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File: Z-8327
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: FUTURESTREETS INC. 164 SHERWOOD FOREST SQUARE PUBLIC PARTICIPATION MEETING ON AUGUST 26, 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 Futurestreets Inc. relating to the property located at 164 Sherwood Forest Square:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 2, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Community Facility (CF1) Zone, **TO** a Holding Residential R8 Special Provision (h-11*_h-*R8-4(_))Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to implement, through the site plan approval process, the development of the subject site in a manner that is consistent with the Site Plan Drawings attached hereto as Schedule "1" to this report as well as the design features recommended in part (b) below:
 - i) Treat any building facades adjacent to Sherwood Forest Square or Fairfax Court architecturally as a view terminus to create an appropriate interface with the public;
 - ii) Further accentuate the principal building entrances by articulating the building to highlight the location of the entrance beyond the portico;
 - iii) Consider including two columns of windows on façade articulations in order to achieve a balance of materials on the façade;
 - iv) Ensure that the base of the building is in scale with the height of the building and ensure that the materials used on the base are applied on the base on all elevations in order to visually break down the massing of the building; and,
 - v) Use of iron rod fencing along the north portions of the site to maintain visibility of the pedestrian pathway spanning Fairfax Court and the property at 1225 and 1229 Wonderland Road North (Sherwood Forest Mall)

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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"None"

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to permit six, four-story apartment buildings which will include a total of 147 units, with a maximum 3 bedrooms per unit. The use of holding provisions will address sanitary servicing and vehicular access concerns raised by City Staff. An increase in height is required specifically to accommodate the three proposed entrance features that will exceed the zoning height limit.

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RATIONALE

1. The recommended amendment is consistent with the polices of the Provincial Policy Statement (2014);
2. The recommended amendment is consistent with the Multi Family, Medium Density Residential policies and Near Campus Neighbourhood Policies of the City of London Official Plan;
3. A holding provision is recommended to address vehicular access and sanitary servicing issues.
4. The recommended zoning provides for a sensitive and compatible development within the surrounding neighbourhood.

BACKGROUND

Date Application Accepted: March 5, 2014	Agent: Zelinka Priamo
REQUESTED ACTION: To change the zoning of the subject property FROM a Community Facility (CF1) Zone, TO a Residential R8 Special Provision (R8-4(_))Zone	

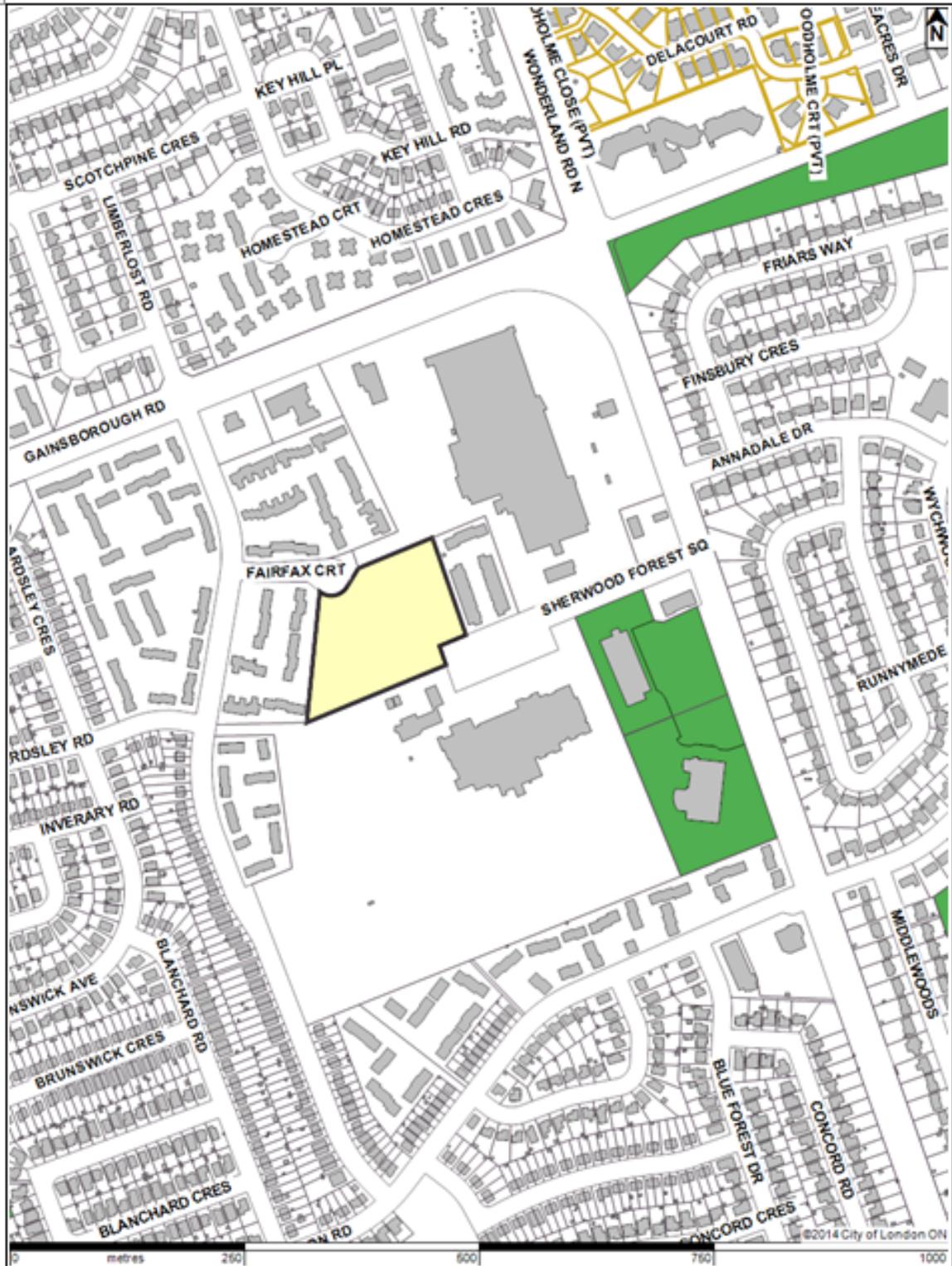
SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - Vacant • Frontage – 21m (Sherwood Forest Square) • Depth – n/a • Area -1.96 ha (4.84 acres) • Shape – Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - 2 – 2.5 Storey Row Townhomes • South - High School • East - 1 and 2 Story Townhomes and Sherwood Forest Mall • West - 2.5 Story Row Townhomes

