Rd.
		Octavian & Maria Telebaum 615 Kokanee Rd.
		Leslie Lamb 574 Kokanee Rd.
		Pawel Wasiak 610 Kokanee Rd.
		Debbie Todgham 924 Garibaldi Ave.

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File: Z-8190
Planner: Amanda-Brea Watson

		Greg Agnew 896 Garibaldi Ave.
		Scott Hanna 880 Garibaldi Ave.
		Jim Nel-Landers 895 Garibaldi Ave.
		Joel Natareno 912 Garibaldi Ave.
		Adam Shhadeh 833 Garibaldi Ave.
		Ty Hua 791 Garibaldi Ave.
		Robert Campbell 797 Garibaldi Ave.
		Anne Marie Les 775 Garibaldi Ave.
		Jeff & Judy McArthur 769 Garibaldi Ave.
		Lynda Morton 725 Garibaldi Ave.
		Denise McAsey 907 Garibaldi Ave.
		Charles Terry 901 Garibaldi Ave.
		Lucy Barreiras 873 Garibaldi Ave.
		Sarah Kyle 869 Garibaldi Ave.
		Carol Polcz 863 Garibaldi Ave.
		David Colafranceschi 855 Garibaldi Ave.
		Linda Hill & Shawn Clarkin 839 Garibaldi Ave.
		Tao Tran 918 Garibaldi Ave.
		Ian Trotter 911 Garibaldi Ave.
		Michael Pham 902 Garibaldi Ave.
		Nick & Sophia Kalas 802 Garibaldi Ave.
		Daryl Weber 817 Garibaldi Ave.
		Weikai Huang & Shaoqiong Chen 754 Garibaldi Ave.
		Linda Gemmell 781 Garibaldi Ave.
		Paul & Gillian Rodrigues 764 Garibaldi Ave.

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File: Z-8190
Planner: Amanda-Brea Watson

From: Webster, Shane
Sent: Tuesday, February 25, 2014 10:29 AM
To: Watson, Amanda-Brea
Subject: Z-8190

Hi Amanda,

I hope you are well. Thank you for all your work on Z-8190. I would like to see some guarantee of tree's or something behind my house as I live on the corner of Garibaldi/Blackwater (560 Garibaldi Ave) that backs onto the proposed developments. I don't see the landscaped berm extended right to Blackwater road? Is there something that I can see other than the black and white page saying retaining wall to see what it will look like?

My concern is privacy and noise with the entry behind my house and not sure if tree's or what will be behind my home as it just indicates retaining wall. Will vehicles be able to look from their windows into my back yard as they drive by as the entry road is higher than my fence?

Thanks,

[Shane Webster](#),

From: Tom Poole
Sent: Wednesday, March 05, 2014 4:27 PM
To: Watson, Amanda-Brea
Subject: Revised Notice of Application to Amend the Zoning By-Law, Z-8190

Ms Watson,

I realize there have been some changes to the original plan to make the multi unit buildings smaller with fewer levels. Having acknowledged that I can't agree with a developer submitting a plan to the City for approval then going ahead and having houses built based on that plan. People invest what in most cases amounts to their life savings only to find the developer applies to change that plan to build something else which could have a negative affect on their house price.

In my opinion this is just not right and should not be allowed. What is the point in submitting a plan to develop a new neighbourhood if it can be subject to change?

Thank you for allowing me the opportunity to express my thoughts on the subject.

Tom Poole

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File: Z-8190
Planner: Amanda-Brea Watson

Bibliography of Information and Materials
Z-8190

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Dewco Development Corporation, May 10, 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.

Stantec. *Planning Justification Report*, May, 2013.

Stantec. *Urban Design Brief*, May 1, 2013.

F.R. Berry & Associates. *Transportation Impact Assessment*, May, 2013.

Kirkness Consulting. *Compatibility Report*, August , 2013

Correspondence: (all located in City of London File No. Z-8190. unless otherwise stated)

City of London -

Clavet Y., City of London Environmental & Engineering Services Department - Stormwater Management Unit. E-mail to A-B. Watson. June 11, 2007.

Couvillon A., City of London Transportation Planning & Design Division. Various e-mails with A-B Watson. July 26, 2013 to February 14, 2014.

Masschelein B., City of London Environmental & Engineering Services Department – Wastewater and Drainage Engineering Division. Email to A-B. Watson. June 12, 2013.

