

--	--

File: OZ-8279
Planner: Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: RAND DEVELOPMENTS INC. (2355440 ONTARIO INC.) 250, 268, 270 and 272 SPRINGBANK DRIVE PUBLIC PARTICIPATION MEETING ON JUNE 17, 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 Rand Developments Inc. (2355440 Ontario Inc.) relating to the properties located at 250, 268, 270 and 272 Springbank Drive:

- (a) Municipal Council **BE ADVISED** that this Official Plan and Zoning By-law amendment application (OZ-8279) has been appealed to the Ontario Municipal Board by Alan Patton of Patton, Cormier & Associates LLP on behalf of the applicant on the basis of non-decision by Council within 180 days;
- (b) The Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the Official Plan **BE AMENDED** as attached hereto as Appendix "A" to change the designation of the lands on Schedule "A" – Land Use – , **FROM** an Auto-Oriented Commercial Corridor designation and a Low Density Residential designation, **TO** a Multi-Family, Medium Density Residential designation; and, to add a "Special Policy" to Section 3.5 – Policies for Specific Residential Areas – to guide the future development of the subject lands;
- (c) The Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the request to amend the Official Plan to change the designation of the subject lands **FROM** an Auto-Oriented Commercial Corridor designation and a Low Density Residential designation, **TO** a Multi-Family, High-Density Residential designation **BE REFUSED** for the following reasons:
 - i) Council has made land available to accommodate an appropriate range and mix of land uses within the municipality, including opportunities to provide for high-rise residential development in a manner which is integrated and harmonious with its surroundings in many appropriately designated large Multi-Family, High Density Residential areas, including areas along the Springbank Drive Corridor, in conformity with the policies of the PPS;
 - ii) The subject site is inconsistent with the location criteria of the Multi-Family, High Density Residential designation;
 - iii) The subject site is not of a suitable size to accommodate the high density housing forms proposed through this application in a manner which provides adequate transition and buffering measures to protect adjacent low density residential uses; and
 - iv) The requested amendment for the Multi-Family, High Density Residential designation introduces potential for high-rise built form adjacent to the Coves Environmentally Significant Area. The physical context of the surroundings including the topography of the site being perched upon a plateau facing the Thames Valley Corridor and the low-rise character of surrounding development

--	--

File: OZ-8279
Planner: Mike Davis

provides an unsuitable context for high-rise apartment buildings.

- (d) The Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the request to amend the Official Plan to add a “Special Policy” to Section 10 – Policies for Specific Areas – to guide the future development of the subject lands **BE REFUSED** for the following reasons:
- i) The requested amendment should not be considered in absence of the approval of the foregoing amendment;
 - ii) The intent of the requested policy is to permit a broader range of uses than normally permitted within the Multi-Family, High Density Residential designation including office uses and commercial uses up to 2,000m² within the first 3-storeys of apartment buildings. These land use permissions have generally been incorporated into the Official Plan amendment recommended in clause (c) above; and
 - iii) In specific areas where it is appropriate to address development opportunities, and constraints through specific policies that provide additional guidance to the policies contained in the various residential land use designations, such specific policies should be included within Section 3.5 – Policies for Specific Residential Areas – of the Official Plan as recommended in clause (c) above.
- (e) The Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Arterial Commercial Special Provision (AC(2)) Zone and an Open Space (OS1) Zone, **TO** a Residential R9 Special Provision Bonus (R9-7()•B()) Zone and an Open Space (OS4) Zone, **BE REFUSED** for the following reasons:
- i) The height and density increases proposed by way of bonus zoning are dependent on the lands being designated Multi Family, High-Density Residential Designation (MFHDR) which is not appropriate for the site;
 - ii) The proposed development does not take into account surrounding land uses in terms of height and scale, presents an extreme in bulk between the existing built fabric of adjacent properties, and is not in keeping with the low-rise open space character of this portion of Springbank Drive;
 - iii) The range and extent of special zoning regulations required to facilitate the proposed form of development including reduced standards for landscaped open space, increased building coverage and reduced side yard setbacks are indicative of over-intensification;
 - iv) The requested amendment results in a net density of 286 units per hectare whereas Official Plan policies normally limit densities in the MFHDR designation outside of Central London to 150 units per hectare;
 - v) The requested amendment does not satisfy the criteria for instances where Council may consider height and density increase beyond what is normally permitted in the MFHDR designation (150 units per hectare) including a requirement that the proposed development exceed the prevailing standards established in the Urban Design principles of Section 11 of the Official Plan;
 - vi) Sanitary servicing capacity does not currently exist to accommodate the increased sewage flows anticipated through the proposed redevelopment and the potential solution to this issue remains unresolved;
 - vii) The proposed form of development includes a parking structure which protrudes from grade level excessively along the eastern portion of the site adjacent to the Coves; and,
 - viii) The proposed form of development does not meet the Urban Design principles of Chapter 11 of the Official Plan and, as such, does not satisfy the criteria for

--	--

**File: OZ-8279
Planner: Mike Davis**

bonus zoning outlined in Section 19.4.4 of the Official Plan.

- (f) The Ontario Municipal Board **BE ADVISED** that Municipal Council **RECOMMENDS** that the request to amend the Zoning By-law No. Z.-1, to add a definition for “Retirement Suite” to Section 2 (Definitions), to add parking requirements for “Retirement Suites” to Section 4.19 (Parking), and to add special density considerations for “Retirement Suites” to Section 3.4 (Density “D”); **BE REFUSED** for the following reasons:
- i) The requested amendments are intended to be considered on a site specific basis and should not be considered in absence of the approval of the foregoing amendments;
 - ii) The intent of the requested amendment is to allow for reduced density and parking considerations for a specified form of senior’s housing. Exceptions to density limits may be made without amendment to the Official Plan through bonus zoning for developments which are designated and occupied for senior citizen’s housing; and
 - iii) Site-specific special Official Plan policies have been incorporated into the recommend Official Plan amendments attached as Appendix “B” to recognize the propensity for senior’s housing on this site and contemplate density bonuses in return for the provision of such housing.

EXECUTIVE SUMMARY

The following report provides a recommendation to the Planning and Environment Committee regarding an application for an Official Plan and Zoning By-law amendment application received from Rand Developments Inc. (2355440 Ontario Inc.). The requested amendments would facilitate the development of two (2) 14-storey high rise apartment buildings at 250-272 Springbank Drive; a property adjacent to the west bank of the “Coves” Environmentally Significant Area (ESA), on the south side of Springbank Drive.

The report provides a detailed overview of the characteristics of the site and the proposed development, a summary of the Official Plan and Zoning By-law amendment application process, a summary of comments relating to a number of planning and technical issues, a detailed planning evaluation of the Official Plan and Zoning By-law amendment application, a recommendation on the amendments proposed by the applicant, and, a recommendation from Staff regarding an appropriate Official Plan designation and policy framework for this site.

Ultimately, this report recommends that Council not support the applicant’s request to re-designate the subject lands from “Low Density Residential” and “Auto-Oriented Commercial Corridor” to “High-Density Residential”, and re-zone the property from an Arterial Commercial Special Provision (AC2(3)) Zone and an Open Space (OS1) Zone to a Residential R9 Special Provision Bonus (R9-7()•B()) Zone which would allow for the development of two (2) 14-storey apartment buildings containing up to 240 apartment units (or a combination of 120 apartment units and 150 retirement suites), and a 3-storey mixed-use commercial/office building incorporated into the base of the two towers. The requested form of development would result in a maximum height of 41 metres and a maximum density of 286 units per hectare.

Based on the detailed planning evaluation conducted by Staff, and comments received throughout the public and agency circulation process, Staff have tabled an alternative recommendation which would result in the application of a Multi-Family, Medium Density Residential (MFMDR) Designation on the subject lands and the addition of a “Special Policy” to allow for mixed-use development, and densities greater than those normally permitted in the MFMDR designation through site-specific bonus zoning applications.

This report also notes that this application (OZ-8279) has been appealed to the Ontario Municipal Board by Patton, Cormier & Associates LLP on the basis of non-decision within 180

--	--

File: OZ-8279
Planner: Mike Davis

days of receipt of the complete application. Throughout the processing of this planning application, Staff expended considerable time working with the applicants to resolve technical issues and address planning related concerns which led to the 180-day timeline being exceeded. The alternative would have been to present the matter to the Planning and Environment Committee, at an earlier date, with a recommendation for refusal. At this time, many of these issues remain unresolved and the applicants have directed Staff to bring the application forward, as originally presented, with no modifications to address planning and design concerns raised through the application process. Upon final direction from the applicants to proceed with reporting on the application, Staff have prepared this report which is being presented at the next available opportunity. Even though the application has been appealed, a recommendation from Municipal Council is required in order to provide direction for future OMB proceedings.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

January 9, 2012 Strategic Planning & Priorities Committee – Thames Valley Corridor Plan
 – Recognizing the Thames River Valley as London’s most important natural, cultural, recreational and aesthetic resource, this report recommended approval of the Thames Valley Corridor Plan (TVCP) for the long-term protection and enhancement of the Thames River Valley in London. The TVCP represents a comprehensive Plan that reflects community values, ecological and heritage attributes, current land use regulations, required municipal servicing needs, future directions for parks & recreation and natural areas planning.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommendation in clause (a) serves to advise Municipal Council that the subject Official Plan and Zoning By-law amendment applications have been appealed to the Ontario Municipal Board (OMB) on the basis of non-decision within 180 days.

The purpose and effect of the recommendations outlined in clauses (d)-(f) above is to advise the Ontario Municipal Board that Council recommends refusal of the application by Rand Developments Inc. (2355440 Ontario Inc.) for an Official Plan and Zoning By-law amendment which would facilitate the development of two, 14-storey (41m tall) residential apartment buildings containing up to 240 dwelling units with a 3-storey office/commercial building connecting the base of the two towers (286 units per hectare).

The Staff recommendations outlined in clause (b) are intended to advise the Ontario Municipal Board that Council recommends an alternative Official Plan amendment which would result in the re-designation of the subject site to “Multi-Family, Medium Density Residential” and the addition of a “Special Policy” to Section 3.5 (Policies for Specific Residential Areas) of the Official Plan to allow for mixed-use development including a limited range of commercial and office uses up to 2,000m². The recommended amendment is intended to facilitate residential intensification and redevelopment of the site in an appropriate mid-rise built form.

RATIONALE

The rationale for approval of the Official Plan amendments attached as Appendix “A” to this report is as follows:

- i) The site is consistent with the location criteria for the Multi-Family, Medium Density Residential Designation and is of a suitable size and shape to accommodate medium density forms of housing while ensuring sensitivity to the surrounding physical context (built and natural);

--	--

File: OZ-8279
Planner: Mike Davis

- ii) The recommended special Official Plan policies encourage the development of well-designed forms of medium density housing which promote sensitivity to the low-rise character of surrounding development, its location adjacent to the Coves ESA, and the Thames Valley Corridor;
- iii) The recommended Official Plan amendment will facilitate an appropriate form of residential intensification on the subject lands and provide for a mix of uses to complement and enhance the character of the Springbank Drive Corridor;
- iv) The Multi-Family, Medium Density Residential designation includes inherent limits on the scale of development at 4-6 storeys which will ensure that future development is sensitive to the scale and character of surrounding land uses and natural features and does not present an extreme in bulk or height in the context of the surrounding area;
- v) The recommended amendment will facilitate a future Zoning By-law amendment for a development project that demonstrates, through the preparation of a concept plan for the site, a compatible fit with the area and addresses the Urban Design Principles outlined in Section 11 of the Official Plan; and
- vi) Recognizing the brownfield conditions of the site and that the primary concerns relating to the intensity of development on this site pertain to form, the special Official Plan policies provide exceptions to allow for additional density through bonus zoning beyond what is normally permitted in the Multi-Family, Medium Density Residential designation through bonus zoning.

The rationale for the recommendation of refusal of the Rand Developments Inc. Official Plan and Zoning By-law amendment application is as follows:

- i) The City has achieved the objectives of the Provincial Policy Statement, 2014 by providing for a range of appropriate opportunities and locations for intensification through the policies and provisions of its Official Plan;
- ii) The requested amendments are discouraged by the objectives relating to development of Multi-Family, High Density Residential uses outlined in Section 3.1.4 of the Official Plan, which promote sensitivity to the scale and character of adjacent land uses and/or desirable natural features abutting the site in the design or form of development,
- iii) The proposed amendments would result in a form of development that does not meet the criteria for Residential Intensification and Infill projects outlined in Section 3.2.3 of the Official Plan which require clear demonstration that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on the existing and proposed built form, massing, scale and architectural treatments;
- iv) The site cannot fulfill a range of the locational criteria outlined for the Multi-Family, High Density Residential designation and its spatial characteristics more closely align with the location criteria for the Multi-Family, Medium Density Residential designation;
- v) The proposed amendments would allow for a maximum height of 41 metres (14-storeys) and a maximum net density of 286 units per hectare. This scale of development exceeds the restrictions of 150 units per hectare for high-density development outside of Central London and does not satisfy the criteria outlined under Section 3.4.3 iv) of the Official Plan for locations where Council may consider densities beyond those normally permitted;

--	--

File: OZ-8279
Planner: Mike Davis

- vi) The proposed amendments would facilitate a building design which requires relief from the standard landscape open space requirements from 30% to 25%, in part, to accommodate a large surface parking area. The design also includes a parking structure which significantly exposed above grade along the east side of the site creating an unsuitable built interface with Springbank Drive at street level and with the open space/future trail area along the west bank of the Coves ESA;
- vii) Sanitary servicing capacity does not currently exist to accommodate the increased sewage flows anticipated through the proposed level of redevelopment and the potential solutions to this issue remains unresolved; and,

BACKGROUND

Date Application Accepted: October 29, 2013	Agent: Knutson Development Consultants Inc.
<p>REQUESTED ACTION: Amend the Official Plan to change the land use designation from “Auto-Oriented Commercial Corridor” to “Multi-Family, High Density Residential” and add a “Special Policy” (Chapter 10 – Policies for Specific Areas) to permit a range of office and convenience and personal service commercial uses up to a maximum gross floor area of 2,000m² within the first 3-storeys of a connecting podium structure as part of a mixed-use residential apartment building.</p> <p>Change Zoning By-law Z.-1 FROM an Arterial Commercial Special Provision (AC2(3)) Zone which permits automobile sales and service establishments and mix of small scale retail, office, personal service and compatible residential uses; and an Open Space (OS1) Zone which permits conservation lands and works, golf courses, parks, managed forests and campgrounds TO an Open Space (OS4) Zone to allow for conservation lands and public parks, and a Residential R9 Special Provision Bonus/Office Residential Special Provision (R9-7()•D282•H49•B-*/OR4()) Zone. The proposed residential zone would permit apartment buildings, class 2 lodging houses, senior citizen apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities to a maximum height of 49 metres and a maximum density of 282 units per hectare with special provisions to add “retirement suites” as a permitted use and permit reduced parking requirements, reduced front, interior side yard and rear yard setbacks, reduced landscaped open space requirements and to allow for greater building coverage, and with a bonus zone which would require the inclusion of features such as brownfield rehabilitation, provision of green roof, underground parking, public open space and quality urban design. The proposed office residential zone would permit a range of personal service, convenience commercial, office and employment uses up to a maximum gross floor area of 2,000m² with a special provision to permit these uses on the first 3-storeys of the connecting podium structure. The City may also consider additional special provisions to exempt the proposed commercial space from the density restrictions of the proposed compound zone set out in Section 3.4(1) – Mixed-Use Developments.</p> <p>In order to facilitate the proposed zoning change, the applicant has requested the addition of a new definition for “Retirement Suite” in Section 2 – Definitions of Zoning By-law Z.-1, which would generally provide for an individual living unit without a full kitchen and include provisions for reduced parking requirements in Section 4.19 - Parking of By-law Z.-1 and reduced density considerations in Section 3.4 – Density “D” of By-law Z.-1.</p>	

--	--

SITE CHARACTERISTICS:
<ul style="list-style-type: none">• Current Land Use – Former Automobile Sales Establishment (Brownfield)• Frontage – 140 metres• Depth – 90 metres• Area – 1.34 hectares (Developable Area – 0.91 hectares)• Shape - Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none">• North - Low Density Residential• South - The Coves, Environmentally Significant Area• East - The Coves, Environmentally significant Area• West – Range of Auto-Oriented Commercial Uses

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map on page 9)
<ul style="list-style-type: none">• Auto-Oriented Commercial Corridor, Low Density Residential, and Open Space
EXISTING ZONING: (refer to Zoning Map on page 10)
<ul style="list-style-type: none">• Arterial Commercial Special Provision (AC2(3)) Zone and Open Space (OS1) Zone