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Community Facility (CF)

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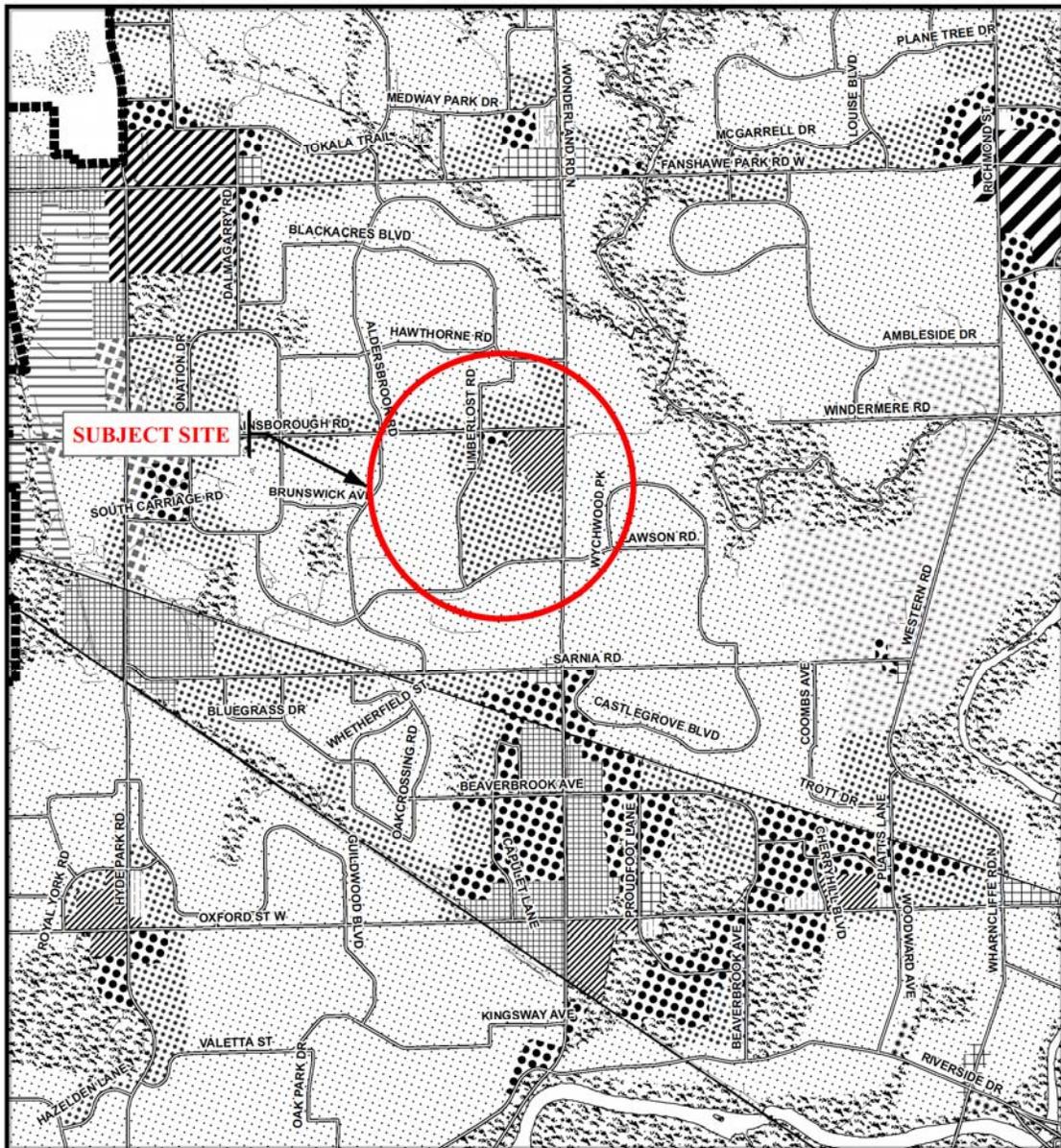
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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 164 Sherwood Forest Sq Applicant: Futurestreets Inc. File Number: Z-8327 Planner: Mike Corby Created By: Mike Corby Date: 2014-03-06 Scale: 1:5000</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

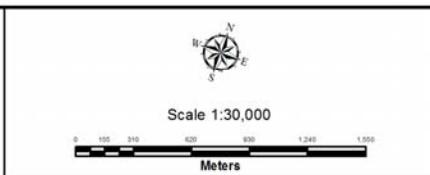
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Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential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

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



FILE NUMBER: Z-8327
 PLANNER: MC
 TECHNICIAN: CK
 DATE: 2014/05/09

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: CF1

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

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
Z-8327 MC

MAP PREPARED:
2014/05/09 CK

1:5,000
0 25 50 100 150 200 Meters

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

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PLANNING HISTORY

The subject site was initially owned by the London District Catholic School Board but was deemed to be surplus lands and sold. The lands were designated Multi-Family, Medium Density Residential during the same time the abutting lands were similarly designated through a plan of subdivision for the area. Since the School Board owned the land it was never used or developed for residential uses. The Official Plan designation has always contemplated uses consistent with the Medium Density Residential destination over the long term and is in keeping with the range of uses permitted on the surrounding lands.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Environmental & Parks Planning

The Environmental and Parks Planning Section has reviewed the application for a zoning by-law amendment for 164 Sherwood Forest Square and offers the following comments to be considered in your decision:

Natural Heritage

There are no natural heritage features on site that require evaluation. It is noted there are a number of mature trees along the north property line which will be lost to this development. It is assumed that additional trees will be planted within the proposed development.