Lupton P., City of London Environmental & Engineering Services Department – Water Engineer Division. Email to A-B. Watson. August 26, 2013.

Page B., City of London Environmental & Parks Planning. Various e-mails with A-B Watson. July 30, 2013 to February 13, 2014.

Henry B., City of London Development Planning. Email to A-B. Watson. August 15, 2013

Postma R., City of London – Urban Forestry Unit. Email to A-B. Watson. May 27, 2013

Smolarek J., City of London Planning Division - Urban Design Unit Email to C. Smith. May 14, 2013

Departments and Agencies -

Creighton C., UTRCA. Letter to A-B. Watson. June 11, 2013.

McLean M., City of London Urban Design Peer Review Panel. Memo to C. Smith. May 15, 2013

Raffoul L., Bell – Development & Municipal Services Control Centre. Letter to A-B Watson. June 4, 2013

Dalrymple D., London Hydro. Memo to A-B Watson. May 23, 2013

Other:

Site visit June 14, 2013 and photographs of the same date.

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File: Z-8190
Planner: Amanda-Brea Watson

Appendix "A"

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 2250 Blackwater Road, 660 & 670 Garibaldi Avenue.

WHEREAS Drewco Development Corporation has applied to rezone an area of land located at 2250 Blackwater Road, 660 & 670 Garibaldi Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2250 Blackwater Road and 660 Garibaldi Avenue, as shown on the attached map comprising part of Key Map No. A102, from a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone to a Residential R6 Special Provision/Residential R7 (R6-5(*)/R7•D63•H12) zone.
- 2) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 670 Garibaldi Avenue, as shown on the attached map comprising part of Key Map No. A102, from a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone to a Residential R6 Special Provision Bonus/Residential R7 (R6-5(**)•B-(_)/R7•D75•H18) Zone.
- 3) Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(*)	2250 Blackwater Road & 660 Garibaldi Avenue	
a)	Regulations	
i)	Density (Maximum)	63 units per hectare (25 units per acre)
ii)	Height (Maximum)	12 meters (39.4 feet)
iii)	The maximum density calculation shall be based on the total block area which existed on the date of the passing of the By-law.	

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

R6-5(**)	670 Garibaldi Avenue	
a)	Regulations	
i)	South Interior Yard (Minimum)	8.3 metres (27.2 feet)

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File: Z-8190
Planner: Amanda-Brea Watson

- ii) Rear Yard from Adelaide Street 10 metres (32.8 feet) (Minimum)
- iii) The maximum density calculation shall be based on the total block area which existed on the date of the passing of the By-law.

5) Section Number 4.3 (Bonus Zones) of the General Provisions to By-law No, Z.-1 is amended by adding the following Site Specific Bonus Provision:

4.3(4) B-(_) 670 Garibaldi Avenue

This bonus zone is intended to facilitate a development design which includes a 6-storey (21 metre) apartment building with underground parking and a total of 138 units, which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:

- A 6-storey apartment building design that is aesthetically pleasing, functional and pedestrian supportive which, with minor variations at the City’s discretion matches the conceptual plan shown in Schedule “1” of the amending By-law, and includes:
 - Exterior construction materials including brick facade and articulation as shown in Schedule “1”.
 - Minimum of One (1) level of below grade parking with a minimum of 100 vehicular parking spaces.
 - Berm and dense landscaping along the Garibaldi Avenue frontage, south of the location of the Civic Space, to maximize privacy between the proposed parking area on the subject lands and the abutting residential properties to the west.
 - Minimal yard depths from the apartment building to Adelaide Street North to allow the maximum achievable yard depth possible from the apartment building to Garibaldi Avenue.
 - Pedestrian connections from the subject property to the abutting commercial lands, existing sidewalks and future municipal pathway.
 - Dedication of a portion of land, with an area of approximately 500 square metres, to be used as a Civic Space abutting the pedestrian pathway with a frontage on Garibaldi Avenue. The total land area of this Civic Space may be in combination with the lands at 660 Garibaldi Avenue.
 - The Civic Space shall be improved to the satisfaction of the Managing Director, Planning and City Planner at no cost to the City of London prior to its dedication.

The following regulations apply within the bonus zone:

- i) Density (Maximum) 99 units per hectare
- ii) Height (Maximum) 21 metres

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.