--	--

File: OZ-8279
Planner: Mike Davis



Aerial Photo Location Map

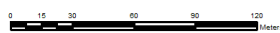
File No.: OZ-8279

MD

Date Prepared: 2014/03/24

CK

SCALE: 1:2,750

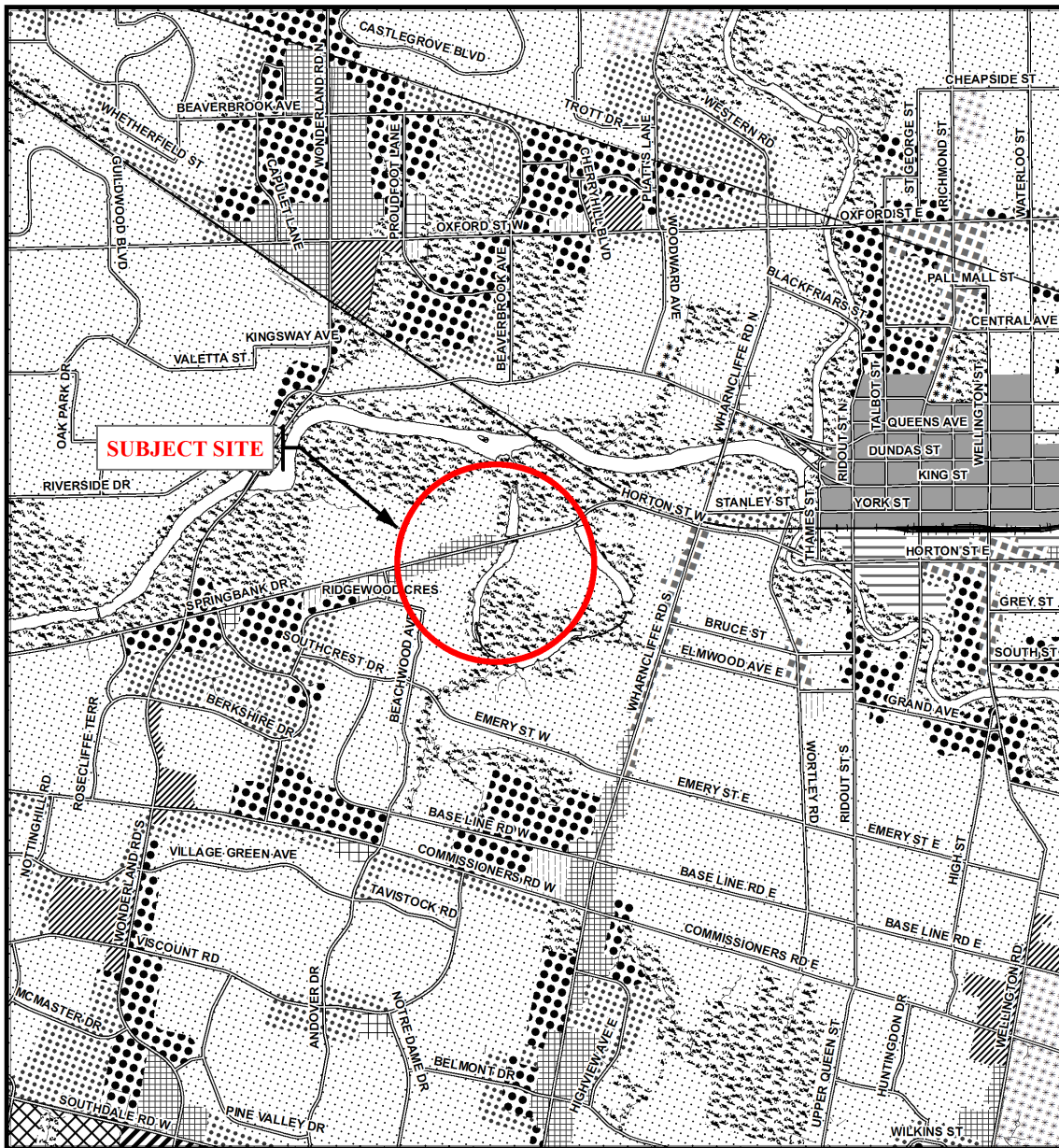


Prepared by : Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

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

--	--

File: OZ-8279
Planner: Mike Davis

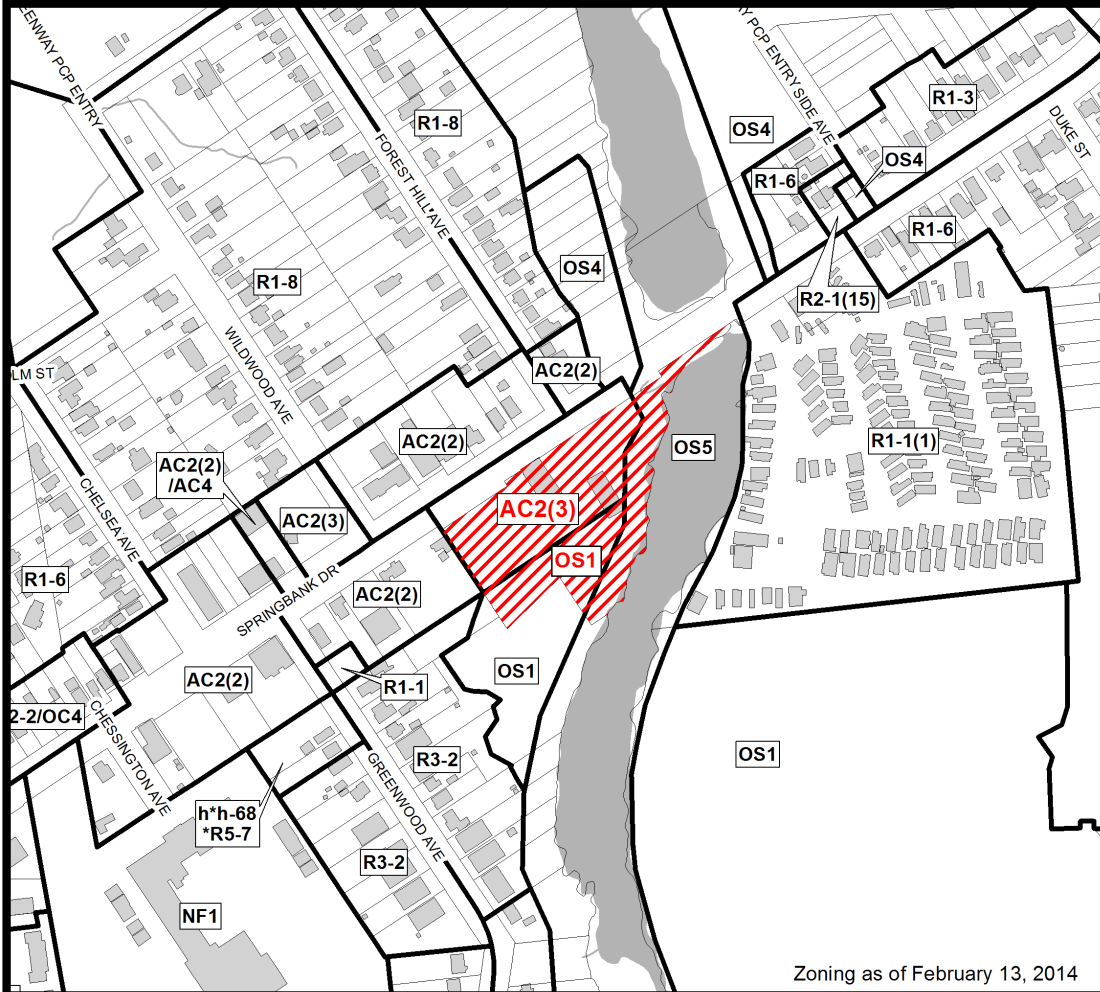


Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low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

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: Z-8279</p> <p>PLANNER: MD</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/03/24</p>
---	------------------------------	---

--	--

File: OZ-8279
Planner: Mike Davis



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: AC2(3) & OS1

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

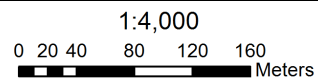
**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



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

FILE NO:
OZ-8279 MD

MAP PREPARED:
2014/03/24 CK



--	--

File: OZ-8279
Planner: Mike Davis

APPLICATION TIMELINE/MILESTONES
--

1. **October 29, 2013** – City receives “Complete” application for Official Plan and Zoning By-law amendment for 250-272 Springbank Drive from Rand Developments Inc. (OZ-8279).
2. **November 14, 2013** – Notice of Application is published in Londoner, circulated to required public agencies, and mailed to all property owners within 120 metres of subject lands.
3. **December 4, 2013** – Preliminary commenting period expires – technical issues raised by Upper Thames River Conservation Authority, Wastewater and Drainage Engineering Department, Urban Design Peer Review Panel and City of London Urban Design Staff.
4. **January 2014** – Planning Staff conduct preliminary analysis and planning evaluation.
5. **February 19, 2014** – Planning Staff hold meeting with Rand Developments Inc. representatives to discuss planning and technical issues uncovered through review process. Staff recommend consideration of an alternative built form of lower height (4-6 stories) and promote City’s brownfield incentives programs.
6. **March 6, 2014** – Planning Staff meet on-site with applicant to discuss applicant’s concerns with preliminary staff evaluation and suggestions to consider a lower intensity built form.
7. **March 28, 2014** – Applicants meet with City Planner to further discuss concerns with preliminary planning evaluation and suggestion to consider a lower built form.
8. **April 9, 2014** – Planning and Urban Design Staff meet with applicants to discuss potential re-design of proposed buildings to conform to Official Plan. Staff provided site specific design guidelines to assist applicants in achieving the urban design principles of the Official Plan.
9. **April 17, 2014** – City receives sign-off from UTRCA that outstanding slope stability issues have been satisfactorily addressed by the applicant (Wastewater, Urban Design and Planning Issues remained unresolved).
10. **May 5, 2014** – Applicants appeal the Official Plan and Zoning By-law amendment application (OZ-8279) to the Ontario Municipal Board on the basis of non-decision within 180 days.
11. **May 6, 2014** – In email to Planning Staff, Applicant expresses inability to consider further design revisions and direct staff to proceed with public meeting based on the application “as presented” notwithstanding outstanding technical and planning issues.
12. **June 9, 2014** – Final Staff report submitted for inclusion on June 17, 2014 Planning and Environment Committee agenda.
13. **June 17, 2014** – Staff report and recommendation considered at a public participation meeting before the Planning and Environment Committee.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Wastewater and Drainage Engineering:

The proposed development would contribute 5-6 L/s of additional flow to the system, whereas the allowable flow based on current zoning is approximately 1 L/s (100 people/ha, 0.8 ha of developable area). There is no viable option to direct flows from the proposed development east along Springbank Drive to Brookdale Pump Station as the station has limited capacity

--	--

**File: OZ-8279
Planner: Mike Davis**

(Rated capacity of 18 L/s). An expansion to this facility would trigger significant/costly upgrades and is questionable to be approved by MOE given its location near the Coves.

WADE Staff held a meeting with Whitney Engineering on May 1, 2014 to discuss additional system capacity analysis and potential wastewater servicing solutions. Further to our meeting, WADE is expecting to receive a memo from Whitney Engineering outlining the proposed sanitary servicing options for 250-272 Springbank Drive. Given the current limitations of the Brookdale Pump Station, options for using the Wildwood Ave sanitary outlet must be explored. It is noted that the Wildwood Ave sanitary outlet is currently operating at capacity.

In order to proceed with using the Wildwood Ave sanitary outlet, the following servicing options were discussed at the meeting:

- *The Owner negotiates with the Coves Trailer Park to improve its pumping station and reduce the flows to the Wildwood outlet from 28 L/s to its design flow rate.*
- *The Owner upsizes the sanitary sewer on Wildwood Ave at 100% his cost as the City has no improvement needs at this time.*

It being noted that:

- *The road, watermain, and storm sewer were reconstructed by the City in 2007. At that time, it was determined that the 1976 asbestos cement sanitary sewer was in fair to good condition and would remain in place.*
- *WADE will need to confirm with Senior Management whether a reconstruction project on Wildwood Ave would be permitted, given the disruption to local residents on Wildwood. As such, Whitney is going to outline the proposed works and level of disruption to the street in its memo.*

Following receipt of the memo, WADE will review and discuss with Senior Management to determine if there is a viable servicing option to support the intensification of this property.

We understand from Planning that, at the request of the proponent, the proposed re-zoning is being brought forward for a public meeting for a rezoning very shortly. At this time, WADE will be recommending to defer the rezoning until a viable sanitary servicing solution is determined. We trust you understand that we cannot recommend a holding provision without confirmation that there is in fact a viable servicing alternative.

Transportation Planning and Design:

As part of this application, a Transportation Impact Statement was submitted on behalf of the applicant by F.R. Berry & Associates to determine the need for a left turn lane on Springbank Drive and any other transportation impacts within the area. The study showed that access to the site should be located at the westerly limit of the property to provide the most optimal sight lines for motorists using the site. A left turn lane will also be required on Springbank Drive to provide safe access for the mixed use residential - office development. The study assumed one full turn and one right in right out only access for the site. Transportation does not support more than one access for this site. The traffic study shows that traffic volume generated by the development can be efficiently accommodated with only one full turn access. The proliferation of unnecessary accesses onto arterial streets creates conflict points for users of the road thereby reducing capacity and increasing potential collision points. Therefore only one access is supported. Other transportation issue including access and left turn lane design requirements will be discussed through the site plan review process.

Stormwater Management:

The SWM Unit has no objections to the proposed 250-272 Springbank Dr. Application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval.

In addition, the SWM Unit provides the following comments to be addressed at the site plan

--	--

File: OZ-8279
Planner: Mike Davis

approval stage:

- *The subject lands are located in the Central Thames Subwatershed. The Owner shall be required to apply the proper SWM practices to ensure that the storm discharges from the subject site under the post- development conditions will not exceed the peak discharge of storm run-off under pre-development conditions.*
- *The owner's Professional Engineer prepares a servicing report to address minor, major flows, SWM measures (quantity, quality and erosion control), and identify outlet systems (major and minor) in accordance with City of London Design Permanent Private Stormwater Systems and MOE's requirements, all to the satisfaction of the City Engineer.*
- *The subject land is tributary to two catchment areas, according to drawings 18561 the design C value for the subject lands is 0.7. If this value is exceeded, the owner shall provide alternative on-site SWM which is designed and certified by a Professional Engineer for review and approval by the Environmental Services Department.*
- *Prior to the final approval of this plan, the owner agrees to have its geotechnical engineer identify all required erosion set back maintenance, erosion, structural, geotechnical and lot line setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.*
- *Due to the nature of the land use the owner may be required to have a consulting Professional Engineer design and install an Oil/Grit Separator to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.*
- *The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within this development application and all to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and all to the satisfaction of the City Engineer.*
- *The Owner is required to provide a lot grading and drainage plan that includes, but it is not limited to, minor, major storm/drainage flows that are mostly contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.*
- *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
- *The owner shall be required to comply with the MOE and City's applicable Acts, Regulations, Standards, Specifications and Requirements including Drainage By-Law and acts (WM-4), to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the specifications of the City Engineer.*

Environmental and Parks Planning:

Environmental and Parks Planning have reviewed the application and offer the following comments for your consideration:

Natural Heritage

- *Environmental and Parks Planning agrees with the findings and recommendations of the March 21, 2013 Subject Lands Status Report (SLSR) by Biologic Inc. The boundary of*

--	--

File: OZ-8279
Planner: Mike Davis

the Coves Environmentally Significant Area (ESA) identified in the SLSR is consistent with the boundary delineated by North South Environmental for the recent Phase 1, Conservation Master Plan for the Coves ESA. The ESA boundary should be identified on plans going forward. The SLSR identifies setbacks and buffers primarily based on the geotechnical line work which generally exceed the buffers provided through the Environmental Management Guidelines minimum buffer approach (10 m beyond the drip-line of the trees, 30 m from the Coves West Pond and 10 m from the top of bank).