Parkland

Parkland dedication has not been provided for this property. At the time of development, cash-in-lieu of parkland (CIL) will be required as a condition of the approved development agreement. Consistent with Council's direction, through the adoption of the Parkland Dedication by-law CP-9, the fee collected for CIL is based on a value assigned to each unit type.

Staff is supportive of the design of the proposed development including the proposed pathway system offering connectivity of adjacent lands.

Urban Forestry

Urban Forestry has a few comments for the proposed development and rezoning required. There are a significant number of large trees on the property and on adjacent properties. We would like an Arborist report done indicating which trees will be removed and what trees fall within 3m of the property line on neighbouring properties. They should also outline how they will be protecting neighbouring trees and there should be no excavation within the drip line of neighbouring trees without a justification of how the tree will be protected.

We would also like them to consider the reconfiguring of the units and parking to try to preserve as many large trees as possible. While we recognize it is not possible to retain all the trees, there are a significant number of trees along the eastern edge which may have value in saving if the site can be reconfigured.

City of London Urban Design

Urban design staff has reviewed the submitted concept plan and urban design brief for the application at the above mentioned property and provide the following comments:

The site plan authority should be requested to address the following design issues through the site plan process:

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- Consider including individual unit entrances facing into the central amenity area in order to create active edges surrounding the square.
- Ensure that any building facades facing street frontages are treated accordingly, in particular any building facades adjacent to Sherwood Forest Square should be treated architecturally as a view terminus.
- Further accentuate the principal building entrances by articulating the building to highlight the location of the entrance beyond the portico.
- Consider including two columns of windows on façade articulations in order to achieve a balance of materials on the façade.
- Ensure the base material are in scale with the height building (could be lowered) and are applied to the entire base.

Urban Design Review Panel

The Panel has the following observations and comments regarding the zoning bylaw amendment proposed for 164 Sherwood Forest Square, London, ON:

1. Re-visit decision to accommodate all required parking on-surface as proposed parking areas interfere with identified 'zones of sensitivity' directly abutting neighbouring multi-family developments. Alternatively, minimize negative impact of siting significant amounts of surface parking immediately adjacent abutting multi-family developments;
2. Revise layout of apartment blocks to create a street wall thus addressing the 'active frontage zones' identified in the UD brief at the terminus' of Sherwood Forest Square and Fairfax Court. Note: This revision will reinforce the developer's stated intention to create a private courtyard not open to the public;
3. Provide vehicular access from Fairfax Court;
4. Site apartment blocks to mitigate significant change in grade that occurs from the south-west corner sloping down to the north-east corner of the site. Consider exposing full height of basement elevations on the northerly elevations of southerly sited blocks where changes in topography provide such opportunities;
5. Revise location of apartment block C to mitigate negative impact on units in block D;
6. Re-size windows and re-work elevations to mitigate top heavy aesthetic;
7. Provide switchback to courtyard folly to ensure barrier free passage from south-west to north-east corners of amenity area; and
8. Mitigate height of proposed retaining wall to school-apartment property line.

The Panel finds that the residential apartment development proposed for 164 Sherwood Forest Square, London, ON has the potential to provide a built form on the site in keeping with the intent of the City of London's Urban Design Principles. It is the Panel's opinion however that the Site Plan is not satisfactorily developed to a point where the applicant's request for revisions to the maximum building height can be substantiated.

Sanitary Services

March 27, 2014

As per the Servicing Report submitted with the subject application, the proposed intensification will increase the peak sanitary flows from this site and increase surcharging in the existing sewers. Wastewater and Drainage Engineering and the applicant are in the process of reviewing possible mitigating measures which would allow the zoning amendment and

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subsequent development to proceed. A monetary contribution from the applicant towards a City program to remove storm flow from the sanitary system is the preferred option. However, this hasn't been finalized. Also, we would want the contribution to be made in conjunction with approval of the zoning by-law. In the meantime, the zoning application should not proceed until this issue has been resolved

June 3, 2014

The subject site can be served by the existing 250 mm sanitary sewer on Sherwood Forest Square. The sewer system was designed to serve this site based on a population of up to 208 people. The proposed zoning amendment and subsequent development will result in a population of 441 people. The site is located immediately downstream of a subdivision with historical chronic basement flooding issues; the proposed intensification will increase the peak sanitary flows and increase surcharging in the existing sewers.

The Wastewater and Drainage Engineering Division (WADE) and the applicant have reviewed a number of options to mitigate the effects of the additional sanitary sewage flows and allow the proposed development to proceed. In lieu of requiring the applicant to physically increase the system capacity or remove extraneous flow from the system, it was agreed that the applicant could make a financial contribution in the amount of \$200,000. This funding will be used by the City to undertake further source control measures which will offset the impact of the additional flow.

Therefore, a holding provision will need to be included in the amended zoning by-law regarding the requirement for this financial contribution.

Storm Water Management Unit

The SWM Unit has no objections to the proposed above noted application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval.

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

- The subject lands are located Medway Creek Subwatershed. The Owner shall be required to comply with the SWM targets and criteria identified in the Medway Study, which may include but not be limited to quantity, quality and erosion control.*
- The owner's Professional Engineer shall prepare 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 C value for subject site could not be verified. The owner's professional engineer must complete a storm sewer capacity analysis study to confirm that there is enough capacity in the existing storm sewer system for the proposed development, all to the satisfaction of the City Engineer. The owner's professional engineer must also update the storm sewer design sheet(s) for the subject lands.*
- 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 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 generally contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm*

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event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.

- *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
- *The owner shall be required to comply with the City’s Drainage By-Laws (WM- 4) and acts, to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the satisfaction of the City Engineer.*

Transportation Advisory Committee

At its meeting held on April 1, 2014, the Transportation Advisory Committee (TAC) reviewed and received a Notice, dated March 20, 2014, from M. Corby, Planner II, with respect to an application submitted by Futurestreets Inc., relating to the property located at 164 Sherwood Forest Square.

