

**14TH REPORT OF THE**  
**PLANNING AND ENVIRONMENT COMMITTEE**

Special Meeting held on July 28, 2014, commencing at 3:00 PM, in Committee Room #5, Second Floor, London City Hall.

**PRESENT:** Councillor B. Polhill (Chair), Mayor J. Baechler and Councillors P. Hubert, W.R. Monteith and H. Lysynski (Secretary).

**ABSENT:** Councillors D.G. Henderson and S.E. White

**ALSO PRESENT:** T. Grawey, N. Pasato, J. Ramsay and C. Saunders.

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**I. CALL TO ORDER**

1. That it BE NOTED that no pecuniary interests were disclosed.

**II. CONSENT ITEMS**

2. Property located at 660 Sunningdale Road East (39T-09501/OZ-7638)

Recommendation: That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications by Extra Realty, relating to the property located at 660 Sunningdale Road East, located on the northwest corner of Sunningdale Road East and Adelaide Street North (legally described as the South Half of Lot 13, Concession 6, (Geographic Township of London)):

- a) the proposed by-law, as appended to the staff report dated July 28, 2014, BE INTRODUCED at the Municipal Council meeting to be held on July 29, 2014 to amend the Official Plan to change the designation on Schedule "A" – Land Use FROM Low Density Residential, Multi-Family, Medium Density Residential and Open Space TO Low Density Residential, Multi-Family, Medium Density Residential, Main Street Commercial Corridor and Open Space; to change the designation on Schedule "B1" – Flood Plain & Environmental Features by removing the Unevaluated Corridors designation and refining the Provincially Significant Wetland boundary; and to change the designation on Schedule "C" – Transportation Corridors by amending the east-west secondary collector road to align with Street D, by amending the north-south secondary collector road to align with Street A, and by redesignating Street A from Sunningdale Road East to Street D as Primary Collector;
- b) the request to amend the Official Plan to change the designation of the subject lands FROM a Multi-Family, Medium Density Residential designation which allows townhouses and various forms of cluster housing at a maximum density of 75 units per hectare TO a Multi-Family, High Density Residential designation to allow for apartments at a maximum height of 42 metres and a maximum density of 150 units per hectare, and a Neighbourhood Commercial Node designation to allow for a range of commercial uses including bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, video rental establishments, brewing on premises establishment, with a total maximum gross floor area of 3,200 m<sup>2</sup> (34,444.5 ft<sup>2</sup>) for food stores and 500 m<sup>2</sup> (5,382.0 ft<sup>2</sup>) for all other individual uses BE REFUSED for the following reasons:

**Multi-Family, High Density Residential**

- i) the proposed development does not take into account surrounding land uses in terms of height and scale, and is not in

- ii) keeping with the surrounding low-rise forms of development; this location for high density is not located in an activity node (adjacent to large scale shopping and employment centres) nor is it located at a point of high accessibility (such as transit service);
- iii) high rise forms of development should be directed to higher order transit corridors in an effort to support future rapid transit and its associated corridors;
- iv) a mid-rise form is more appropriate given the road classification, while providing support for the surrounding commercial; and
- v) the proposed use does not meet the criteria within the Official Plans as it is not located near the periphery of the Downtown, is not in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities; and,
- vi) the original proposed high density block is less than 3 hectares in size; it being noted that a minimum of 3 hectares is recommended for high density blocks in order to achieve and accommodate a mixing of housing types, building heights and densities, and a transition in scale.