- *At Site Plan stage careful removal of the existing asphalt inside the ESA boundary and buffer areas will provide re-naturalization opportunities, which along with the remediation of the contaminated soils identified by EXP Services Inc. in the Phase II Environmental Site Assessment provide an opportunity for an overall net benefit to the Coves ESA post development.*
- *Based on the proposed land use change, the following recommendations based on the SLSR are to be included as conditions of site plan approval:*
 1. *A tree preservation report shall be completed for the development, and for the required works to remove the existing asphalt that currently extends into the buffer and the Coves ESA.*
 2. *If a SWM outlet for the development is proposed to outlet into the Coves ESA, or, if contaminated soil must be removed from inside the ESA boundary an Environmental Impact Study will be required to be scoped with Environmental and Parks Planning staff, completed by the developers consultants and recommendations implemented to the satisfaction of the City Planner.*
 3. *A sediment and erosion control plan shall be developed for the subject lands to protect the west pond and associated slopes.*

Parkland

- *Consistent with Council’s practice, the 6 metre erosion access allowance is to be included within the open space designation and zone and not within the developable lands. If the erosion access allowance lands are required for density purposes, consideration should be given to transfer density rights from open space lands.*
- *Parkland dedication will be partially satisfied through the land acquisition of the OS lands at a rate consistent with the Parkland Dedication By-law CP-9. The balance of the parkland dedication will be taken in the form of cash-in-lieu for both the residential and commercial components.*
- *It is understood that the lands to be dedicated to the city are contaminated. The applicant has indicated the contaminated material will be removal prior to the construction of the development. The City will require a record of site condition prior to the lands to be dedicated to the City.*
- *The dedicated lands are to be graded and seeded with a native seed mixture and grade an area to accommodate future public access.*
- *Consistent with the Council approved recommendations of the Thames valley Corridor Plan, the applicant’s urban design brief should give consideration to the location of the proposed development adjacent to the oxbow of the Thames River as well as the proximity to the Thames Valley corridor. The proposed development should be sensitive to the scale of its surroundings and incorporate the character of the surrounding Thames Valley corridor.*

--	--

File: OZ-8279
Planner: Mike Davis

- *The applicant has provided building elevations from the north, south and west; however an east elevation has not been provided. E&PP have concerns with the proposed parking structure protruding from the northeast corner of the site and integration of the proposed development with the Coves and the proposed public open space.*
- *Landscaping within the site should be consistent with the native species of the area. Screening of the parking structure and other undesirable features of the development from the parkland will be a requirement of the site plan application.*

Upper Thames River Conservation Authority:

The UTRCA is satisfied with the information that has been provided and has no objections to this application. We wish to remind the proponent that the subject lands are regulated by the UTRCA and that written approvals must be obtained from the Authority prior to undertaking any site alteration or development within the regulated area.

Urban Design:

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

The existing character of the area is mixed. Generally, the area is made up of one storey purpose-built commercial buildings, one to two storey single family dwellings, and one to two storey converted dwellings. For the most part, built form found along this portion of Springbank Drive is street-oriented with limited or no parking between the buildings and the street. The current proposal places two 14 storey towers near the street edge at a 45° angle to Springbank Drive with a three storey link building that includes an entrance oriented to the street. Urban Design staff are not supportive of the proposed design and provide the following comments to consider while evaluating the proposal:

- *The proposed built form should take into account its context. Springbank Drive is a major arterial road, the Coves are an environmentally significant area, and views of the Downtown skyline from this location can be spectacular.*
- *Taking into account the site context, consider a “V” shaped building of a midrise form (4-6 storeys) parallel to both Springbank Drive and the Coves with the possibility of integrating a taller (up to 14 storey) point tower at the intersecting point.*
- *Ensure a high quality design including a variety of complimentary materials distinguishing the base, middle, and top of the building(s).*
- *Locate active ground floor uses such as; lobbies, common rooms, or individual unit entrances with urban courtyards on the ground floor along the portions of the building directly adjacent to Springbank Drive in order to create an active street edge.*
- *Ensure that proposed parking garages are fully underground and are not exposed to the street or to the Coves.*
- *Incorporate an urban treatment between the built form and the City sidewalk. This can be achieved by landscaped tiered planters and staircases where changes in grades exist along the street).*
- *Ensure an integrated transition treatment between the identified top of slope and the built form/parking areas. Include a comprehensive landscaping strategy in order to screen the parking area from the Coves.*
- *Alterations to this site plan may be recirculated to the Urban Design Peer Review Panel electronically for further advice on the revised design.*

--	--

**File: OZ-8279
Planner: Mike Davis**

Urban Design Peer Review Panel:

The following comments from the Panel are based on the submitted Urban Design Brief, questions directed to and responses by the Applicant on November 20, 2013.

1. *The Panel recognizes the development challenge of the site with its urban edge along Springbank Drive to the north, the city-owned woodlot to the south-west and the environmentally sensitive West Coves to the south-east. These aspects of the site must be carefully handled to achieve a successful redevelopment.*
2. *A number of significant features of the proposed development detract from the project: the orientation of the buildings is contrary to the conventional practice of squaring a building to a street thereby diminishing the connection of the building to the street; the size of the proposed floor plates requires too much of the site at the expense of usable open space for residents and results in imposing building masses; the distance between the towers is such that it will detract from the quality of the associated residential units.*
3. *The attempt to take advantage of the proximity of the coves as a visual space for some of the residents is a relevant goal; however, siting the towers at an acute angle to Springbank Drive to achieve that goal results in an unsuitable site plan.*
4. *The urban context and the scale of the site require that the proposed building address the street more effectively than proposed.*
5. *A multi-storey, townhouse podium for the towers would be one way to address Springbank Drive appropriately and effectively.*
6. *A better-defined building base, such as a residential or mixed-use, multi-storey podium would allow for a more refined tower design than that proposed.*
7. *Quality façade materials are encouraged as is their careful articulation and detailing to avoid ill-defined and unattractive planes and surfaces.*
8. *Outdoor amenity space of sufficient quantity to support and benefit the proposed population is necessary as part of a functional and attractive landscape plan.*
9. *The underground parking should be designed to ensure the entire parking structure is below grade.*
10. *Subsequent submissions to the City should be complete, thoroughly coordinated and carefully rendered to accurately convey design intent for the site, buildings and landscape.*

Environment & Ecological Planning Advisory Committee:

At its meeting held on January 16, 2014, the Environment and Ecological Planning Advisory Committee (EEPAC) asked that the following comments, prepared by the EEPAC Working Group, with respect to the application by 235440 Ontario Inc. related to the properties located at 250-272 Springbank Drive, be forwarded to the Civic Administration for their review and consideration.

Theme #1: Inadequate and inappropriate data for completion of SLSR

The objective of a Subject Lands Status Report (SLSR) is “to inventory, evaluate, assess significance of features and functions, delineate boundaries and make recommendations for designation” (p. 5 EM Guidelines). Further, “a SLSR must give special consideration to the identification of environmental management requirements and ensure that key resources are adequately studied and protected through connectivity, buffers and monitoring (p. 5 EM Guidelines).”

EEPAC is of the opinion that this SLSR is lacking in many of the proper input data to make

--	--

File: OZ-8279
Planner: Mike Davis

appropriate conclusions about subject lands. This is highlighted by the consultants themselves who point out (page 7) that vegetation surveys are not ideal to be carried out in the middle of the winter. SLSRs cannot leave most of the work for the EIS, as is done in this report (page 16 – Terms of Reference). One would think that the EIS will soon follow but this is not given (personal communication with Mike Davis on January 15, 2014). Developers might change their minds but the SLSR is on record to say certain things that were not fully assessed. In EEPAC’s opinion an SLSR has to be stand-alone and cannot look ahead to the EIS for performing the work it was set out to do.

Recommendation 1:

As per Environmental Management Guideline of the City of London, life science inventories must be conducted in season and over multiple seasons (either 3 or 5 season inventories as appropriate for the particular class of flora and fauna). There is ample evidence from the adjacent ESA that subject lands are most likely used by vulnerable, threatened and endangered species. (It is unclear whether Coves ESA studies conducted in 2011 evaluated subject lands).

Recommendation 2:

Groundwater well hydrological results must be shown in an appendix with location of well and proper cross-section.

Recommendation 3:

The ESA boundary must be identified within the context of this SLSR. Just based on a simple desk-top analysis the drip-line of trees certainly extends beyond the ESA boundary shown in the SLSR (which was taken from another study)(Figure 1).

THEME #2: Potential brownfield site

Given its former use as an auto-dealership and auto/bus service site, there is ample concern to carry out soil testing for contaminants. A brownfield assessment is necessary which may also determine if brownfield pollution is affecting the ESA currently. (The SLSR calls for soils testing during the EIS; however, it should be the job of this SLSR to undertake that study.)

Recommendation 4:

Appropriate soil testing is necessary to determine the level of soil contamination. Soils may be compacted now, but during excavation contaminants may be disturbed and may be washed into the West Pond of the Coves.

THEME #3: Management recommendations

Much more is needed on management recommendations. While ESA and geotechnical boundaries have been offered, there is no comprehensive assessment of buffer required to protect the significant features and hazards.

Recommendation 5:

Appropriate buffers need to be shown for the ESA, including consideration for geotechnical, as well as riparian forest protection. (15 – 30m + 4m)

Recommendation 6:

Soil remediation plans (including monitoring) need to be presented with consideration of potential location of oil/grit separator location(s).

--	--

File: OZ-8279
Planner: Mike Davis

PUBLIC LIAISON:	<p>On November 14, 2013, Notice of Application was sent to 53 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on November 14, 2014. A “Possible Land Use Change” sign was also posted on the site.</p>	<p>Four (4) written replies were received</p>
<p>Nature of Liaison: The purpose and effect of the requested Official Plan and Zoning change is to allow for the development of two 14-storey (49m tall) residential apartment buildings with a 3-storey podium structure connecting the base of the two towers. The residential apartment buildings are proposed to contain a combined maximum of 240 dwelling units and may contain a combination of apartment dwellings and retirement suites (individual living units without full kitchens). The 3-storey connecting podium structure may contain up to 2,000m² of office space, convenience/personal service commercial uses and central facilities and amenities to support residents such as dining facilities, lounges, recreation facilities, aesthetic services and medical offices.</p> <p>Possible amendment to the Official Plan to change the land use designation from “Auto-Oriented Commercial Corridor” to “Multi Family, High Density Residential” with a “Special Policy” (Chapter 10 – Policies for Specific Areas) to permit a range of office and convenience and personal service commercial uses up to a maximum gross floor area of 2,000m² within the first 3 storeys of a connecting podium structure as part of a mixed-use residential building.</p> <p>Change Zoning By-law Z.-1 FROM an Arterial Commercial (AC2(3)) Zone which permits automobile sales and service establishments and mix of small scale retail, office, personal service and compatible residential uses; and an Open Space (OS1) Zone which permits conservation lands and works, golf courses, parks, managed forests and campgrounds TO an Open Space (OS4) Zone to allow for conservation lands and public parks, and a Residential R9 Special Provision Bonus/Office Residential Special Provision (R9-7()•D282•H49•B-*/OR4()) Zone. The proposed residential zone would permit apartment buildings, class 2 lodging houses, senior citizen apartment buildings, handicapped persons apartment buildings and continuum-of-care facilities to a maximum height of 49 metres and a maximum density of 282 units per hectare with special provisions to add “retirement suites” as a permitted use and permit reduced parking requirements, reduced front, interior side yard and rear yard setbacks, reduced landscaped open space requirements and to allow for greater building coverage, and with a bonus zone which would require the inclusion of features such as brownfield rehabilitation, provision of green roof, underground parking, public open space and quality urban design. The proposed office residential zone would permit a range of personal service, convenience commercial, office and employment uses up to a maximum gross floor area of 2,000m² with a special provision to permit these uses on the first 3-storeys of the connecting podium structure. The City may also consider additional special provisions to exempt the proposed commercial space from the density restrictions of the proposed compound zone set out in Section 3.4(1) – Mixed-Use Developments.</p> <p>In order to facilitate the proposed zoning change, the applicant has requested the addition of a new definition for “Retirement Suite” in Section 2 – Definitions of Zoning By-law Z.-1, which would generally provide for an individual living unit without a full kitchen and include provisions for reduced parking requirements in Section 4.19 - Parking of By-law Z.-1 and reduced density considerations in Section 3.4 – Density “D” of By-law Z.-1.</p>		
Responses:		
Support	Concern	
<ul style="list-style-type: none"> Recognize the benefit of cleaning up and using the site. 	<ul style="list-style-type: none"> Proposed buildings are too tall for low-rise area; Concern about tall buildings against the Coves and Thames Valley River Corridor; 	

--	--

File: OZ-8279
 Planner: Mike Davis

- | | |
|--|--|
| | <ul style="list-style-type: none"> Lack of setbacks from the Coves ESA. |
|--|--|

ANALYSIS

Subject Lands:

The subject lands are comprised of one property which includes four municipal addresses; 250, 268, 270 and 272 Springbank Drive. The lands are located on the south side of Springbank Drive, approximately 2km west of the Downtown, directly south of the “T” intersection at Forest Hill Avenue and Springbank Drive. As noted previously in this report, the site abuts the western bank of the Coves, an Environmentally Significant Area (ESA) and part of the Thames Valley Corridor. The Coves includes a series of Oxbow Ponds remnant of a former meander of the Thames River, associated vegetated bank, and an expanse of low-lying lands.

Figure 1: Site Location – Aerial View.



Note: Location of numbered icons corresponds to vantage point of street level views below.

The property is irregular in shape and includes approximately 140 metres of frontage along Springbank Drive, a total site area of approximately 1.34 hectares and a net developable area of approximately 0.91 hectares. The site contains a variety of physical and environmental constraints due to topographical challenges resulting from the steep slope along the western bank of the Coves, and proximity to the Coves ESA. The site is perched upon a plateau above the slope associated with the West bank of the Coves ponds. As such, a slope stability assessment was submitted as part of the complete application to determine development

--	--

File: OZ-8279
Planner: Mike Davis

setbacks and incorporate slope stability and erosion allowance measures into the proposed development plan.

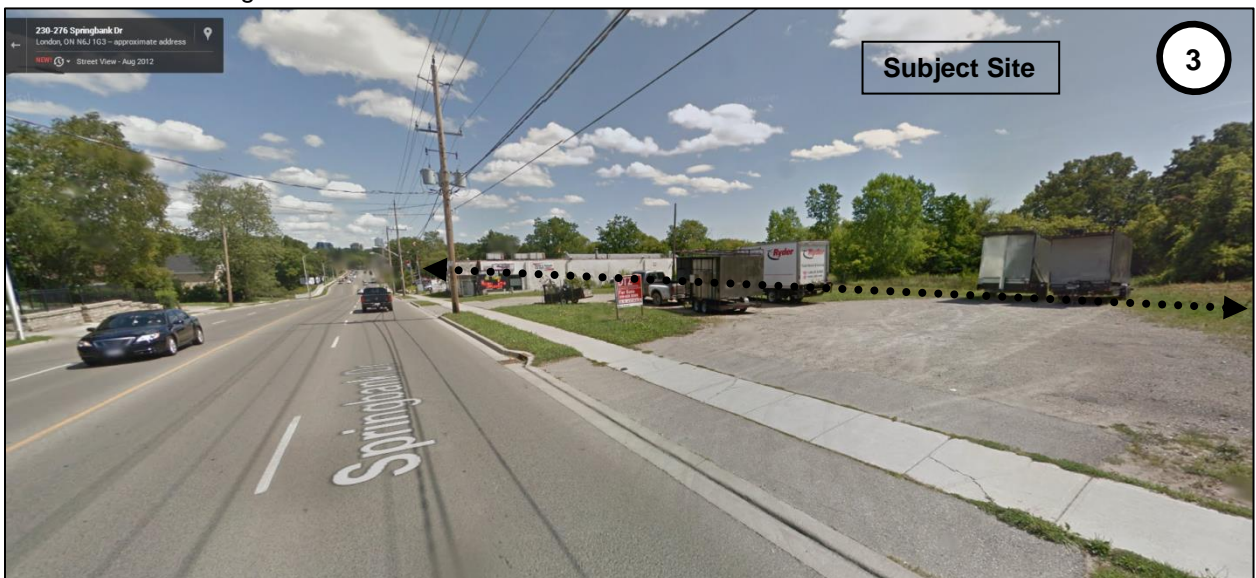
Street View: Looking west toward site and Coves ponds.



Street View: Looking south at site from Forest Hill Ave.



Street View: Looking east at site toward Downtown.



--	--

**File: OZ-8279
Planner: Mike Davis**

Nature of Application:

The applicant has applied to change both the Official Plan designation and Zoning of the subject property. The proposed modifications to the Official Plan include:

- i. Request to re-designate the lands on Schedule “A” to the Official Plan (Land Use) from “Auto-Oriented Commercial Corridor” and “Low Density Residential” to “Multi-Family, High Density Residential”; and,
- ii. Request to add a “Special Policy” to Chapter 10 – Policies for Specific Areas to the Official Plan to permit a broader range of uses including office uses and commercial uses up to 2,000m² within the first 3 floors of the proposed building(s).