The TAC expressed the following concerns:

- a) *the potential installation of sidewalks on Fairfax Court in conjunction with the development and under the Warranted Sidewalk Program should be considered;*
- b) *Sherwood Forest Square is not designed to carry the extra traffic volume expected with the proposed zoning change; and,*
- c) *consideration be given to the site being accessed from Fairfax Court. (4/4/TAC)*

Transportation Comments

April 1, 2014

Transportation staff has no concern with the proposed residential land use but have concern with the accesses shown on the proposed site plan. Sherwood Forest Square is a busy street that provides access to Sherwood Forest Mall, a bank, community centre with arena & swimming pool, Banting Secondary School and accommodates over 6000 vehicles per day, which is much more than what a local street is designed for. During school hours, school buses stop on Sherwood Forest Square around the cul-de-sac where accesses for the site have been proposed. During the pre-consultation for this application it was suggested that access be provided from Fairfax Court. The concept plan submitted at that time showed only one access to Sherwood Forest Square and as the proposed site plan in Figure XX shows the proponent has suggested 2 accesses to Sherwood Forest Square. No explanation has been provided regarding the reasons why the Transportation staff suggestion was ignored. Any changes to the school bus loading zone area will require buses to stop closer to the mall access which may reduce sight lines for motorists exiting the Mall. There are also safety issues with allowing an access through a very busy school bus loading zone. The two accesses are very close together and will create safety issues regarding sight lines, when school buses are present, and conflict points for motorists using the access. Transportation staff does not support the access arrangement shown on the proposed site plan. Therefore staff recommends a holding provision for access not to be removed until access is provided to the satisfaction of the City Engineer.

June 25, 2015

We reviewed the traffic statement from FR Berry & Assoc and it does not meet the requirements of the transportation impact assessment guidelines. The scope of work is not sufficient to determine what the impact to Fairfax Court or Limberlost Rd will be with an access to the site. There is sufficient capacity on these streets to accommodate the traffic volume generated by the development so without a detailed analysis we do not agree with the report conclusions.

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Similarly, an analysis should be undertaken on Sherwood Forest Square regarding pedestrian safety with Banting secondary school and the impact to school buses with the introduction of another access.

Therefore the traffic statement is not acceptable and we continue to support access to Fairfax Court not Sherwood Forest Square.

August 1, 2014

Transportation staff has reviewed the transportation impact assessment submitted by F.R. Berry & Assoc. for 164 Sherwood Forest Ave. The study was undertaken in response to staff's reluctance to support access to Sherwood Forest Square and our preference for access to Fairfax Court instead. There are safety concerns if an access is introduced on Sherwood Forest Square for this development. Staff indicated that if access was to be considered then a technical operational and safety review would need to be conducted that demonstrated access to Sherwood Forest would be safe. Sherwood Forest Square adjacent to the proposed access is used by 25 school buses and other school transportation vans for students and disabled persons during the morning and after school drop-off and pick-up time periods for Banting Secondary School. There are also hundreds of students and staff on foot and bicycles during these time periods and during the noon hour that cross or walk along Sherwood Forest Sq. Sherwood Forest Square also provides access to Medway Arena/community centre/Aquatics Centre/splash pad, a mall, bank, gas station and accommodates 7,500 vehicles per day. Fairfax is a low volume cul-de-sac that has a walkway to Sherwood Forest Mall and has ample capacity to accommodate the development. The access being requested is approximately midpoint within the line of buses in the photo.

The TIA focused mainly on operational issues and whether there was spare capacity on Sherwood Forest at Wonderland Rd to accommodate development. There was little analysis to determine the impact on busing and student safety for Banting Secondary School. As the attached letter indicates the Thames Valley District School Board are also concerned with the safety of students and staff from any increase in traffic along Sherwood Forest Square. Access on Sherwood Forest Sq. would require the school bus loading zone be removed along a portion of the street to ensure safe sight lines and to avoid conflicts between buses and vehicles entering and exiting the development. This will require the school bus loading zone to be extended and impact other parking and loading areas along Sherwood Forest Sq. No such problems exist on Fairfax Court. One improvement that would be required for access on Fairfax Court would be the construction of a sidewalk from the Sherwood Forest Mall walkway to Limberlost Rd. Funding for this work could be identified in the 2015 Capital Budget for side walk construction.

Based on the impact to busing and safety concerns it is staff's recommendation that access for the site be restricted to Fairfax Court and not permitted on Sherwood Forest Square. Therefore a holding provision for access should be placed on the site not to be lifted until access is to the satisfaction of the City Engineer.

Thames Valley District School Board

The proposed development is presently within the Attendance Areas of Wilfrid Jury PS for Grades JK to 8 and Sir Frederick Banting SS for Grades 9-12. Accommodations and any students emanating from this development will attend these facilities.

Concerns have been raised pertaining to the access of this development being off of Sherwood Forest Square. Sherwood Forest Square is currently used by Sir Frederick Banting SS for access to the parking lot by teachers and students. The street is also currently used as a bus drop off and pick up area. The following information indicates the 2013-14 school year number of busses and the time frames.

The following are regular home to school vehicles arriving for 8:05 am and scheduled to depart

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at 2:35 pm

- 10 - 72 passenger school buses
- 4 - mini vans
- 1 - 20 passenger school bus (minibus)

The following are specialized vehicles scheduled to arrive at 8:00 am and depart at 2:15 pm:

- 8 - wheelchair vehicles
- 2 - mini vans

In addition to these specialized vehicles there are also 2 other wheelchair vehicles scheduled to arrive at 9:30 am. These students then depart on the wheelchair vehicles schedule for 2:15 pm.

The TVDSB has concerns for the safety of students and staff due to potential increased traffic from the development.