#### Neighbourhood Commercial Node

- i) the amount of commercial proposed does not meet the intent of the Uplands North Area Plan;
  - ii) the commercial justification study has provided certain assumptions to base its conclusions on, that Staff do not agree with;
  - iii) the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers was already considered in this area, and the addition of larger scale retail opportunities would likely compete with these planned areas;
  - iv) recent applications to add commercial uses within the Uplands North Planning area were refused by Council and the decision upheld by the Ontario Municipal Board; and,
  - v) the Main Street Commercial designation is a more appropriate commercial designation for this area, as it encourages smaller scale commercial uses in mixed used buildings, achieves placemaking principles of mixed use development, encourages building form and design that is pedestrian oriented, and facilitates a wide range of small scale commercial and office/personal service establishments that are meant to fulfill the local needs of residents;
- c) the proposed by-law, as appended to the staff report dated July 28, 2014, BE INTRODUCED at the Municipal Council meeting to be held on July 29, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject lands FROM an Environmental Review (ER) Zone, and an Urban Reserve (UR4) Zone TO:
- i) a Holding Residential R1 Special Provision (h. h-100.h( )•R1-4(\*) Zone to permit single detached dwellings with a minimum lot area of 360 m<sup>2</sup> and minimum lot frontage of 12 m, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres;
  - ii) a Holding Residential R1 Special Provision (h. h-100.h( )•R1-5(\*) Zone to permit single detached dwellings with a minimum lot area of 415 m<sup>2</sup> and minimum lot frontage of 12 metres, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, and a reduced interior side yard setback of 1.2 metres;
  - iii) a Holding Residential R1 Special Provision (h. h-100.h( )•R1-5(\*\*) Zone to permit single detached dwellings with a minimum lot area of 360 m<sup>2</sup> and minimum lot frontage of 12 metres, with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, a

- reduced interior side yard setback of 1.2 metres, and 20 metre setback from the centre of the oil pipeline to the dwelling;
- iv) a Holding Residential R4 Special Provision (h. h-100.h( )•R4-2(\*) Zone to permit street townhouse dwellings with a minimum lot area of 240 m<sup>2</sup> , with a special provision for a minimum lot frontage of 7.8 metres;
  - v) a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h( )•R5-2(\*)/R6-4(\*\*)) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 metres and a maximum density of 30 units per hectare (R5) and to permit cluster single detached, semi-detached or duplex dwellings at a height of 10.5 metres and a maximum density of 30 units per hectare (R6), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road;
  - vi) a Holding Residential R5 Special Provision/R6 Special Provision (h. h-100.h( )•R5-2(\*\*)/R6-4(\*\*)) Zone to permit cluster townhouses and stacked townhouses at a maximum height of 12 metres and a maximum density of 30 units per hectare (R5) and to permit cluster single detached, semi-detached or duplex dwellings at a height of 10.5 m and a maximum density of 30 units per hectare (R6), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road and recognize that notwithstanding the provisions of the zoning by-law, frontage for this block will be along the secondary collector road (Street D);
  - vii) a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-4(\*)/R6-5(\*)/R8-4(\*\*)) Zone, to permit cluster townhouses and stacked townhouses at a maximum height of 12 m and maximum density of 40 units per hectare (R5), to permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 metres and a maximum density of 35 units per hectare (R6), and to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and a maximum density of 75 units per hectare (R8), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, a reduced rear yard setback adjacent to the conveyance block of 3 metre in place of 8 metre, and to allow for the adjacent Open Space lands within the conveyance block to be included in the Residential Block for the purposes of calculating density;
  - viii) a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-4(\*\*)/R6-5(\*\*)/R8-4(\*\*)) Zone, to permit cluster townhouses and stacked townhouses at a maximum height of 12 metres and maximum density of 40 units per hectare (R5), to permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 metres and a maximum density of 35 units per hectare (R6), and to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 m and a maximum density of 75 units per hectare (R8), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road, a reduced rear yard setback adjacent to the conveyance block of 3 metre in place of 8 metre, and to allow for the adjacent Open Space lands within the conveyance block to be included in the Residential Block for the purposes of calculating density;
  - ix) a Holding Residential R5 Special Provision/R6 Special Provision/Residential R8 Special Provision (h. h-100.h( )•R5-6(\*)/R6-5(\*\*\*)/R8-4(\*\*\*)) Zone, to permit cluster townhouses and