The proposed Zoning By-law amendments include:

- i. Request to re-zone the subject property from an Arterial Commercial Special Provision (AC2(3)) Zone which permits automobile sales and service establishments and a mix of small scale retail, office, personal service and residential uses and an Open Space (OS1) Zone which permits conservation lands and works, parks, managed forest and campgrounds to an Open Space (OS4) which allows conservation lands and public parks and a Residential R9 Special Provision Bonus (R9-7()●B()) Zone to allow for apartment buildings and a range of high-density residential uses along with a range of personal service, convenience commercial, and office uses up to a maximum gross floor area of 2,000m² within the first 3 stories of an apartment building(s). Special provisions are also requested to provide for relief from the standard landscaped open space, lot coverage, interior side yard, front yard and rear yard setbacks of the R9-7 Zone. The proposed bonus Zone would allow for height and density increases up to 41 metres (14-storeys) and a maximum net density of 286 units per hectare in return for benefits including brownfield remediation, the inclusion of landscaped green roof on a portion of the 3rd floor roof, the provision of underground parking and high quality urban design:
- ii. Request to add a definition for “Retirement Suites” to Section 2 – Definitions of Zoning By-law No. Z.-1, which would generally provide for an individual living unit absent of a full kitchen and include use specific reduced parking requirements in Section 4.19 – Parking of Zoning By-law No. Z.-1 and reduced density considerations (i.e. 1.0 “Retirement Suites” = 0.8 residential units) in Section 3.4 – Density of By-law Z.-1.

The proposed Official Plan and Zoning changes, as described above, are intended to allow for the development of two (2) 14-storey (41m tall) residential apartment buildings with a 3-storey building connecting the base of the two towers of a specified design which includes:

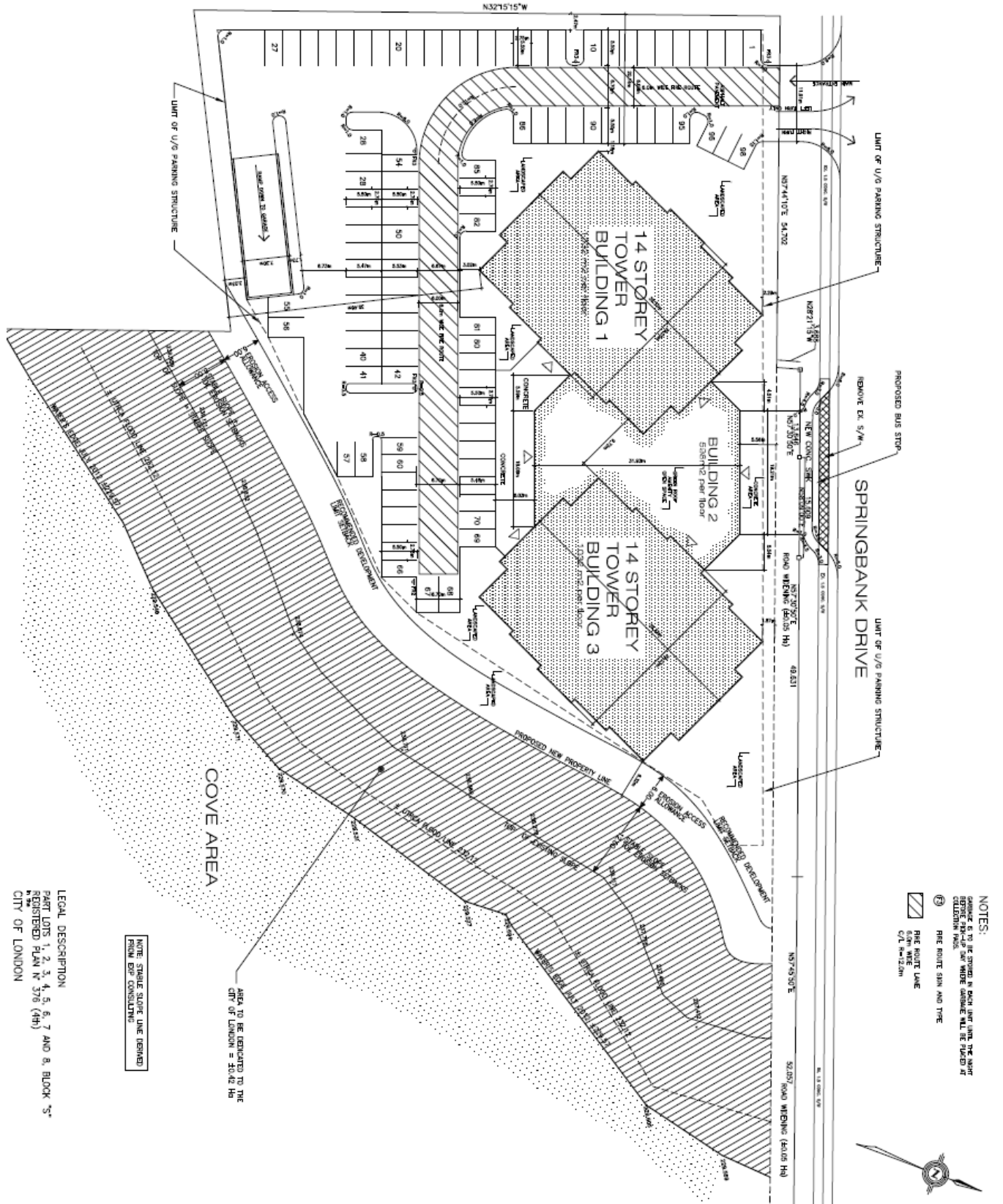
- Up to 240 residential dwelling units and may contain a combination of apartment dwellings and retirement suites (individual living units without full kitchens) in the apartment towers;
- Up to 2,000m² of office space, convenience commercial/personal service commercial uses and central facilities and amenities to support residents such as dining facilities, lounges, recreation facilities, aesthetic services and medical offices; and
- A combination of below grade, structured above grade and surface parking.

A visual overview of the proposed form of development, as described above, is provided in the Site Plan, Elevation Drawings and Illustrations (**Figure 2 (a)-(d)**) below.

--	--

File: OZ-8279
Planner: Mike Davis

Figure 2(a): Proposed Site Plan



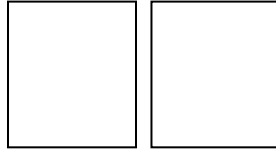
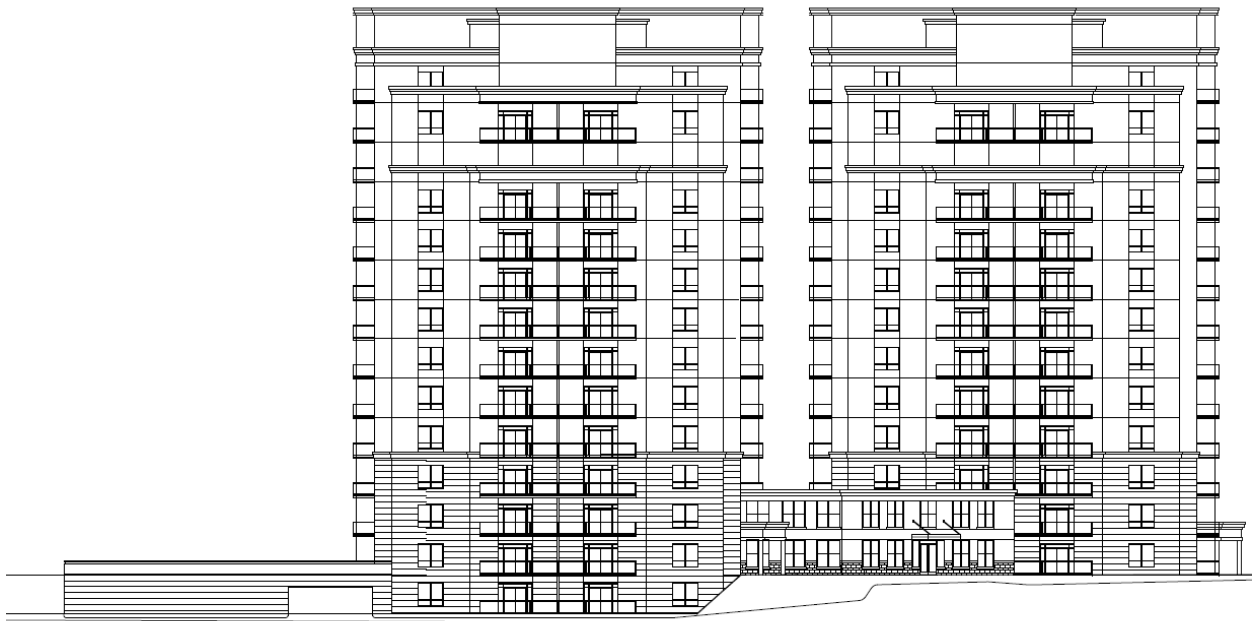


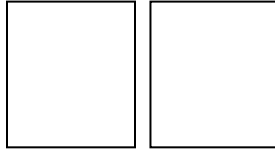
Figure 2(b): Proposed Elevations



WEST ELEVATION

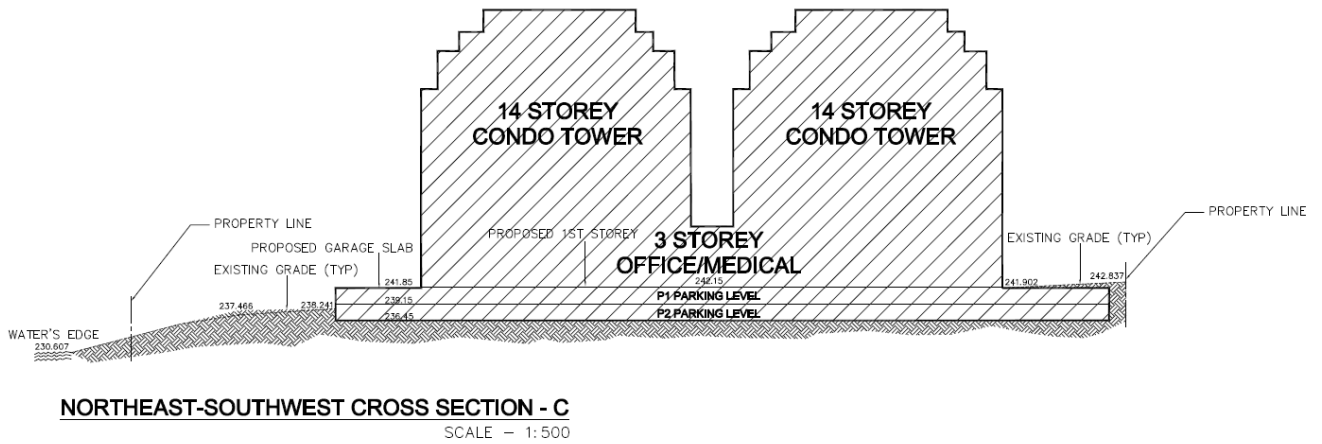


NORTH ELEVATION



File: OZ-8279
Planner: Mike Davis

Figure 2(c): Section Drawings



Note: Significant grade changes result in parking structure exposed above grade along eastern portion of site.

Figure 2(d): Rendering



Note: Rendering does not accurately depict grade changes and parking structure exposure.

--	--

File: OZ-8279
Planner: Mike Davis

Issues Summary:

1) Sanitary Servicing:

As part of the “complete application” for the proposed Official Plan and Zoning By-law amendment, the applicants were required to submit a Sanitary Servicing Study to identify an appropriate sewage outlet to accommodate the anticipated increased wastewater flow which would result from the intensification of the site. The original Sanitary Capacity Analysis provided by Whitney Engineering Inc. proposed three options which included:

- 1) Outlet the site to the existing sanitary sewer on Springbank Drive which flows easterly to the Brookdale Pumping Station;
- 2) Construct a private on-site pump station to pump the wastewater to the existing sewer on Wildwood Avenue; and
- 3) This option considered a hybrid of the above strategies.

Through the Official Plan and Zoning By-law amendment review process, the City’s Wastewater and Drainage Engineering Division has expressed concern with the options proposed in the Whitney report. Through on-going discussion with the Applicant’s consulting engineer, Option 1) has been ruled out as, *“There is no viable option to direct flows from the proposed development east along Springbank Drive to Brookdale Pump Station as the station has limited capacity (Rated capacity of 18 L/s). An expansion to this facility would trigger significant/costly upgrades and is questionable to be approved by MOE given its location near the Coves.”*

WADE Staff have met with the applicant’s consulting engineer as recently as May 1, 2014 to discuss the sanitary servicing issue. Given the current limitations of the Brookdale Pump Station, options for using the Wildwood Ave sanitary outlet must be explored. It is noted that the Wildwood Ave sanitary outlet is currently operating at capacity.

In order to proceed with using the Wildwood Ave sanitary outlet, the following servicing options were discussed at the meeting:

- *The Owner negotiates with the Coves Trailer Park to improve its pumping station and reduce the flows to the Wildwood outlet from 28 L/s to its design flow rate.*
- *The Owner upsizes the sanitary sewer on Wildwood Ave at 100% his cost as the City has no improvement needs at this time.*

Figure 3: Sanitary sewer network



--	--

**File: OZ-8279
Planner: Mike Davis**

The Wildwood Avenue road, watermain, and storm sewer were reconstructed by the City in 2007. At that time, it was determined that the 1976 asbestos cement sanitary sewer was in fair to good condition and would remain in place. WADE will need to confirm with Senior Management whether a reconstruction project on Wildwood Ave would be permitted, given the disruption to local residents on Wildwood. As such, Whitney is going to outline the proposed works and level of disruption to the street in its memo.

At the time of writing this report, WADE staff had not received the results of Whitney’s further exploration of the above noted sanitary servicing options. As such, the issue of sanitary serving remains unresolved. WADE staff have recommended that any decision for approval of the proposed amendments should be deferred until it can be demonstrated that a feasible servicing option exists for the proposed level of intensification. Planning Staff, in accordance with the applicable policies of the PPS and Official Plan, are in agreement with this recommendation.

2) Neighbourhood Character - Scale of Development:

The City’s Official Plan provides policy direction on considering applications for residential intensification, designating lands for high-density residential uses and zoning to permit higher densities than normally contemplated through the policy framework for high-density residential. These policies are explicitly outlined and analyzed in the Planning Analysis provided in latter sections of this report. In reviewing the applicable policy comprehensively, important themes emerge as to how the Official Plan intends applications for residential intensification and high density development are to be evaluated. The primary considerations include: 1) the site’s proximity to suitable infrastructure and “day-to-day” services; and, 2) the project’s sensitivity to, compatibility with, and fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, massing and architectural details as outlined. In general, applications for high density development are required to demonstrate sensitivity to the scale and character of both adjacent land uses and to desirable natural features on, or in close proximity to the site.

As part of the “complete application” for the proposed Official Plan and Zoning By-law amendment, the applicants were required, as per Section 3.2.3.3 and 3.2.3.4 of the Official Plan, to submit a Neighbourhood Character Statement and Compatibility Report to demonstrate that the development is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood. Items to consider in this evaluation include how the building addresses the street, street wall and treatment of grade-level, transition to adjacent uses/buildings; transition of scale; street proportion/street sections; sensitivity to the character of the area, etc. The character and compatibility analysis is ultimately used to evaluate the proposal’s conformity with the relevant built form and character based policies of Section 3 of the Official Plan which are highlighted in the planning analysis below. The character analysis is particularly important in cases where the applicant has requested height and density increases through bonus zoning.