PUBLIC LIAISON:	<p>On March 20, 2014, Notice of Application was sent to 181 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 March 20, 2014. A "Possible Land Use Change" sign was also posted on the site.</p> <p>On May 15, 2014, a Community Meeting was held at the local library.</p> <p>A revised Site Plan was circulated on July 17, 2014 for new comments.</p> <p>On July 24, 2014 a meeting with representatives of the surrounding condominiums was held.</p>	<p>4 phone calls were received and 21 written replies were received.</p> <p>32 people attended the community meeting</p>
<p>Initial Nature of Liaison:</p> <p>The purpose and effect of this zoning change is to permit five, four-storey apartment buildings which will include a total of 147, three-bedroom units.</p> <p>Possible change to Zoning By-law Z.-1 FROM a Community Facility (CF1) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone to permit apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, continuum-of-care facilities. The special provision is to permit a maximum height of 14.75 m.</p> <p>Revised Liaison:</p> <p>The purpose and effect of this zoning change is to permit six, four-storey apartment buildings which will include a total of 147, three-bedroom units. Possible change to Zoning By-law Z.-1 FROM a Community Facility (CF1) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone to permit apartment buildings. PLEASE NOTE: The proposed site plan has been revised and circulated for your review. File: Z-8327 Planner: Mike Corby.</p>		

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Responses (Original Circulation):

- Depending on final access to the site an increase in traffic at the uncontrolled intersection of Gainsborough and Limberlost could increase safety concerns.
- Increase in flows to sanitary sewers that flood into basements during heavy rains.
- Area is already heavily populated.
- Site's ability to accommodate snow storage
- Height impacts (shadow affect/view)
- Increased Traffic
- Increased Garbage
- Loss of Privacy
- Additional lighting into abutting properties (building lights/vehicular lighting)
- Loss of Green Space
- Loss of large trees on the site
- Use of iron rod fencing instead of wood panelling to avoid graffiti
- Use of extensive landscaping to make up for the loss of green space.
- Increase in noise
- Decrease in the value of their home
- Happy site is being developed
- Will feel safer at night when using the walkways to access the mall.

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Responses (Revised Site Plan Circulation):

A separate meeting with 4 members representing the abutting Condominium Boards was held and the following comments were provided:

- Happy the new applicant reduced the height from the original proposal.
- Felt the new site plan layout was appropriate and liked the majority of parking and laneways being internal to the site.
- Still some concern on the amount of proposed parking not being sufficient.
- Condominium to the west expressed concerns over the potential access point being from Fairfax Court
- Condominium to the east expressed concerns over the potential access point being from Sherwood Forest Square.
- Fairfax Court access could create issues in the winter with the lack of snow plowing as Fairfax Court is last to be plowed. (Concerned about potential cut through traffic through the Condominium development to the west at 40 Fairfax Court.)
- If access is off of Fairfax Court then speed reduction measures should be considered on Limberlost Road.
- If access is from Sherwood Forest Square the condo development at 122 Sherwood Forest Square (MCC #435) would like to see no left hand turns permitted through the cut through out front of their laneway.
- Fencing type was a topic of conversation to which the applicant identified they would build whatever the abutting lands would prefer. The preferences are outlined in Staff's request to the site plan approval authority.

MCC #435 (122 Sherwood Forest Square)

- Still opposed to the development
- Does not fit within the current neighbourhood
- Will have a very negative impact on vehicle access to 122 Sherwood Forest Square.
- Increase of traffic on Sherwood Forest Square is very likely more than the road can accommodate.
- Difficulty with traffic when entering and leaving units.
- The additional traffic, when combined with the current traffic using all the facilities on Sherwood Forest Square (Sir Frederick Banting SS, Medway Arena, Aquatic Centre, Canada Trust Plaza and the Mall), will make this a difficult and possibly dangerous situation.
- Access is often difficult or dangerous at times in the day, when the school buses are parked or waiting all around the circle. The access to the new development from the Fairfax Court side (north west entrance) would have none of these issues.

ANALYSIS

Subject Site

The subject site is located at 164 Sherwood Forest Square west of Sherwood Forest Mall and directly north of Sr. Fredrick Banting High School. The site has legal frontage along Fairfax Court, which provides a connection internally to the existing Medium and Low Density residential subdivision, as well as Sherwood Forest Square which connects directly to Wonderland Road. The subject site is in close proximity to public transit and is in walking distance of multiple neighbourhood facilities.

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PPS

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. The proposed development of a vacant property located in the middle of a well-established neighbourhood provides an opportunity to achieve an efficient development while maintaining the existing land use pattern. The proposed development will focus growth within a settlement area, providing a range and mix of housing types to an area generally dominated by stacked townhomes. The proposed development will take advantage of the existing infrastructure and services in the area. *(PPS 2014 sec.1.1, 1.1.3, 1.4, 1.6)*

The development of an existing lot within an established neighbourhood helps sustain the financial welling being of the Municipality as no extension of services or additional land consumption is required. The potential increase in residential density within the neighbourhood will take advantage of, and help support, the existing public service facilities in the area along with the existing bus routes in close proximity to the site. The proposal also provides an alternative form of housing at a higher density than currently exists in the area helping minimize servicing costs by taking advantage of the existing infrastructure readily available to support the development of the site. The subject site has already been identified through the current Official Plan designation as Multi-Family, Medium Density Residential thereby facilitating an appropriate location to support intensification. This designation helps satisfy the PPS as it allows for a range of housing types and densities to meet projected requirements of current and future residents.

(PPS 2014 sec.1.1.1a,b,e,g, 1.1.3.2, 1.1.3.3, 1.4, 1.6.6)

Official Plan

The proposed application for 6 apartment buildings provides an alternative dwelling choice to the area which is predominately made up of 1-2 storey townhomes to the east and 2.5 storey townhomes to the west helping broaden the range, design, and housing types in the area. The site design also helps enhance the character and connectivity for future residents through the use of on-site pedestrian connections and a common open space area in the middle of the development. The development provides the opportunity to make the existing pedestrian connections from the community to the neighbouring shopping area safer by providing more eyes on these pathways. The subject site is an ideal location for residential infill as it has access to full municipal services which can accommodate the use and provides several opportunities for the residents to access public transit, shopping, public open space, recreation facilities and other urban amenities. There are no environmental constraints on the site and the use can be seamlessly integrated in the existing land use pattern with minimal impacts. The medium density use is being placed directly within an existing Medium Density Residential Designation consistent with the prevailing land use designation in the area.