- stacked townhouses at a maximum height of 12 metre and maximum density of 50 units per hectare (R5), to permit cluster single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, fourplex dwellings and apartments at a height of 12 metres and a maximum density of 35 units per hectare (R6), and to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 13 metres and a maximum density of 75 units per hectare (R8), with a special provision for a reduced front yard setback of 3.0 metre to the house and 5.5 metre to the garage from a collector or local road;
- x) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*)•D75•H18) Zone, which permits a wide range of commercial uses on the first floor, with a maximum height of 18 metres and a maximum density of 75 units per hectare, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 metre and maximum 4 metre front and exterior side yard setback, and to require a mixed use building, with 500 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above;
  - xi) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*)•D75•H18) Zone, to permit a wide range of commercial uses on the first floor, with a maximum height of 18 metre and a maximum density of 75 units per hectare, with special provisions to require the commercial/retail/office uses on the ground floor, to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 metres and maximum 4 metres front and exterior side yard setback, and to require a mixed use building, with 250 m<sup>2</sup> maximum retail/office/commercial floor area limited to the first floor and residential units above;
  - xii) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*\*)) Zone, to permit a wide range of commercial uses, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 metre and maximum 4 metre front and exterior side yard setback, and a maximum 3000 m<sup>2</sup> retail/commercial/office on site;
  - xiii) a Holding Business District Commercial Special Provision (h. h-100.h( )•BDC2(\*\*\*\*)) Zone, to permit a wide range of commercial uses on the first floor, with special provisions to require that the lot frontage for the Block is considered to be along the primary collector, to require the commercial/retail/office uses on the ground floor to have the primary entrance for individual tenants oriented toward the primary collector, for a minimum 2 metres and maximum 4 metres front and exterior side yard setback, and a maximum 1000 m<sup>2</sup> retail/commercial on site;
  - xiv) an Open Space (OS1) Zone to permit conservation lands and works, public and private parks, and public and private golf courses;
  - xv) an Open Space Special Provision (OS4(\*)) Zone, to permit conservation lands and public parks, with a special provision to permit the lands/area within the OS4 Zone to be used in the adjacent Residential Blocks (Block 26 and 28) for the purposes of calculating lot area, density, lot coverage, and landscape open space;
  - xvi) an Open Space (OS5) Zone to permit conservation land and works;

the following holding provisions have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement;
  - (h-100) -to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available; and,
  - (h-( )) - to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-\_\_\_\_ shall not be deleted until urban design guidelines have been prepared and implemented through the subdivision agreement, to the satisfaction of the City of London;
- d) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone TO a Residential R9 Special Provision (R9-7(\*)) Zone and Neighbourhood Shopping Area Special Provision (NSA5(\*)) Zone BE REFUSED for the following reasons:
- i) the proposed R9-7 Zone and NSA5(\*) Zone are not in keeping with the recommended Official Plan amendments listed in part a), above;
  - ii) the proposed R9-7 Zone would permit apartments at a height and density not in keeping with surrounding lands uses;
  - iii) the proposed R9-7 Zone does not meet the criteria within the Official Plan as it is not located near the periphery of the Downtown, is not in proximity to Enclosed Regional Commercial Nodes, New Format Regional Commercial Nodes or Community Commercial Nodes, or in proximity to Regional Facilities; and,
  - iv) the proposed NSA5(\*) Zone would permit a sizable amount of commercial that is not in keeping with the policies of the Official Plan, and is not consistent with the Uplands North Area Plan, and would compete with existing commercially-designated lands in the immediate vicinity;
- e) the Approval Authority BE ADVISED that, at the Planning and Environment Committee held with respect to these matters, a request was made to amend Condition 2 of the Draft Plan Approval to provide for a five-year draft approval instead of three-year, as recommended by staff;
- f) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Extra Realty (File No. 39T-09501), prepared by Zelinka Priamo Ltd., drawing No. SRG/LON/11-01, as red-line amended, which shows 23 low density blocks, 7 medium density blocks, 4 commercial blocks, 3 open space blocks, 2 park blocks, 6 walkway blocks, 1 stormwater management block, as well as several 0.3 metre reserves and road widenings, all served by one new primary collector, 2 new secondary collectors, and 4 new local streets, **SUBJECT TO** the conditions contained in Appendix "C", as appended to the staff report dated July 28, 2014 and the adopted Official Plan amendment coming into effect; and,
- g) the "Estimated Claims and Revenues Report", provided as Appendix 'D' to the associated staff report, dated July 28, 2014.

### III. SCHEDULED ITEMS

None.

### IV. ITEMS FOR DIRECTION

None.

**V. DEFERRED MATTERS/ADDITIONAL BUSINESS**

None.

**VI. ADJOURNMENT**

The meeting adjourned at 3:05 PM.