Agenda Item # Page #

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PASSED in Open Council on April 1, 2014.

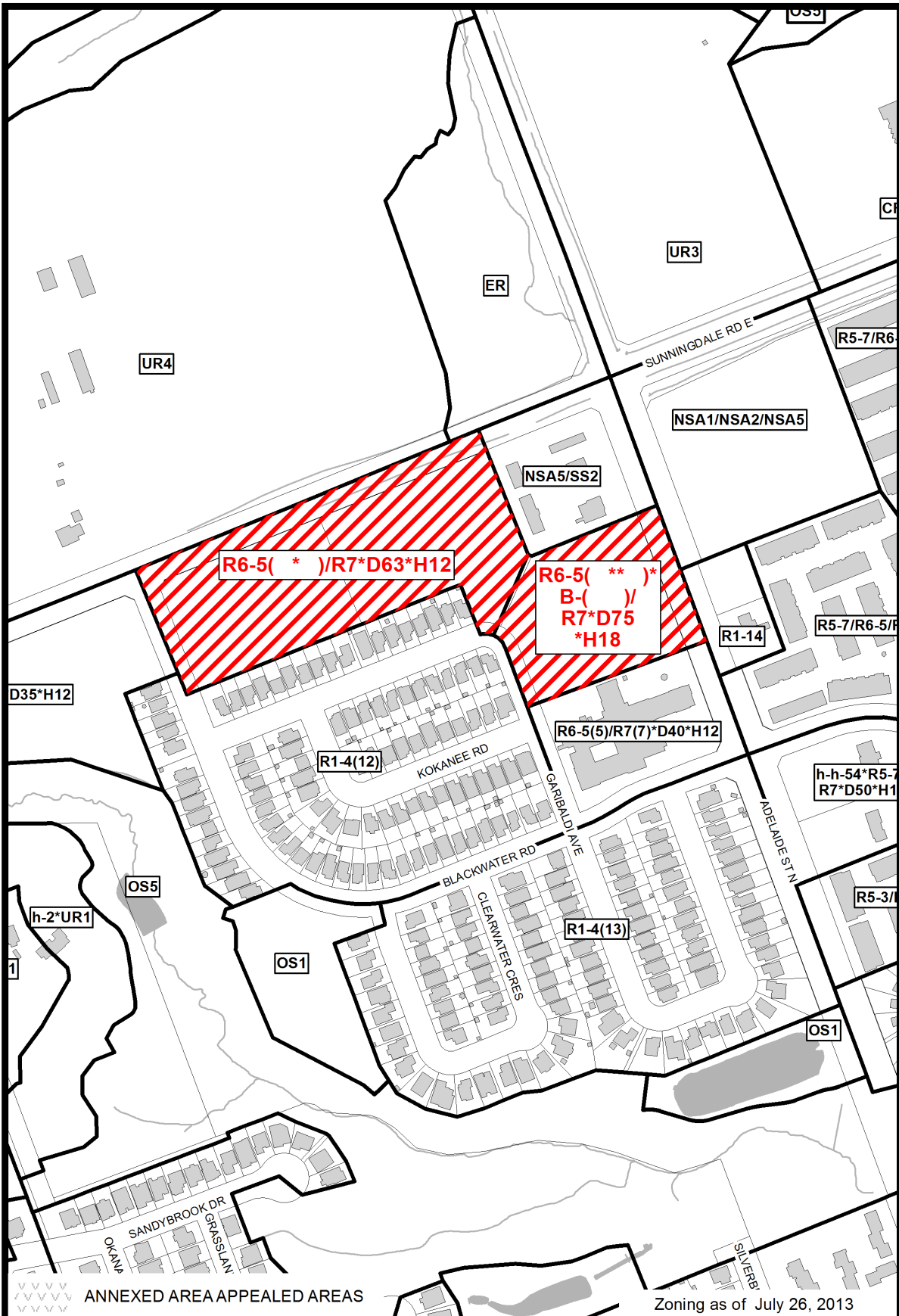
Joe Fontana
Mayor

Catharine Saunders
City Clerk


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

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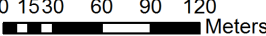
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-8190
 Planner: AW
 Date Prepared: 2013/08/28
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,800

0 1530 60 90 120 Meters 



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Schedule "1"



Original Elevation of Proposed Building 3