(City of London Official Plan sec. 3.1.1. General objectives for all Residential Designations, 3.1.3. Multi-Family, Medium Density Residential Objectives)

The abutting land uses and subject site are located within a large Medium Density Residential designation. This designation permits a broad range of residential uses spanning from single detached dwellings up to low-rise apartments. Generally, building heights in this designation do not exceed four storeys unless it is determined that the higher height and overall development is compatible with the surrounding area and is sensitive to the scale of development in the surrounding neighbourhood. Staff believe that the surrounding developments in the Multi-Family, Medium Density Residential area which currently exist create a subtle buffer between the single detached dwellings further west and the 4 storey height of the proposed development and will also provide an additional buffer from the commercial area along Wonderland Road. The proposed density of 75 units per hectare for the development fits the site at a scale and intensity that is in keeping with the requirements of the Zoning By-law and the proposed building layout has been modified to address concerns of the public and mitigate impacts.

(City of London Official Plan sec. 3.3.1 Permitted Uses, 3.3.3. Scale of Development)

The subject site is located within the Near-Campus Neighbourhoods which means all relevant policies of Section 3.5.19 of the Official Plan must be considered for the current rezoning

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application. The policies for Near-Campus Neighbourhoods encourage directing appropriate intensification to specific areas within the neighbourhood. The policies outline characteristics that should **not** be present on the subject site in order for intensification to be appropriate. When reviewing the criteria outlined in the Official Plan, the subject site and current proposal are considered appropriate as they do not meet any of the negative attributes that would prevent the site from being considered an appropriate form of intensification for the area.

(City of London Official Plan sec.3.5.19.5 Encourage Appropriate Intensification)

Intensification in the Near Campus Neighbourhood is also directed by policy to preferred locations which are considered appropriate to accommodate increases in intensity and density. *“In general, Residential Intensification in the form of medium and large scale apartment buildings situated at appropriate locations in the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations are preferred in near-campus neighbourhoods rather additional Residential Intensification in Low Density Residential designations.”* The subject site is already designated for Multi-Family, Medium Density Residential development making it an appropriate location to recommend intensification. The medium scale apartment buildings are an appropriate form of intensification in the Near Campus Neighbourhood.

(City of London Official Plan sec. 3.5.19.6 Directing Preferred Forms of Intensification to Appropriate Locations)

Since the subject site itself is not located directly on an arterial road but within the interior of the neighbourhood, the proposed application for Residential intensification within a Medium Density Residential designation must meet additional criteria outlined in the Near Campus Neighbourhood Policies. Staff’s recommendation conforms to these criteria as there are no Low Density Residential areas adjacent to the subject site that require additional mitigation measures. The applicant has produced a site design that protects the amenity spaces of the abutting Medium Density Residential developments as the proposed buildings are either set well back from the property lines or appropriate landscaping and fencing will be used to help reduce any negative impacts. The proposed apartments are a good example of residential intensification and provide a positive precedent for similar development proposals at similar locations within the Near-Campus Neighbourhood areas. The site design also provides adequate amenity space that is functional and available for the future occupants to use and exceeds the minimum requirements of the Zoning By-law.

(3.5.19.9 Multi-Family, Medium Density Residential and Multi-Family, High Density Residential)

Zoning

Through the public circulation process, engineering issues relating to traffic and sewer capacity have been raised by internal departments. The subject site is uniquely situated at the ends of 2 cul-de-sacs with frontage along Sherwood Forest Square and Fairfax Avenue. Transportation Staff have identified Fairfax Ave as the preferred location for vehicular access to the site (see below). The Thames Valley District School Board also raised concerns about this access point and potential safety issues with the increase in traffic.

“Sherwood Forest Square is a busy street that provides access to Sherwood Forest Mall, a bank, community centre with arena & swimming pool, Banting Secondary School and accommodates over 6000 vehicles per day, which is much more than what a local street is designed for. During school hours, school buses stop on Sherwood Forest Square around the cul-de-sac where accesses for the site have been proposed.”

“Any changes to the school bus loading zone area will require buses to stop closer to the mall access which may reduce sight lines for motorists exiting the Mall. There are also safety issues with allowing an access through a very busy school bus loading zone. The two accesses are very close together and will create safety issues regarding sight lines, when school buses are present, and conflict points for motorists using the access.”

The applicant has submitted a traffic impact statement for Staff’s review but Transportation Staff requested additional information related to access from Sherwood Forest Square. Transportation Staff is still of the opinion that Fairfax Court is the most appropriate location to

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access the subject site. Since that time a new Transportation Impact Assessment was submitted for further review in relation to the proposed access off of Sherwood Forest Square which focused on operational issues and whether there was capacity on Sherwood Forest Square. However, there was little analysis on the impact of bussing and student safety and Staff continue to have the same safety concerns that were previously raised. With Transportation Staff’s comments along with those concerns raised by the Thames Valley District School Board, Transportation Staff have requested the use of a holding provision that shall not be removed until Transportation Staff is satisfied with the proposed access.

The increase in intensity of the site also poses an issue for the existing sanitary sewer system. The subject site was anticipated to accommodate 208 elementary school children and staff whereas the proposed development is anticipated to accommodate 441 residents. The area has a history of basement flooding issues and the proposed intensification will increase the peak sanitary flows and increase surcharging in the existing sewers. Through consultation with the Wastewater and Drainage Engineering Division (WADE) and the applicant it has been determined that the best course of action would be to have the applicant make a financial contribution in the amount of approximately \$200,000, however the amount may be subject to change. This funding will be used by the City to undertake further source control measures which will offset the impact of the additional flow. In order to ensure that this payment will be received prior to any development taking place, the use of a holding provision is recommended. The holding provision is recommended to read as follows:

“The holding provision shall not be removed until such time as the property owner provides a financial contribution to the City of London for the funding of source control measures in the municipal sanitary sewer system to which this land is tributary. The amount of the contribution shall be agreed upon with the Waste Water and Drainage Engineering Division prior to the removal of the holding provision and the payment will be made directly to the Waste Water and Drainage Engineering Division. Upon receipt of the payment a request for removal of the holding provision can be made”

The applicant has applied to rezone the lands to a Residential R8 (R8-4) Zone which “provides for and regulates medium density development in the form of low rise apartment buildings which will vary in form depending on adjacent land uses.” The requested zone permits a height of 13 metres at a maximum density of 75 units per hectare. The abutting R5-3 zones permit up to 12 metres in height and a density of 35 units per hectare. Staff, is recommending that the maximum 13 metre height permitted the Residential (R8) Zone and density of 75 units per hectare is appropriate in the proposed form for the property and surrounding area. In an effort to create a visual feature at the terminus of Sherwood Forest Square, Staff is recommending an increase in height to 16 metres specifically for the three architectural towers identified on the site plan. No habitable space will be permitted within these towers above the 13 metre height restriction of the Residential R8 Zone.