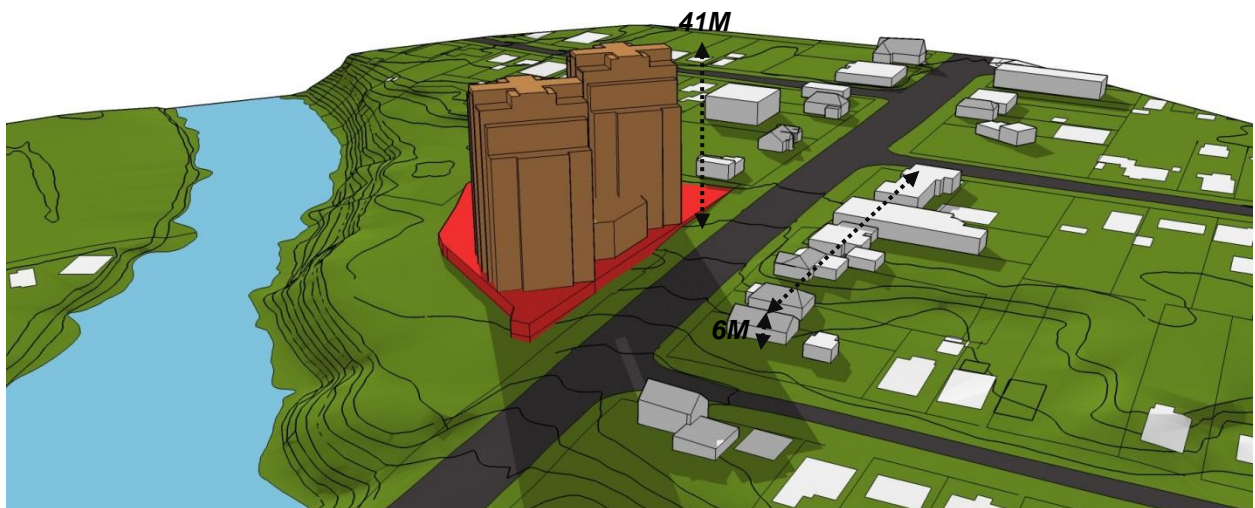
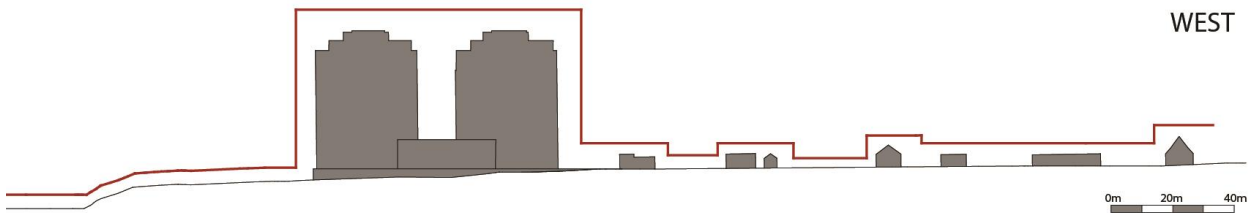
With regard to the relevant Official Plan policies, Urban Design principles, and guideline documents, Planning Services Staff are not in agreement with the proposed built form as it relates to the following:

Note: **The graphics referenced in the following analysis represent the massing of the proposed built form and were developed by Planning Services Staff based on data and information submitted by the applicant in the form of site plans, elevations and section drawings.*

Height:

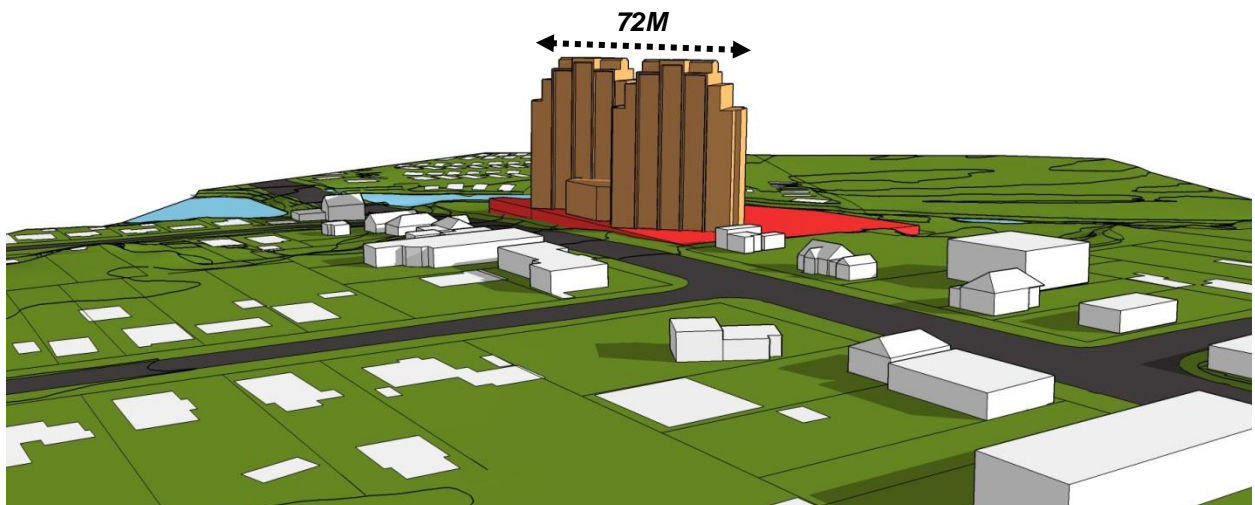
The height of the proposed towers is inappropriate for their context. The area is dominated by low-rise built form and passive open space. The proposed towers present an extreme height in relation to the dominant scale of development in the area and provide no transition to allow for a sensitive integration into the existing built and physical fabric of the surroundings.

--	--

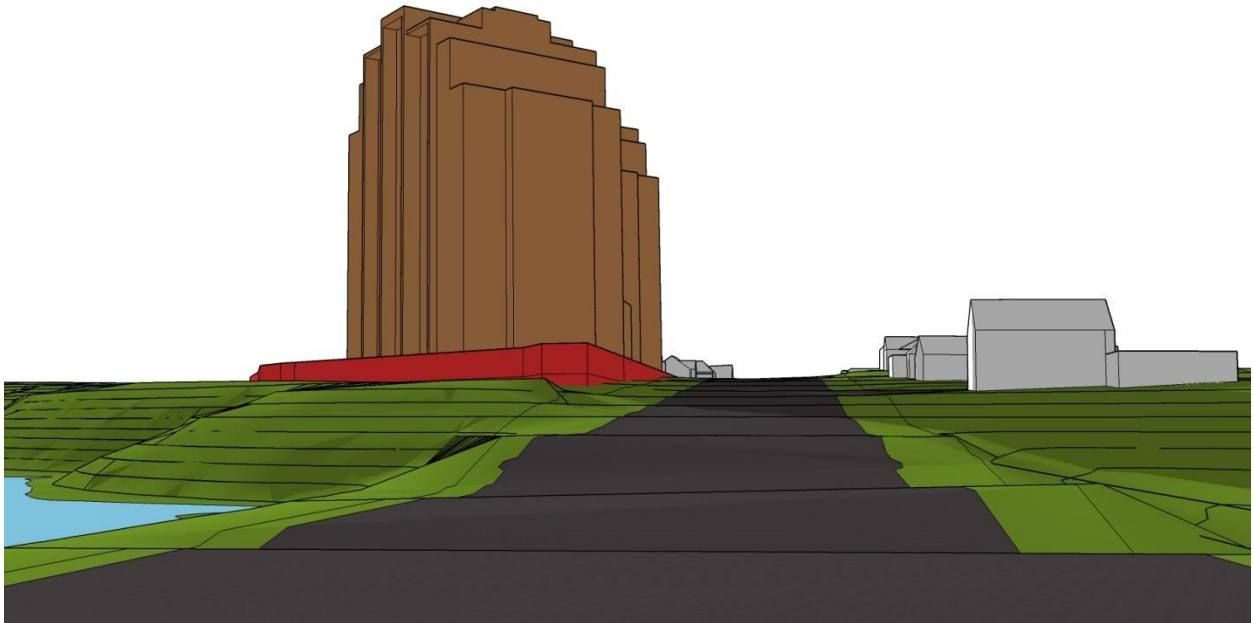


Massing and Orientation:

The size of the proposed tower floor-plates requires too much of the site at the expense of usable open space for residents and results in visually imposing building masses. The orientation of the buildings is contrary to the conventional practice of squaring a building to a street. This diminishes the connection of the building to the street and serves to extend the visual bulk of the tower floor-plates.



--	--



Street Interface:

The street level is dominated by the grade change posed by the structured parking, particularly toward the eastern boundary of the site along the west bank of the Coves. The proposed built form does not offer a design solution to properly account for and integrate grade changes. The front facades impose a sheer vertical wall with no variation in the massing of the building provided to address the pedestrian realm along Springbank Drive at a human-scale.



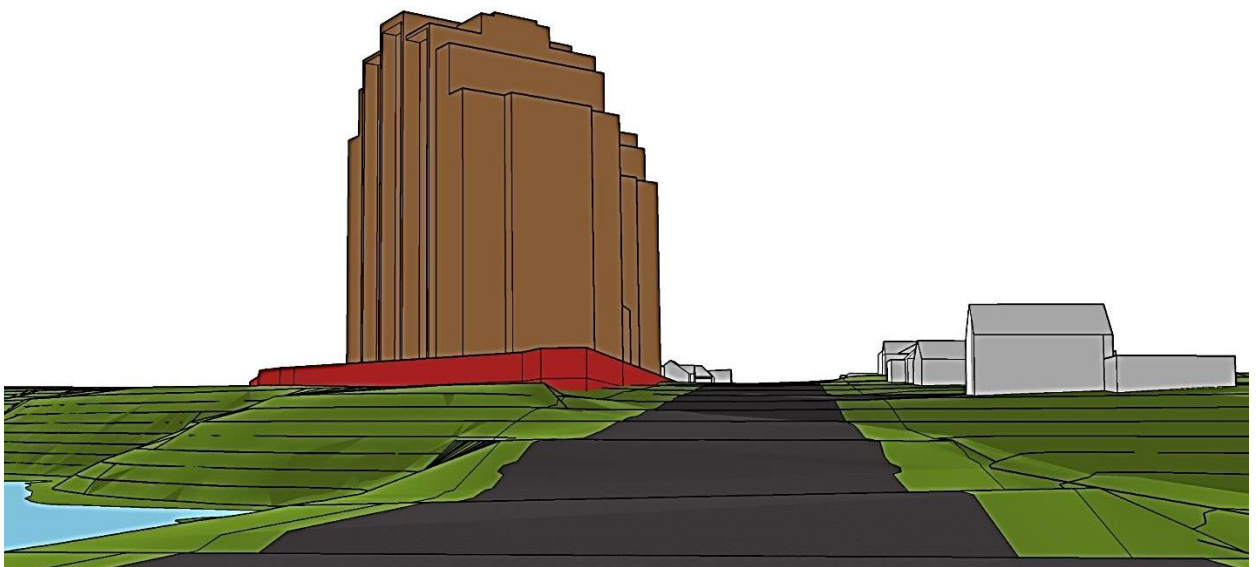
Visual Impacts:

The proposed towers will protrude approximately 30m above the existing mature vegetation of the west bank of the Coves. This situation is exacerbated by the site being perched upon a plateau which is approximately 8 metres higher in elevation than the low lying lands of the Coves. The extreme bulk and height threatens important view-sheds from Springbank Drive to the Downtown and the passive visual character of the west bank of the Coves.

--	--

File: OZ-8279
Planner: Mike Davis

Street View: Looking southwest toward site and west bank of Coves.



--	--

File: OZ-8279
Planner: Mike Davis

Street View: Looking east toward Downtown on Springbank Drive.



--	--

**File: OZ-8279
Planner: Mike Davis**

Function:

Staff are also concerned about the intensity of the proposed use based on the current site design and the various development constraints applicable to the lands. As noted previously in this report, the application requests variances for relief for standard requirements for landscaped Open space from 30% down to 25% to accommodate a large surface parking area and increased lot coverage and interior side yard setbacks to facilitate an above grade parking structure.

3) Brownfield Remediation:

Through discussions with the applicant, Staff recognize that part of the rationale for the requested increased density is due to the anticipated “up-front” costs of remediating the site to an appropriate standard for the proposed residential use. The applicants have maintained that the increased density is necessary in order to generate sufficient return to offset the anticipated costs of remediation. As evident by Official Plan amendments recommended by Staff, much of the concern with the proposed high-density development relates to the built-form as opposed to the density of residential apartment units. Through the Official Plan and Zoning amendment process, Staff have encouraged the applicant to explore an alternative site design which incorporates appropriate mid-rise building heights (4-6 stories) approaching the densities as proposed. If an alternative built-form was proposed which compatible with the character of the area, the issue of density is less problematic.

Additionally, the City has, through its Brownfield Community Improvement Plan, in fact recognized the benefits, economic and environmental, associated with brownfield remediation, and also the barriers to brownfield remediation in terms of the additional “up-front” costs and risks it poses for developers. In order to assist in removing these economic barriers, Council has developed a financial assistance program through the Brownfield Community Improvement Plan to significantly offset the costs of brownfield remediation for redevelopment projects on brownfield sites in the City of London. Adopted by Council in 2006, the City of London Brownfield Community Improvement Plan (CIP) offers a suite of financial incentives for proponents of redevelopment projects. Eligible costs which may be recovered through these programs include:

- 100% of building demolition costs;
- 100% of site remediation costs;
- 100% of the cost of rehabilitating existing structures; and
- 100% of the cost of environmental insurance premiums during the remediation phase up to the date the first building permit is issued, to guarantee that the remediation will be completed;

The following list is a summary of the various programs offered by the City through the Brownfield CIP. It should be noted that the summary provides a general idea as to the potential value of each program in offsetting the eligible costs noted above:

Property Tax Assistance Program:

This Tax Assistance Program provides for tax relief to property owners through the cancellation of 25% of current property taxes for up to three (3) years (or a longer period of time as may be specified in the site-specific enabling by-law) during which rehabilitation and development activity is taking place.

Development Charges Rebate Program:

The Development Charges Rebate Program would provide a grant back to the property owner for up to 50% of the normal development charge to cover eligible remediation costs.

Tax Increment Equivalent Grant Program:

The amount of tax increment equivalent grant is equal to the increase between the pre-

--	--

**File: OZ-8279
Planner: Mike Davis**

development and post-development municipal portion of property taxes after rehabilitation and development has taken place. Where improvements have been approved by the City, resulting in an increased assessed value of the property and therefore increased taxes, the City will provide a grant equal to the amount of the municipal property tax increase as a result of the rehabilitation and development for up to a maximum of three (3) years from the date of the increase in assessed value.

Provincial Policy Statement, 2014:

The *Provincial Policy Statement, 2014 (PPS)* provides policy direction on matters of provincial interest related to land use planning and development outlined in Section 2 of the *Planning Act*. The objectives of the PPS pertain to three major policy areas including 1.0 – Building Strong Healthy Communities, 2.0 – Wise Use and Management of Resources, and 3.0 – Protecting Public Health and Safety. Section 3 of the *Planning Act* requires that decisions of any authority affecting planning matters “shall be consistent” with the PPS. As it relates to this application, the PPS provides the following direction:

In general, Section 1.1 of the PPS promotes healthy, liveable and safe communities, in part, by *encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; and promoting cost effective development patterns and standards to minimize land consumption and servicing cost*. Section 1.1.3 of the PPS 2014 establishes the broad framework for development and land use patterns in urban settlement areas. The policies encourage intensification and redevelopment at **appropriate locations** [emphasis added]. Appropriate areas being those that where development can be accommodated in a manner which accounts for the existing built context of the area and where suitable existing or planned infrastructure is available.

The PPS 2014 builds upon many of the principles for urban growth established in the PPS 2005, but includes new language and policy direction to clarify previous concepts and align Provincial Policy directives with new trends. Of note to the Rand Developments Inc. application Section 1.1.3.3 of the new PPS 2014 directs planning authorities to *identify appropriate locations and promote opportunities for intensification where it can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs*.

The language of the new PPS adds the word “appropriate” before “locations” regarding intensification. The inclusion of the word “appropriate” provides additional criteria to the previous PPS policy which was less clear in the application of promoting intensification in settlement areas. The intent has always been that intensification should be promoted to the greatest extent feasible, where it can be accommodated taking into account the existing built context of an area and the suitability of infrastructure/services. The new PPS provides clearer direction to municipalities that discretion for intensification can, and must, be based on local approaches which ensure a balance in the public interest with orderly urban growth is achieved. The intent is a focused but balanced approach to intensification.

The requested Official Plan and Zoning amendment would facilitate the development of two 14-storey (41 metre tall) apartment buildings within a primarily low-rise neighbourhood on a site characterized prominently by its spatial relationship with one of the City’s most significant natural heritage features. The availability of suitable existing or planned sanitary services is unresolved and the extent of upgrades required threatens the feasibility of the intensification proposal on the subject lands. The form of development proposed through this Zoning By-law amendment application does not take into account the existing built character of the area and, together with existing servicing issues, creates a situation which undermines its consistency with the policies of the PPS.

--	--

**File: OZ-8279
Planner: Mike Davis**

City of London Official Plan:

The City’s Official Plan outlines Council’s objectives and provides policies to guide the short-term and long-term physical development of the municipality. Comprehensively, 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.

As noted previously in this report, the subject lands are currently designated “Auto-Oriented Commercial Corridor” and “Low Density Residential” in the City of London Official Plan. The requested Official Plan amendment would result in these lands being re-designated to “Multi-Family, High Density Residential” to allow for the development of high-rise forms of housing. The Official Plan amendment also requests to add a “Special Policy” to Chapter 10 – Policies for Special Areas – to allow for mixed use development including “Office” and a range of commercial uses. The proposed Zoning By-law amendment requests Bonus Zoning in order to allow for development up to a net density of 286 units per hectare and a maximum height of 14-storeys (41 metres). The requested site-specific zoning also requires a range of variances from the standard Residential R9 (R9-7) Zone provisions to recognize deficiencies with respect to the provision of landscaped open space, excess building coverage and required yard setbacks.