Due to the unique configuration of the property lines along the City’s rights-of-way, a special provision is required for a reduced lot frontage (see below). Staff, feels it is appropriate to recommend this special provision as this is an existing condition and if the frontage were curved to match the radius in the road the frontage would also be sufficient to meet the By-law requirements. Technically the City’s Zoning By-law identifies the smallest portion that fronts the street as the frontage and therefore a special provision for a 21 metre lot frontage where 30 metres is required is being recommended.

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Air photograph depicting the unique configuration of the property line along Sherwood Forest Square

CONCLUSION

Staff's recommendation is appropriate as the proposed rezoning is consistent with the policies of the Provincial Policy Statement (2014) and the Multi Family, Medium Density Residential policies and Near Campus Neighbourhood Policies of the City of London Official Plan. To ensure the development can function appropriately the use of holding provisions for vehicular access, and sanitary servicing are recommended.

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

May 7, 2014

MC/mc

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Planner: Mike Corby

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

<u>Telephone</u>	<u>Written</u>
Helen Mettham 1-122 Sherwood Forest Square, N6G 5G8	Jan Cook Unit 2 – 122 Sherwood Forest Sq, N6G 5G8
Paul Campbell 20 Fairfax Ct, N6G, 2S8	Sandra Waluk Unit 4 – 122 Sherwood Forest Sq, N6G 5G8
Laura Bays 1234 Limberlost Road	Ken Allman Unit 6 – 122 Sherwood Forest Sq, N6G 5G8
Bill Clifford 18-122 Sherwood Forest Sq, N6G 5G8	W.G. Cliffe Unit 11 – 122 Sherwood Forest Sq, N6G 5G8
	Joyce Ross Unit 16 – 122 Sherwood Forest Sq, N6G 5G8
	Suzanne Clifford Unit 18 – 122 Sherwood Forest Sq, N6G 5G8
	Janice King Unit 19– 122 Sherwood Forest Sq, N6G 5G8
	Roger & Cindy Belling Unit 20 – 122 Sherwood Forest Sq, N6G 5G8
	Andrew Bernal Unit 21 – 122 Sherwood Forest Sq, N6G 5G8
	Maria de Guadalup V. de Everett Unit 39 – 1460 Limberlost Road, N6G 2C6
	Xiao Ming Sun 9 – 40 Fairfax Court, N6G 3Y3
	Mohammad Jan Unit 11 – 40 Fairfax Court, N6G 3Y3
	Hector & Martha Barquero Unit 12 – 40 Fairfax Court, N6G 3Y3
	Elizbieta Pietryzk Unit 14 – 40 Fairfax Court, N6G 3Y3
	Dariusz Pietryzk Unit 30 & 31 – 40 Fairfax Court, N6G 3Y3
	David & Wendy Scott Unit 41 – 40 Fairfax Court, N6G 3Y3
	Brian & Shelley Johnson Unit 8 – 122 Sherwood Forest Sq, N6G 3Y3
	Ericka Greenham 15-1460 Limberlost Road, N6G 2C6
	Jim Christensen 29-40 Farifax Court, N6G 3Y3
	Laura Suave Unit 36 -1460 Limberlost Road, N6G 2C6
	Anne Marie Henderson Unit 4, 40 Fairfax Ct, N6G 3Y3

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File: Z-8327
Planner: Mike Corby

Bibliography of Information and Materials
Z-8327

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo Ltd, February 25, 2014

Reference Documents:

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

Zelinka Priamo Ltd. *Planning Justification Report*, February 21, 2014.

Zelinka Priamo Ltd. *Urban Design Brief*, February 21, 2014.

THE ODAN/DETECH GROUP INC. *Functional Servicing Report*, February 21, 2014.

F.R. Berry & Associates. *Traffic Report*, May 15, 2014.

Correspondence: (all located in City of London File No. Z-8327 unless otherwise stated)

City of London -

Smolarek J., City of London Urban Design. Memo to M. Corby. June 23, 2014.

Ricciuto M., City of London Wastewater & Drainage Engineering. E-mails to M. Corby. March 27, 2014 & June 3, 2014.

Clavet Y., City of London Stormwater Management Unit. E-mail to M. Corby. April 14, 2014.

Conway E., City of London Development Services. E-mail to M. Corby. April 4, 2014.

Couvillon A., City of London Transportation Planning & Design. AMANDA. April 1, 2014.

Page B., City of London Environmental & Parks Planning. Memo to M. Corby. April 1, 2014.

Postma R., City of London Forestry. E-mail to M. Corby. March 25, 2014.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Corby. April 10, 2014.

Lysynski H., TAC. Letter to M. Corby. May 7, 2014.

Raffoul L., R.O., Bell. Letter to M. Corby, April 12 and June 15, 2007.

Urban Design Peer Review Panel., Memo to M. Corby, April 2, 2014

Other:

Site visit June 4, 2007 and photographs of the same date.

Two empty rectangular boxes for agenda item and page numbers.

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Planner: Mike Corby

Appendix "A"

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 164 Sherwood Forest Square.

WHEREAS Futurestreets Inc. has applied to rezone an area of land located at 164 Sherwood Forest Square, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 164 Sherwood Forest Square, as shown on the attached map comprising part of Key Map No. A.101, from a Community Facility (CF1) Zone to a Holding Residential R8 Special Provision (h-11*-h_*R8-4(_)) Zone.