For the purposes of this planning evaluation the requested amendments have generally been considered comprehensively, with analysis regarding specific components of the proposal highlighted where appropriate. The Official Plan contains a breadth of policy for considering the requested amendments. Without limiting the applicability of additional policies of the Official Plan, the following Sections of the Official Plan provide particularly relevant guidance:

Figure 4: Official Plan overview

Applicable Official Plan Policies	
2.	Planning Framework
	2.3 Planning Principles
	2.9.3 Environmental Strategies
3.	Residential Land Use Designations
	3.1.4 Multi-Family, High Density Residential Objectives
	3.2.3 Residential Intensification
	3.4 Multi-Family, High Density Residential
	3.4.2 Locations
	3.4.3 Scale of Development
	3.7 Planning Impact Analysis
11.	Urban Design Principles
19.	Implementation
	19.2 Secondary Plans and Guideline Documents
	19.4.4 Bonus Zoning

The relevant policies, as illustrated in **Figure 4** above, have been considered below. Staff’s evaluation of the proposal’s conformity with those policies generally follows each section.

2. Planning Framework

The Planning Framework provided in Chapter 2 of the City’s Official Plan outlines the underlying vision, strategic priorities, principles, assumptions and strategies that serve as the basis for the policies contained in the Plan. The Planning Framework identifies high-level strategies and priorities for a range of planning considerations including the management of urban growth, protection of the natural environment, conservation of heritage resources and promotion of good urban design.

--	--

File: OZ-8279
Planner: Mike Davis

2.3 Planning Principles

Of specific relevance in considering the Rand Developments Inc. proposal, Section 2.3.1 outlines a range of principles that influence the development control policies specified in further Sections of the Official Plan. The evaluation of the Rand Developments Inc. proposal in the context of these high-level principles establishes a basis for measuring the proposal's conformity with the overall intent of the Official Plan. The following planning principles should be considered:

- ii) Land use planning should promote compatibility among land uses in terms of scale, intensity of use and potentially related impacts.*
- iii) Land use planning should be conducive to the maintenance and enhancement of environmental quality and conservation of natural, cultural and built heritage resources.*
- vi) An Official Plan should enhance the character of residential areas and direct redevelopment and intensification activities to locations where existing land uses are not adversely affected.*
- vii) Land use planning should promote attractive, functional and accessible site and building design which is sensitive to the scale and character of surrounding uses.*

The planning principles outlined in Section 2.3.1 of the Official Plan and noted above express themes about Council's vision for land use planning in the City. There is clear focus and intent that urban development, including residential intensification, should be designed to complement and enhance the character and amenities of a given area, taking into account the existing physical (built and natural) context and should be sensitive to the scale and character of surrounding uses.

Staff have concerns regarding the scale, massing and height of the proposed development (14-storey towers) in relation to the site's location within an area predominantly comprised of low-rise buildings, surrounded by passive, natural open space, perched upon a highly visible plateau, adjacent to the "City's most important natural aesthetic resource." The character analysis provided in the "Issues Summary" section (pg. 27-30) of this report above documents the existing physical character of the area and highlights the potential impact of the proposed development through graphic analysis that demonstrates the extreme bulk of the proposed built form in comparison to its surrounding context. The proposal's conformity with the more specific and prescriptive development policies outlined in subsequent sections of the Official Plan also "paints the picture" that the scale and intensity of the requested use does not respond to its context and represents an inappropriate location for high-rise development.

2.9 Natural Environment

Building upon the general principles established in Section 2.3.1 of the Official Plan and outlined above, Section 2.9 of the Official Plan provides broad objectives and goals for city planning as it relates to the natural environment. As noted previously in this report, the subject site is situated atop the west bank of the "Coves". The Coves and associated vegetated banks are identified on Schedule B-1 of the Official Plan as an Environmentally Significant Area, and form a key component of the Thames Valley River Corridor natural heritage system. Section 2.9.1 of the Official Plan outlines Council's desire to "improve the quality of the Natural Heritage System over the planning period by mitigating the negative impacts of activities that impact on the system". It is reasonable to conclude that such activities would include urban development. Further, Section 2.9.1 speaks to the multi-functional role of the city's natural heritage system as these resources being important, not just for their ecological function but also for their aesthetic value to the City. Notably, Section 2.9.3 of the Official Plan identifies the Thames Valley Corridor as the City's "the most important natural, cultural, recreational and aesthetic resource". The City has approved the Thames Valley Corridor Plan (TVCP) as a guideline document to

--	--

File: OZ-8279
Planner: Mike Davis

optimize and protect the multi-functional role of the Thames Valley Corridor. The TVCP provides policies relating to visual impacts of development that are particularly applicable to the proposed development. An evaluation of the proposal's consistency with the urban design guidelines of the TVCP is provided in the subsequent Official Plan analysis and is supported by the graphic analysis provided in the "Issues Summary" section (pg. 27-30) of this report.

3. Residential Land Use Designations

The City's Official Plan provides three (3) primary residential land use designations. Lands within the residential designations are intended to provide for housing and other land uses which are integral to and supportive of a residential environment. The range of land uses and intensities contemplated by the policies of each designation are differentiated based on physical context of the site including proximity to services and the existing character /built context of the neighbourhood. Each designation regulates development through policies on scale, form and intensity. As noted previously, the Rand Developments Inc. proposal is to re-designate the subject property from "Auto-Oriented Commercial Corridor" and "Low Density Residential" to "Multi-Family, High Density Residential" and re-zone the subject site to a Bonus Zone which would provide for the development of two 14-storey (41m tall) apartment buildings of a specified design up to a net density of 286 units per hectare.

The following objectives and policies provide the evaluative framework for Council to consider in determining the appropriateness of the applications:

3.1.4 Multi-Family, High Density Residential Objectives

- i) Support the development of multi-family, high density residential uses at locations which enhance the character and amenity of a residential area and where arterial streets, public transit, shopping facilities, public open space, and recreational facilities are easily accessible; and where there are adequate municipal services to accommodate the development.*
- ii) Provide opportunities for the development of multi-family, high density residential buildings at locations adjacent to major public open space area where compatibility with adjacent land uses can be achieved.*
- iii) Promote in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to the site.*

The recommendation for refusal of the proposed Official Plan and Zoning By-law amendments is supported by the above noted Multi-Family, High Density Residential development objectives of the Official Plan as:

- The sanitary servicing solution proposed by the applicants to service the proposed development is currently unresolved. No decision for approval should be rendered until it has been demonstrated that a feasible servicing strategy exists to accommodate sanitary flows from the development.
- The site is located in the midst of a mixed-use neighbourhood characterized by low-rise development, passive open space and the vegetated banks of the Thames Valley River Corridor. The proposed development presents an extreme bulk in terms of its scale, height, massing and intensity which has the potential to compromise the visual character and amenity of the area. The extent of exposed parking garage oriented toward the Coves is particularly undesirable.
- The site does not contain sufficient lot area to accommodate a transition to the requested high-rise buildings from surrounding development.

--	--

File: OZ-8279
Planner: Mike Davis

- This is a spot-designation. The integration of high-rise built form requires a more comprehensive planning exercise which includes sufficient lands to appropriately establish a functional high density area and a transition from low-rise to high-rise development.

3.2.3 Residential Intensification

Residential intensification refers to the development of a property, site or area at a higher density than currently exists through a variety of means including redevelopment and the development of underutilized lots. The residential intensification policies of the Official Plan strike a balance between encouraging and promoting opportunities for intensification and redevelopment while ensuring that residential intensification proposals are sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on, but not limited to, a review of both the existing and proposed built form, massing and architectural details as outlined in Section 3.7.3 of the Plan.

The neighbourhood character and graphic analysis provided in the “Issues Summary” section (pg. 27-30) of this report addresses the proposal’s divergence with the residential intensification criteria provided in Section 3.2.3. In general, the following elements of the proposal are not in conformity with the requirement for residential intensification proposals:

- The proposed height of the towers is not in keeping with the character of the area which is dominated by low-rise built form and open space.
- The proposed tower design presents imposing building masses, excessive floor-plates with limited variations or step-backs, an inappropriate spatial relationship with the Coves boundary and does not provide for sensitivity to the scale and character of surrounding uses or the significant natural setting.
- The orientation of the building does not appropriately address the Springbank Drive Corridor and serves to extend the visual bulk of the tower facades creating a significant built wall along the Coves and obstructing important views to the Downtown from Springbank Drive.
- The design does not include any architectural elements or variation in the massing to provide an appropriate scale at the street level.

3.4 Multi-Family, High Density Residential

Section 3.4 of the Official Plan provides specific policies for the development of large-scale, multiple unit forms of residential development. The Policies of Section 3.4 provide criteria for considering requests to designate lands for high density residential and also provide criteria for development within areas designated Multi-Family, High Density Residential.

In evaluating the Rand Developments Inc. proposal in the context of the applicable sections of 3.4, the proposal has been viewed comprehensively, in so much as it represents a mechanism to facilitate the development of two 14-storey (41m tall) towers of a specified design with up to 240 apartment units and 2,000m² of commercial floor space (286 units per hectare).

3.4.2. Locations

In addition to areas predominantly composed of existing or planned high density residential development, the preferred locations for the Multi-Family, High Density Residential designation shall include areas near the periphery of the Downtown that are appropriate for redevelopment; lands in close proximity to Enclosed Regional Commercial Nodes or New Format Regional Commercial Nodes or Community Commercial Nodes, Regional Facilities or designated Open Space areas; and, lands abutting or having easy access to an arterial or primary collector road. Other locations which have highly desirable site features and where surrounding land uses are not adversely affected may also be considered for high density residential development. Consideration will be given to the following criteria in designating lands for Multi-Family, High Density Residential use:

--	--

File: OZ-8279
Planner: Mike Davis

- i) *Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.*
- ii) *Adequate municipal services can be provided to meet the needs of potential*
- iii) *Traffic to and from the location should not have a significant impact on stable low density residential areas.*
- iv) *The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.*
- v) *Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance.*

The recommendation for refusal of the requested Official Plan amendment is supported by the above noted policies guiding the appropriate locations for Multi-Family, High Density Residential Designation. This is based on the following:

- While the site does conform to some of the locational criteria including proximity to Open Space areas and abutting an arterial road, it does not fulfill the criteria for designation set out in the remainder of the policy including: it is not located near the periphery of the Downtown, in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities.
- The Multi-Family, High Density Residential Designation creates potential for High-Rise apartment buildings. The proposed 14-storey towers do not take into account the low-rise and pastoral character of the surrounding area. The requested building heights are approximately 30m taller than adjacent mature vegetation and 34m taller than any building within the vicinity. The large floor-plates, in concert with the acute building orientation, create a large unrelieved wall along the west bank of the Coves. In general, the towers present an extreme bulk in relation to their surroundings in terms of the building massing, height and scale. As such, the applicants have not demonstrated that development of the site for high density residential uses can take into account the built fabric of the surrounding area.
- The applicants have not demonstrated a feasible sanitary servicing solution exists to accommodate high-density residential development.
- The spatial attributes of the subject lands are more closely aligned with the locational criteria for the Multi-Family, Medium Density Designation.
- The applicants have not demonstrated that the site contains sufficient space to accommodate high density development in a manner which protects surrounding low-rise development from the imposing visual mass.
- The site is located adjacent to the Coves Environmentally Significant Area (ESA), atop the western bank of the oxbow of the Thames River. The site forms a highly visible plateau and presents challenges in terms of the height of development it can accommodate while respecting the its context adjacent to a significant natural heritage feature.

3.4.3 Scale of Development

Net residential densities in the Multi-Family, High Density Residential designation will vary by location and will be directed by the policies of this Plan. Excluding provisions for bonusing, net residential densities will normally be less than 350 units per hectare (140 units per acre) in the

--	--

**File: OZ-8279
Planner: Mike Davis**

Downtown Area, 250 units per hectare (100 units per acre) in Central London and 150 Units per hectare outside of Central London. Height and density limitations that are specified in the Zoning By-law will be guided by the following policies:

Height and Density outside of the Downtown and Central London Areas

- i) Outside of the Downtown and Central London areas it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated Multi-Family, High Density Residential areas. Such areas, which will normally exceed 3 hectares (7.4 acres) in size, will be guided by the following criteria:*
 - a) A transition in scale shall be encouraged, where appropriate, to avoid extremes in building height and bulk between the new development and the existing built fabric of adjacent properties;*
 - b) All areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings in order to minimize the overwhelming effect of large high rise developments;*
 - c) High-rise structures shall be oriented, where possible, closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service) with densities and building heights decreasing as the distance from the activity node increases;*
 - d) Massive, at-grade or above grade parking areas shall not dominate the site. Pedestrian circulation and access to transit services should be facilitated through site design and building orientation; and*
 - e) Conformity with this policy and the urban design principles in Section 11.1 shall be demonstrated through the preparation a secondary plan or a concept plan of the site.*

The above noted policies of Section 3.4.3 are intended to provide a framework to guide height and density limitations in areas designated for high density residential uses. The Section 3.4.2 analysis provided in the previous Section outlines concerns about the appropriateness of the MFHDR designation for these lands.

The amendments requested by Rand Developments Inc., to permit the development of two 14-storey residential apartment buildings with up to 2,000m² of commercial/office space at a density of 286 units per hectare, does not conform to the policies guiding height and scale of development as follows:

- The site is located outside of Central London. The MFHDR policies of the Official Plan contemplate densities of up to 150 units per hectare outside of Central London. The requested development would result in a net density of 286 units per hectare which greatly exceeds the maximum permitted for the high density residential designation.
- Normally, areas designated Multi-Family, High Density Residential (MFHDR) are intended to include 3 or more hectares of land so that a transition in scale can occur with the greater scale and intensity focused at the core, away from sensitive land uses, with decreasing height and scale moving toward sensitive land uses such that the area provides an appropriate interface with surrounding development at the periphery of the MFHDR designation. The intent of this desired configuration is to avoid extremes in building height and bulk between new development and the existing built fabric of adjacent properties.
- In small designated areas where a diversity of housing forms cannot be accommodated, mid-rise and low-rise apartment buildings are more appropriate in order to minimize the overwhelming effect of high-rise developments.
- The proposed development requires a reduction in landscaped open space requirements

--	--

File: OZ-8279
Planner: Mike Davis

from 30% to 25% in part, to accommodate a large at-grade parking area. Additionally, the first storey of the proposed “underground parking” structure is fully exposed to the west bank of the Coves, adjacent to the future trail connection. The parking garage exposure due to the grade changes, and the requested reduction in open space requirements, are indicative of a use is too intense for the site given its limited size and challenging topography. Further concerns in this regard are noted from Urban Design Staff and the Urban Design Peer Review Panel. No modifications to the proposed site plan/elevations have been submitted to address these concerns.

- The applicants have prepared a site concept plan in accordance with the above noted policies and the intensification criteria of Section 3.2.3 of the Official Plan. The concept plan does not conform to the urban design principles outlined in Section 11.1 of the Official Plan. A full evaluation of the proposal's conformity with the Urban Design Principles of Section 11.1 are provided below.

Criteria for Increasing Density

- ii) *Notwithstanding Section i) above, on any lands designated Multi-Family, High Density Residential, Council may consider proposals to allow higher densities than would normally be permitted. Zoning to permit higher densities will only be approved where a development will satisfy all of the following criteria:*
 - a) *the site or area shall be located at the intersection of two arterial roads or an arterial and primary collector road, and well-served by public transit;*
 - b) *the development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms of housing and architectural design features;*
 - c) *parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development;*

The above noted policies provide the policy framework for considering applications which provide densities in excess of those normally permitted (excess of 150 units per hectare). Notwithstanding Staff's position that the site does not provide a suitable opportunity for the proposed high density residential form of housing, the requested development has been analyzed in the context of these criteria to further substantiate and confirm the overall planning evaluation. The proposed development of two, 14-storey apartment buildings of a specified design with 2,000m² of commercial/office space at a net density of 286 units per hectare does not meet the criteria for lands where Council may approve zoning for densities greater than 150 units per hectare as:

- Unique attributes such as brownfield remediation must be balanced against the intent of the Official Plan to ensure that residential intensification proposals are sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood. The proposed form of development does not meet the criteria for intensification proposals. Further evaluation is provided in the Section 19.4.4 analysis below.
- The proposed exposed parking garage presents and unsuitable interface with the west bank of the Coves and the future public trail area while the large surface parking area detracts from the required levels of on-site landscaped open space.

3.7 Planning Impact Analysis

Proposals for changes in the use of land which require the application of Planning Impact Analysis are to be evaluated on the basis of criteria relevant to the proposed change.