2) Section Number 12.4 of the Residential (R8) Zone is amended by adding the following Special Provision:

) R8-4 () 164 Sherwood Forest Square

a) Regulation[s]

i) Lot Frontage (min) 21 metres (68.9 feet)

ii) Height of architectural towers (maximum) 16 metres (52.5 feet)

iii) No habitable space shall be permitted above 13 metres in height

2) Section Number 3.8 of the Holding "h" Zone is amended by adding the following Holding Provision:

3.8) h-(_)

Purpose: The holding provision shall not be removed until such time as the property owner provides a financial contribution to the City of London for the funding of source control measures in the municipal sanitary sewer system to which this land is tributary. The amount of the contribution shall be agreed upon with the Waste Water and Drainage Engineering Division prior to the removal of the holding provision and the payment will be made directly to the Waste Water and Drainage Engineering Division. Upon receipt of the payment a request for removal of the holding provision can be made.

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

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

Agenda Item # Page #

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File: Z-8327
Planner: Mike Corby

PASSED in Open Council on September 2, 2014.

J. Baechler
Mayor

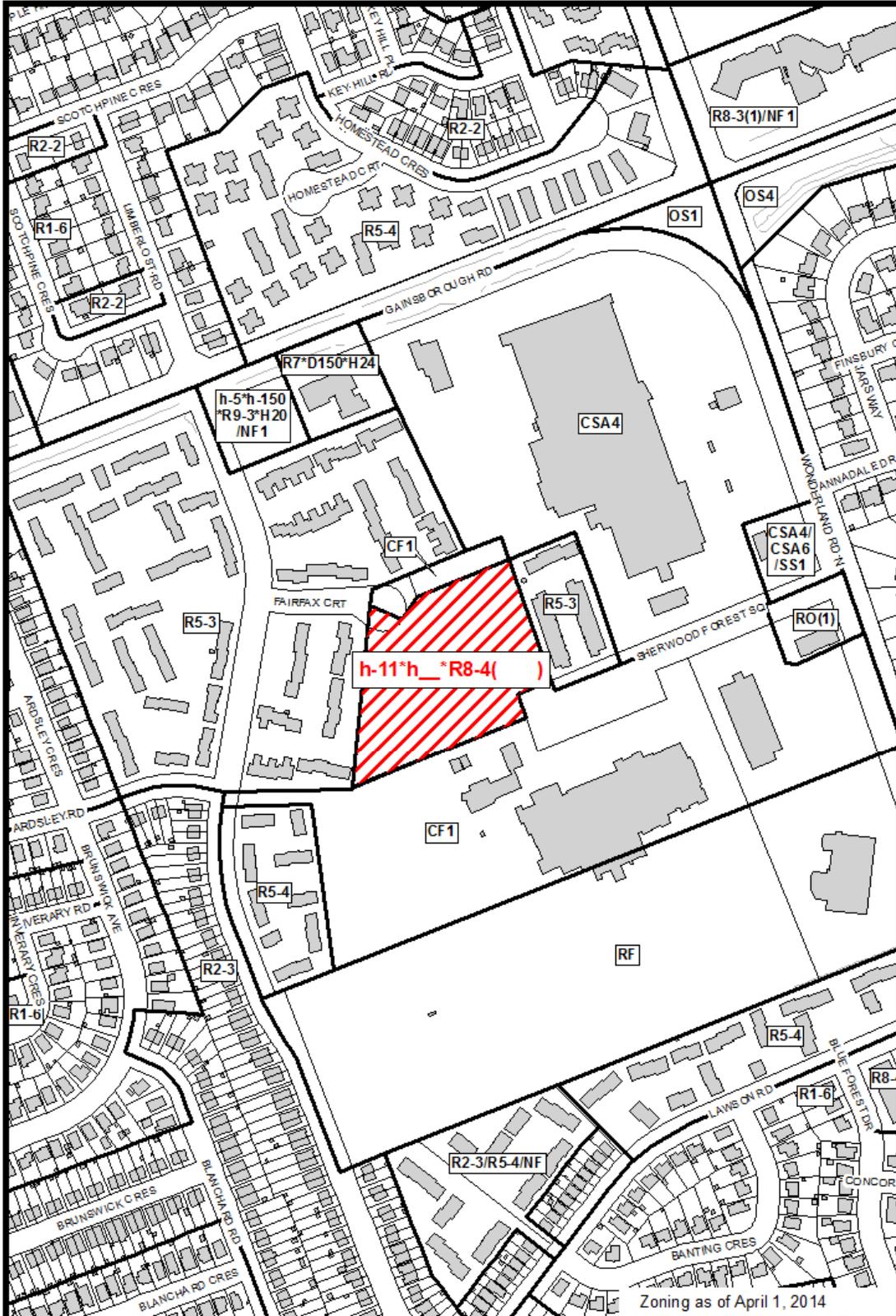
Catharine Saunders
City Clerk

First Reading – September 2, 2014
Second Reading – September 2, 2014
Third Reading – September 2, 2014

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File: Z-8327
Planner: Mike Corby

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



<p>File Number: Z-8327 Planner: MC Date Prepared: 2014/08/05 Technician: CK By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:4,000</p> <p>0 20 40 80 120 160 Meters</p> <p style="text-align: center;"></p>
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File: Z-8327
 Planner: Mike Corby

Schedule "1"



<p>DATE: 10/14/14 DRAWN BY: J. HARRIS CHECKED BY: J. HARRIS</p>	<p>SP.A.01</p>	<p>SITE PLAN</p>	<p>SHERWOOD FOREST SQUARE 1000 SHERWOOD AVE. SHERWOOD, VA 22150</p>	<p>FUTURE STREETS INC. 1000 SHERWOOD AVE. SHERWOOD, VA 22150</p>	<p>QED CONSULTANTS, LLC 1000 SHERWOOD AVE. SHERWOOD, VA 22150</p>	<p>PROJECT NORTH</p>	<p>THE ARCHITECT HAS PREPARED THIS PLAN FOR THE CLIENT AND HAS NOT CONDUCTED A VISUAL QUALITY REVIEW OF THE PROPOSED DEVELOPMENT. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.</p>
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