--	--

File: OZ-8279
Planner: Mike Davis

Where an Official Plan amendment and/or zone change application is being considered the following criteria may be considered. The following Planning Impact Analysis policies represent the applicable criteria in evaluating the Rand Developments Inc. applications:

- (b) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;*

As noted previously in this report, and as evident through the graphic analysis provided by Staff (pg. 27-30), the size of the property is insufficient to properly accommodate the proposed high-rise development in a manner which provides a transition in terms of the massing and height to fit with the built fabric of the surrounding neighbourhood. The intensity of the proposed use results in a large exposed parking structure which will create an undesirable interface with the pedestrian realm along Springbank Drive and provide an unsuitable built interface with the future trail area along the west bank of the Coves ESA. The proposal requests a range of variances from the standard provisions (yard setbacks, open space requirements, coverage requirements, etc.) of the R9-7 Zone indicating that the site, even from a functional perspective is too small to accommodate the proposed development.

- (c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use;*

High-Density Residential development is intended to be planned on a large scale at appropriate locations throughout the City. Opportunities to provide for high-rise residential development in a manner which is integrated with its surroundings exist in many appropriately designated large Multi Family, High Density Residential areas in the City, both in the Downtown Core and Suburban settings.

- (f) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The proposed high-rise apartment towers will extend approximately 30 metres above the existing mature vegetation along the west bank of the Coves and are 11-storeys taller than any structure within 400 metres of the site. The extreme height variation is exacerbated by the topography of the site being perched on the top of the west bank of the Coves. The City's Urban Design Peer Review Panel noted concerns that "the distance between the two towers is such that it will detract from the quality of the residential units".

- (g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

The site abuts the Coves ESA which includes a series of oxbow lakes and associated vegetated banks. The Coves is a component of the Thames Valley Corridor River Ravine System which is noted as the City's most important aesthetic resource. The open passive setting provided by the Coves and the Thames Valley Corridor is a key component of the overall character of this portion of Springbank Drive. Although the proposed development does not contemplate a removal of vegetated buffers, it would result in an unrelieved building mass which extends approximately 30m over established vegetation on a plateau perched at the peak of the west bank of the Coves. It is reasonable to conclude the proposed built form would detract from the established visual character of this area to an undesirable degree.

- (i) *the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

The exterior design of the proposed development in terms of the bulk, scale and layout of the buildings is unsuitable, does not meet the intent of the policies provide in Section 3.2.3

--	--

File: OZ-8279
Planner: Mike Davis

or 3.4 of the Official Plan, does not achieve the Urban Design Principles noted in Chapter 11 and is not supported through the technical design review offered by both the City's Urban Design Staff or Urban Design Peer Review Panel. Issues with the proposed built form include:

- The proposed towers present imposing and unrelieved facades with no variation in the massing of different elements of the tower to assist in breaking down the bulk
- The scale of the height and floor-plates is out-of character with its surroundings and does not provide for any transition between surrounding low-rise built form.
- The orientation of the proposed towers is contrary to the conventional practice of squaring a building to the street and does not contain any variation in the massing of the building to properly address the pedestrian realm. The orientation of the buildings presents further problems in that it visually extends the built interface along the west bank of the Coves.

(l) *compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

The requested amendments include a range of relief from the standard provisions of the R9-7 Zone including: relief from various yard setback requirements; open space requirements; and lot coverage standards. The extent of parking required to accommodate this use results in a large surface parking area and development of a parking structure which extends nearly the length of the property at grade level at varying elevations. These indicate that the proposed use is too intense for the site.

11. Urban Design Principles

Section 11 of the Official Plan contains a range of urban design principles which address matters related to the visual character, aesthetics, and compatibility of land uses and to the qualitative aspects of development. The urban design principles contained in Section 11 are intended to supplement the land uses policies of Section 3.4 – Multi-Family, High Density Residential and Section 3.2.3 – Residential Intensification – in evaluating the appropriateness of development proposals. The guidance provided by these principles is critical in the consideration of increases in height and density contemplated through bonus zoning. The application has been reviewed by both the City's Urban Design Staff and the Urban Design Peer Review Panel for consistency with the Urban Design Principles embedded in Chapter 11. In light of that review, the proposed development is particularly concerning with respect to the following:

- Natural Features and Open Views – the proposed development provides an overwhelming and unrelieved built interface with the Thames Valley Corridor, the City's most important natural aesthetic resource. The proposed towers protrude approximately 30m above the existing mature vegetation of the west bank of the Coves. This situation is exacerbated by the site being perched upon a plateau which is approximately 8 metres higher in elevation than the low lying lands of the Coves. The extreme bulk and height threatens important viewsheds from Springbank Drive to the Downtown.
- High Design Standards – The site design as presented imparts large tower floor-plates, little variation in the built form, does not present a suitable interface to the street, and proposes extensive areas of exposed parking garage adjacent to the future trails area along the west bank of the Coves.
- Architectural Continuity – No variation in the massing of the building has been incorporated and the proposed high-rise buildings do not employ differentiation between building components at various heights to attempt to provide continuity with the existing scale of surrounding development, particularly at the street level.

--	--

**File: OZ-8279
Planner: Mike Davis**

- Streetscape and Pedestrian Traffic Areas – The orientation of the building on an axis does not effectively address the street and the proposed parking structure dominates the interface with the public realm at grade. The proposed towers present an imposing vertical transition and don't properly incorporate a defined building base to address the pedestrian realm at an appropriate scale.
- Parking and Loading – The proposed parking is provided both at-grade and in a parking structure which is partially below-grade. The majority of the site's frontage includes exposed parking garage with such exposure increasing towards the east side of the site along the interface with the future trail area at the west bank of the Coves.

19. Implementation

19.2.2 Guideline Documents

Section 19.2.2 of the Official Plan provides that "Council may adopt guideline documents to provide detailed direction for the implementation of Official Plan policies." Guideline Documents are initiated by Council and may contain "policies, standards, and performance criteria that are either too detailed, or require more flexibility, in interpretation or implementation than the Official Plan would allow". It is recognized that, depending on the nature of the guideline document, they may provide specific direction for the review of development proposals. Staff have reviewed the applicable guideline documents and provided an evaluation of the relevance and direction contemplated by each as it relates to the requested amendment.

Thames Valley Corridor Plan:

Section 2.9.3 iv) of the Official Plan provides that, "*The City recognizes the Thames Valley Corridor as its most important natural, cultural, recreational and aesthetic resource. The City shall prepare a Thames River Valley Corridor Plan to optimize the multi-functional role of the river valley system in the City over the long term future.*" In this regard, the Council approved the Thames Valley Corridor Plan (TVCP) in 2012 to provide supplemental and specific guidance in implementing the objectives of the Official Plan to protect and enhance the multi-functional role of the Thames Valley Corridor and in order to guide future land use policy development in areas in and adjacent to the Thames Valley Corridor (TVC).

Section 1.2 of the TVCP establishes Council's vision and objectives for the Thames Valley Corridor. These objectives include, among others;

4. *Develop guidelines and policies to ensure development along the corridor is compatible with the goals and objectives of this Plan.*
5. *Preserve and Enhance the aesthetic beauty of the corridor.*

Section 3.3 of the TVCP provides direction for Land Use Planning within and adjacent to the boundaries of the TVC. Section 3.3. of the TVCP provides design principles which speak to redevelopment along and adjacent to the TVC and protecting significant view-sheds into and outward from the TVC.

Urban Development/Redevelopment principles for lands adjacent to the corridor includes:

- High standards of design in the building form and landscape to reflect the prominence of the location*
- Spatial relationship of development to the Thames River as well as surrounding urban form in a manner that complements the river valley and adjacent wooded areas or parklands, e.g. consider stepping back of architecture away from the valley, establishing a setback proportional to the building size and scale.*

--	--

File: OZ-8279
Planner: Mike Davis

- g. Impact of development on local and distant views within the Thames Valley Corridor, including opportunities to create new landmarks that enhance views.*
- h. Overall character and theme of the development should be cognizant of, and complement the Thames River Valley including consideration of types of building materials, cladding and lighting.*

The subject site is highly visible from within the Thames Valley Corridor. It abuts the western bank of the Coves oxbow ponds and sits atop a highly visible plateau from Open Space lands within the TVC to the east. The objectives of the TVCP promote urban development adjacent to the TVC to include high design standards and the protection of significant views.

The proposed 14-storey towers will protrude significantly above existing vegetation along the west bank of the Coves ponds. The proposed form of development includes large floor-plates with no building step-backs or variation in massing to limit the visual impact or bulk of the structures. As well, the buildings are oriented on an axis so as to appear even greater in mass from significant view-sheds within the Thames Valley Corridor. The proposed design has been reviewed by the City's Urban Design Staff as well as Council's Urban Design Peer Review Panel, both of whom had concerns with regard to how the proposed high-rise development could fit within the context of the adjacent ESA. Rather than incorporating setbacks from the ESA boundary to provide for a more sensitive spatial relationship with the Coves, the 14-storey towers have been placed at the limit of the west bank. The proposed built form is not in keeping with the intent of the TVCP as it relates to urban development on lands adjacent to the Corridor.

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 the Plan.

Section 19.4.4 provides the local policy basis for bonus zoning. Bonus zoning refers to the practice of permitting increases to height and density in return for certain facilities, services and/or matters. It is intended, through the relevant provisions of the Planning Act and the Official Plan, that the facilities, services or matters provided in consideration of height and density bonuses should bear an appropriate relationship in terms of their cost/benefit implications and must result in a benefit to the general public and/or enhancement of the design or amenities of a development to the extent that a greater height or density is warranted. It is further directed that height and density bonuses should not result in a scale of development which is incompatible with adjacent land uses or exceeds the capacity of available municipal services.

Bonus zoning is to encourage features which result in a public benefit which cannot be obtained through the normal development process, or through the provisions provided by as-of-right zoning on a given site. Section 19.4.4 of the Official Plan specifically provides that "bonus zoning will be used to support the City's urban design principles, as contained in Chapter 11 and other policies of this Plan." Section 19.4.4 ii) provides further policy direction as to matters which may be considered in return for height and density bonuses.

The proposed development requires height and density bonuses to allow for a maximum height of 41 metres and a maximum density of 286 units per hectare whereas, in the High Density Designation, a maximum of 150 units per hectare is normally what's permitted outside of Central London. In order to be eligible for height and density increases of this extent, the proposal must satisfy the locational criteria for high-density residential uses, the criteria for scale of development and increasing height and density and must also satisfy the policies of 19.4.4. The Section 3 analysis provided above demonstrates that the proposed development does not

--	--

File: OZ-8279
Planner: Mike Davis

conform to the applicable High Density Residential policies of Chapter 3, and as such, is not eligible for the requested height and density. However, the following Chapter 19 analysis serves to further substantiate the inappropriateness of the proposed development.

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;*
- (e) to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements;*
- (i) to support the preservation of natural areas and/or features; and*

The Official Plan and Zoning By-law amendments requested by Rand Developments Inc. which would allow for the development of two 14-storey residential apartment buildings of a specified design which includes up to 2,000m² of commercial/office space and a density of 286 units per hectare does not conform to the applicable bonus zoning criteria as follows:

- The proposed development requires relief from the standard requirements for landscaped open space in the R9-7 Zone from the required 30% to 25% whereas the policies seek to enhance this requirement.
- The parking structure, as proposed, protrudes significantly above grade, particularly along the eastern and southern portion of the site and creates an unsuitable interface with Springbank Drive and the Coves. This does not equate to the provision of underground parking.
- The proposed development proposes dedication of open space lands to the City for future connections to the Open Space system along the Coves. However, given the extent of the proposed development, the City may require the dedication of these lands through Parkland Dedication through the normal development process as opposed to supplementary parkland dedication requirements envisioned by this policy.
- The proposed form of development does not implement the urban design principles of Chapter 11 of the City's Official Plan and is not sensitive to its significant natural context.

--	--

**File: OZ-8279
Planner: Mike Davis**

Recommended Land Use Change:

Throughout the review of the Rand Developments Inc. application, Staff have expressed support for a variety of aspects of the proposal including support for mixed-use development, residential intensification and the redevelopment of a former brownfield site. However, as has been demonstrated through the foregoing planning analysis, the proposed built form, particularly with regard to its height, visual bulk and orientation, is not an appropriate scale of development given the surrounding physical context (built and natural). Staff recognize the merits of the redevelopment of this site and the limitations for an effective redevelopment posed by the current Official Plan designations. As such, Staff have recommended an alternative Official Plan amendment which will facilitate an appropriate scale and form of residential intensification and mixed-use development on the subject lands. It is proposed that zoning of the subject lands be withheld until such time a proponent can effectively demonstrate, through the preparation of a concept plan, that a mid-rise form of development can fit within the context of the site. It is proposed that the existing zoning would remain on the lands to allow for the existing range of commercial uses to continue. Such uses are viable interim solutions as the standards for soil quality are not as stringent. The following policies of the City’s Official Plan substantiate the merits of the Staff recommendation.

3.3 Multi-Family, Medium Density Residential

The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing.

3.3.2. Location

In addition to areas predominantly composed of existing or planned medium density residential development, the preferred locations for the Multi-Family, Medium Density Residential designation include lands in close proximity to Shopping Areas, Commercial Districts, designated Open Space areas or Regional Facilities; lands adjacent to a Multi-Family, High Density Residential designation; and, lands abutting an arterial, primary collector or secondary collector street. Consideration will also be given to the following criteria in designating lands for Multi-Family, Medium Density Residential uses:

- i) Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.*
- ii) Adequate municipal services can be provided to accommodate the needs of the development.*
- iii) Traffic to and from the location should not have a significant impact on stable, low density residential areas.*
- iv) The site or area is of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses.*

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.

- 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*

--	--

File: OZ-8279
Planner: Mike Davis

limitations will not exceed four storeys. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report as described in Section 3.7.3. to be appropriate subject to a site specific zoning by-law amendment and/or bonus zoning provisions of Section 19.4.4. of this Plan.

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:*

(a) are designed and occupied for senior citizens' housing;

(b) qualify for density bonusing under the provisions of Section 19.4.4. of this Plan; or

(c) are within the boundaries of Central London, bounded by Oxford Street on the north, the Thames River on the south and west, and Adelaide Street on the east.

Where exceptions to the usual density limit of 75 units per hectare (30 units per acre) are made, the height limitations prescribed in Section 3.3.3.(i) will remain in effect. Developments which are permitted to exceed the density limit of 75 units per hectare (30 units per acre) shall be limited to a maximum density of 100 units per hectare (40 units per acre). All proposals shall be evaluated on the basis of Section 3.7, Planning Impact Analysis.

The Multi-Family, Medium Density Residential designation, in this location, through its inherent limitations on the scale and form of development, would provide an effective transition between Low Density Residential areas to the west and south and Springbank Drive (Arterial Roadway) to the north while providing for a form of residential intensification that is sensitive to the surrounding area. The Multi-Family, Medium Density designation would also serve to facilitate a broadening of the housing stock along Springbank Drive, within a compatible form of development. In addition to conformity with the overall intent of the medium density designation, the following site characteristics lend itself to this form of development:

- The subject lands are located 400 metres east of a Neighbourhood Commercial Node which includes a retail plaza with a variety of neighbourhood-scale retail and personal service uses. The lands are also situated within an arterial commercial corridor, which includes a range of older commercial uses and converted dwellings. An elementary school is located roughly 300 metres west of the site. Further the site is located 400 metres southeast of Kensal Park and adjacent to Thames Valley Corridor. The lands abut Springbank Drive, an arterial roadway.
- The site is located adjacent to the Coves Environmentally Significant Area (ESA), atop the western bank of the oxbow of the Thames River. The site forms a highly visible plateau and presents challenges in terms of the height of development it can accommodate while respecting the its context adjacent to a significant natural heritage feature. The Multi-Family, Medium Density Residential designation is intended to allow for low-mid rise form of development. This scale and form of development could reasonably be expected to minimize visual impacts while also providing for residential intensification.
- The Medium Density Residential designation is intended to provide an opportunity for low-mid-rise multiple unit housing forms greater than 30 units per hectare. Current sanitary system design, based on the property's historical commercial use, allows for a net density of 100 people per hectare. Given the developable area of this site, the existing sanitary infrastructure can accommodate 91 people ($100\text{ppl/ha} \times 0.91\text{ha} = 91\text{ppl}$). Using standards for household size by housing type, the site could reasonably be expected to accommodate a total 57 apartment units ($91\text{ppl}/1.6\text{ppl per unit} = 57$) through existing sanitary infrastructure, resulting in a net density of 62 units per hectare. This intensity is within the range contemplated by the Multi-Family, Medium Density Residential designation.
- It is anticipated that the size and shape of the subject lands is more appropriate to

--	--

File: OZ-8279
Planner: Mike Davis

accommodate medium density residential development in that it will limit building heights to appropriately transition from adjacent properties and abutting natural features.

Conceptual Mid-Rise Design: 4-storey apartment buildings.



Conceptual Mid-Rise Design: 6-storey apartment buildings (bonus zoning required).



--	--

**File: OZ-8279
Planner: Mike Davis**

CONCLUSION

The recommendations outlined in this report, including refusal of the Rand Developments Inc. Official Plan and Zoning By-law amendment application and approval of an alternative Official Plan amendment proposed by Planning Staff, is supported and informed by the foregoing planning analysis. The recommendations have been evaluated in the context of the applicable land use policy and are supported by the objectives of the Provincial Policy Statement, 2014, and the City of London Official Plan which promote intensification, redevelopment and compact form at appropriate locations at where it can be accommodated taking into account the existing physical (built and natural) context of the surrounding area. The recommendations will facilitate an appropriate form and scale of residential intensification on the site, while allowing for increased densities than normally permitted in the MFMDR designation through bonus zoning to facilitate brownfield remediation. The recommended Official Plan amendments will also facilitate future mixed use development to allow for a broader range and mix of uses to complement and enhance the character of the Springbank Drive Corridor. Given the foregoing, the recommendations outlined above represent sound land use planning.

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

--	--

File: OZ-8279
Planner: Mike Davis

Responses to Public Liaison Letter and “Londoner” Publication

<u>Telephone</u>	<u>Written</u>
N/A	Friends of the Coves Subwatershed, Inc. Thom McClenaghan c/o Elmwood Avenue Presbyterian Church 111 Elmwood Avenue E.
	Daphne Lowe 189 Trowbridge Avenue
	Stephen McCann 181 Wildwood Avenue

--	--

**File: OZ-8279
Planner: Mike Davis**

**Bibliography of Information and Materials
OZ-8279**

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, completed by Ric Knutson, May 28, 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*, April 30, 2014.

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

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

Whitney Engineering Inc. *Site Plan*, July 2013.

Knutson Development Consultants Inc. *Planning Report*, September 2013.

Knutson Development Consultants Inc. *Urban Design Brief*, September 2013.

Biologic Inc. *Subject Lands Status Report*, March 21, 2013.

Exp. Services Inc. *Phase II Environmental Site Assessment*, September 27, 2012.

Whitney Engineering Inc. *Sanitary Capacity Analysis*, June 2013.

Exp. Services Inc. *Slope Assessment*, August 2012.

Exp. Services Inc. *Addendum Letter to Slope Assessment*, September 9, 2013.

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

William Haas Consultants Inc. *Elevations, Cross Sections and Rendering*, July 13, 2012.

Correspondence: (all located in City of London File No. OZ-8279 unless otherwise stated)

City of London -

Ricciuto M. Wastewater and Drainage Engineering. Email to M. Davis. November 29, 2013.

Chambers S. Wastewater and Drainage Engineering. Various Emails to M. Davis. February 7 – May 8, 2014.

McLean M., Chair, City of London Urban Design Peer Review Panel. Memo to M. Davis. November 20, 2013

Clavet Y., Stormwater Management Unit. E-mail to M. Davis. December 5, 2013.

Page B., City of London Environmental and Parks Planning. Letter to M. Davis. December 2, 2013.

Smolarek J., City of London Urban Design. Memo to M. Davis. December 11, 2013.

Departments and Agencies -

Creighton C., UTRCA. Letters to M. Davis. December 2, 2013 & April 17, 2014.

Creighton C., UTRCA. Various e-mails to M. Davis. December 2, 2013 – April 17, 2014.

EEPAC. Letter to M. Davis. March 21, 2013.

Agenda Item # Page #

--	--

File: OZ-8279
Planner: Mike Davis

Raffoul L., Bell Canada. Letter to M. Davis. December 17, 2013.

Dalrymple D., London Hydro. Memo to M. Davis. November 15, 2013.

Other:

Knutson R. Knutson Development Consultants Inc. – Applicant’s Agent. Various emails to M. Davis. October 30, 2013 – May 13, 2014.

--	--

**File: OZ-8279
Planner: Mike Davis**

Appendix "A"

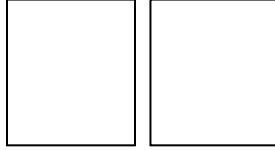
Bill No. (number to be inserted by Clerk's Office)
2014

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

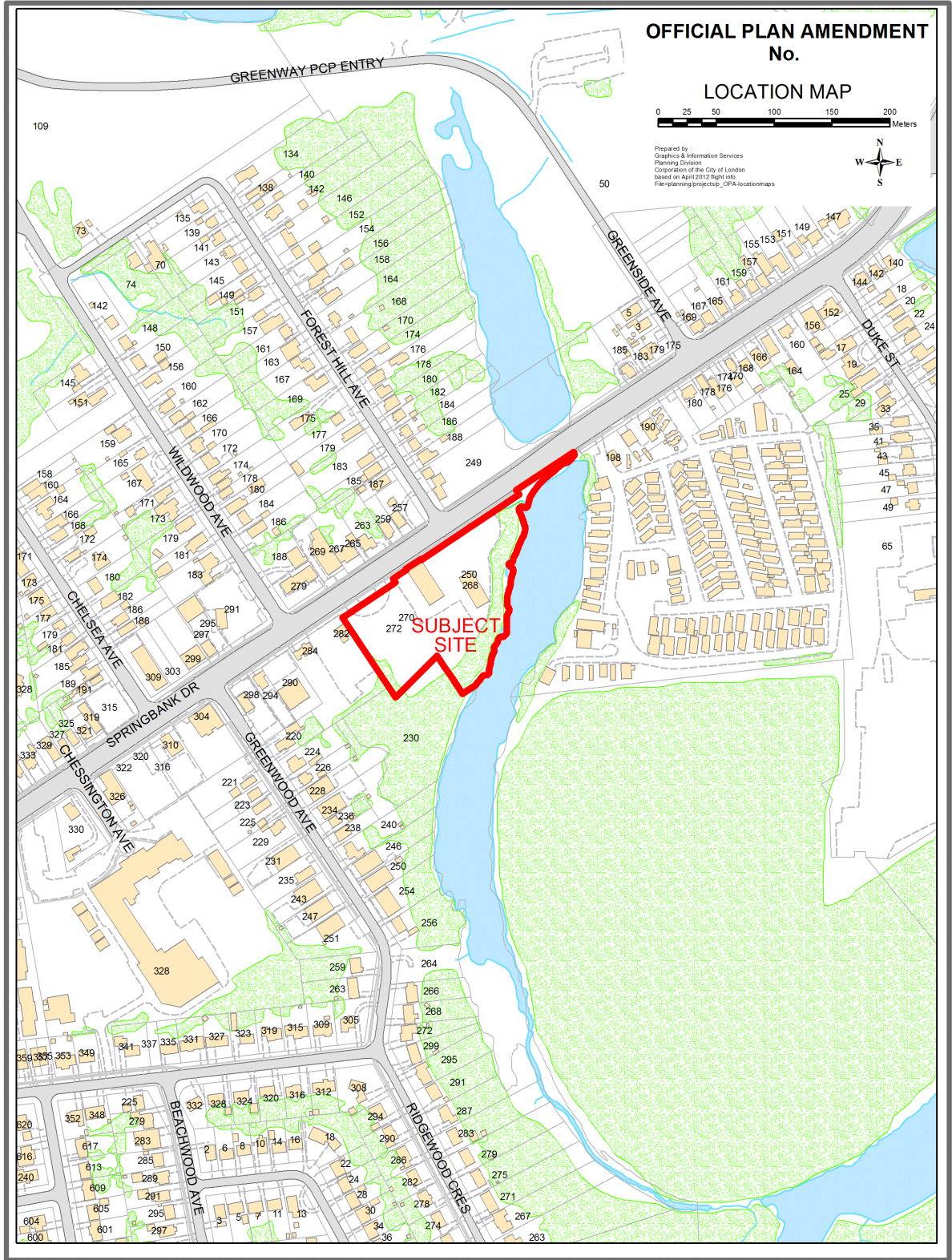
A by-law to amend the Official Plan for the City of London, 1989 relating to 250, 268, 270 and 272 Springbank Drive.

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

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



File: OZ-8279
Planner: Mike Davis



--	--

File: OZ-8279
Planner: Mike Davis

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of certain lands described herein from Auto-Oriented Commercial Corridor and Low Density Residential to Multi-Family, Medium Density Residential on Schedule “A”, Land Use, to the Official Plan for the City of London and to add a policy to Section 3.5, Policies for Specific Residential Areas, of the Official Plan for the City of London to facilitate the development of the subject lands through specific policies that provide additional guidance to the general policies contained in the Official Plan including site-specific bonus zoning policies for considering height and density increases.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 250, 268, 270 and 272 Springbank Drive in the City of London.

C. BASIS OF THE AMENDMENT

The subject lands are consistent with the locational criteria for the Multi-Family, Medium Density designation including close proximity to Shopping Areas, Commercial Districts, designated Open Space areas, and lands abutting Arterial Streets. The primary permitted uses in the Multi-Family, Medium Density Residential designation include multiple-attached dwellings such as row houses or cluster houses; low-rise apartment buildings; and small-scale nursing homes, rest homes and homes for the aged. The Multi-Family, Medium Density Residential Designation also allows for a limited range of secondary permitted uses including convenience commercial, community facility, commercial recreation facilities and small-scale office developments. These permitted uses are consistent with those recommended in this report. The Multi-Family, Medium Density Residential designation will allow for an appropriate level of residential intensification while providing inherent limitations on the scale of development which will ensure that development fits within its context.

The general Multi-Family, Medium Density Residential policies include policies related to the scale of development which limit height at four storeys and net density at 75 units per hectare. However, the form of development proposed for the subject lands contemplates height limitations of six storeys and densities beyond the prescribed limitations.

Notwithstanding these limitations, the Multi-Family, Medium Density Residential (MFMDR) policies contemplate increases to the scale of development through bonus zoning in return for eligible facilities, service or matters which provide a public benefit and are identified in Section 19.4.4. of the Official Plan. Section 19.4.4. of the Official Plan provides broad criteria for considering height and density increases and the Multi-Family, Medium Density Residential designation policies provide a cap on height and density increases achievable through bonus zoning. The additional policies to be added to Section 3.5 of the Official Plan will include site-specific requirements for matters to be considered in favour of bonus zoning and will allow for density increases exceeding those established for bonusing in the MFMDR designation.

The recommended form of development for the subject lands is consistent with the permitted uses of the Multi-Family Medium Density designation. Given the historical site contamination and the potential for brownfield remediation it is appropriate to allow for site specific increases to the permitted scale of

--	--

**File: OZ-8279
Planner: Mike Davis**

development in return for matters which provide a public benefit and a form of development that complements the character of the surrounding neighbourhood and natural features. The special Official Plan policies will consider the site-specific context to provide for specific guidance in considering height and density increases through bonus zoning.

D. THE AMENDMENT

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

1. Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 250, 268, 270 and 272 Springbank Drive in the City of London, as indicated on “Schedule 1” attached hereto from Auto-Oriented Commercial Corridor and Low Density Residential to Multi-Family, Medium Density Residential.
2. Section 3.5 – Policies for Specific Residential Areas – of the Official Plan for the City of London is amended by adding the following:

West Coves The West Coves area is located on the south side of Springbank Drive on the lands that are municipally known as 250, 268, 270 and 272 Springbank Drive. These lands are located along a significant gateway into the City of London from the west, along a redeveloping urban corridor served by transit and with close access to neighbourhood shopping areas and designated public open space. These lands have been previously utilized for a range of industrial and commercial land uses which have resulted in contamination that complicates the transition to more sensitive land uses. Given the brownfield context and the significance of the location it is desirable to allow for increased net residential density on these lands. Conversely, these lands are located adjacent to the west bank of the Coves Ponds, an abandoned oxbow of the Thames River and part of the Thames Valley Corridor and are surrounded primarily by low-rise residential development. Given the nature of surrounding physical, natural and built form it is also desirable to achieve a form of development which respects its context. Future development of these lands shall be consistent with the following site specific policies:

- i) Permitted uses shall include apartment buildings, handicapped person’s apartment buildings, lodging house class 2’s, cluster townhousing, cluster stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum of care facilities and residential care facilities. A range of convenience and personal service commercial uses including clinics, convenience stores, day care centres, emergency care establishments, financial institutions, medical/dental laboratories, personal service establishments, pharmacies, eat-in restaurants and studios as well as office uses up to a maximum gross floor area of 2,000m² may also be permitted as secondary permitted uses. Any commercial and/or office uses must be integrated within a residential apartment building and are not intended to be located within a “stand-alone” commercial structure. Convenience and personal service commercial uses are only permitted on the ground floor and office uses may be permitted up to the second floor. The exact range of permitted commercial uses shall be specified in the Zoning By-law.
- ii) Notwithstanding the height and density maximums identified in the general Multi-Family, Medium Density Residential policies, a bonus zone may be permitted to allow for a maximum height of up to six storeys and a density of up to 150 units per hectare, subject to the proposed form of development addressing the compatibility

--	--

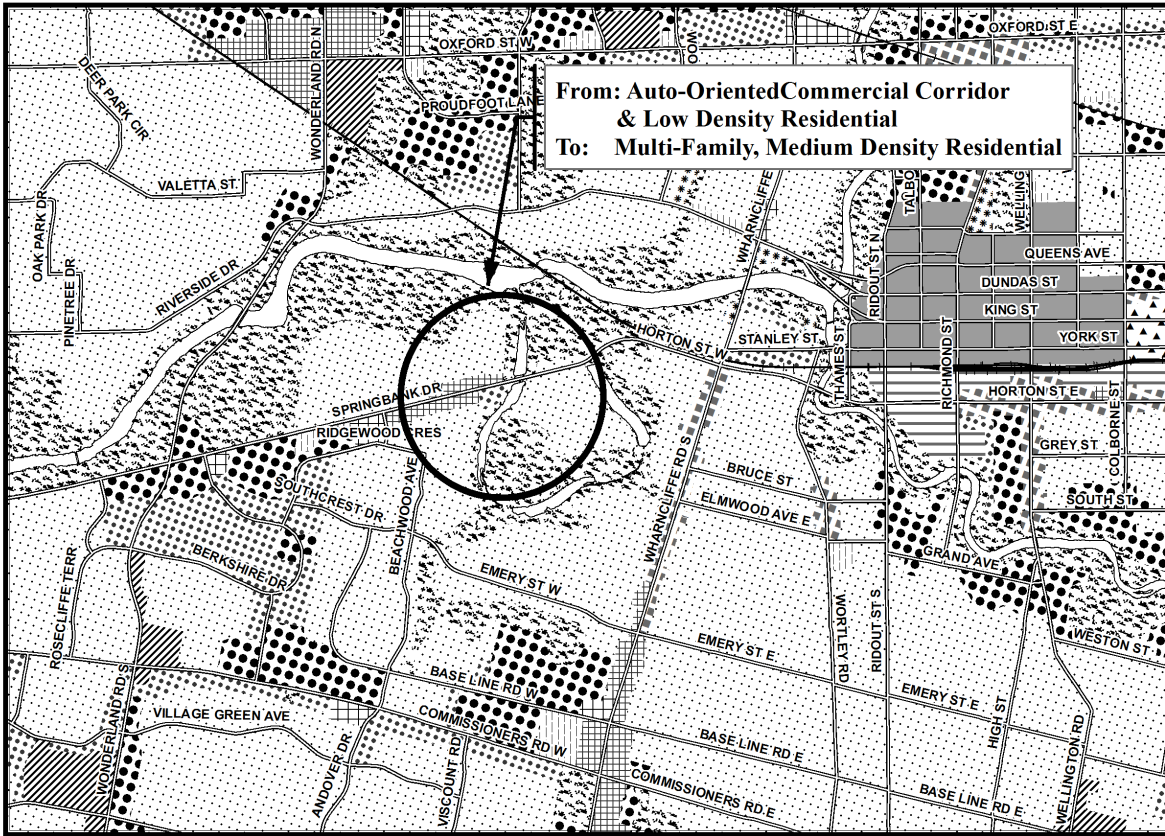
File: OZ-8279
Planner: Mike Davis

criteria of Section 3.2.3, the Urban Design Principles in Chapter 11, sensitivity to the Coves ESA, conformity with the objectives of the Thames Valley Corridor Plan, and the general Bonus Zoning policies of Section 19.4.4. Bonus zoning may also be considered in favour of the provision of alternative forms of senior's housing, in combination with the above requirements.

--	--

File: OZ-8279
Planner: Mike Davis

AMENDMENT NO:



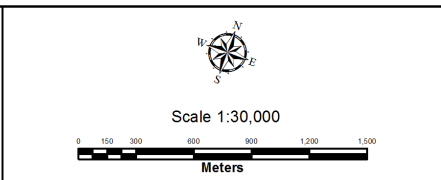
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low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

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

**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8279

PLANNER: MD

TECHNICIAN: CK

DATE: 2014/03/27

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\amendments\oz-8279\mxd\scheduleA_NEW_b&w_8x11.mxd