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File: OZ-7890
 Planner: M. Tomazincic

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 1705820 ONTARIO LIMITED (YORK DEVELOPMENTS) 2118 RICHMOND STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 23, 2014

RECOMMENDATION

That, further to the direction of Council on March 21, 2012, the following actions be taken with respect to the application of 1705820 Ontario Limited (York Developments) relating to the property located at 2118 Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 30, 2014 to amend the Official Plan **BY ADDING** a specific policy to Section 3.5 – Policies for Specific Residential Areas.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 30, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR1) Zone, **TO** a Holding Residential R6/ Residential R8 Bonus (h•h-5•h-11•h(*)•R6-5/R8-4•B-()) Zone;
- (c) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) explore opportunities to better integrate the mechanical penthouse with the overall architectural design of the building in order to reduce the bulky appearance of mechanical penthouse and achieve a cohesive building design;
 - ii) ensure that the design of the corner plaza is seamlessly integrated with the landscape treatment along Sunningdale Road East between the townhouses and the property line. Include features such as planters, planting beds, benches, pedestrian scale lighting, and hardscapes in order for this space to act as a private-public space;
 - iii) ensure that the north and east elevations of the proposed townhouses are developed with wall articulations, material changes and where possible include fenestration in order to reduce the appearance of large blank facades;
 - iv) consider refinements to the Richmond Street three-storey tower base by strengthening the relationship between the tower's base and the townhouse elevations in order for the base of tower to be further distinguished from the middle and top;
 - v) maintain a layout of the development's main drive aisle, passenger drop-off and parking areas that reduces the amount of asphalted area and increases the amount of landscaped amenity area, while ensuring opportunities are maintained for future access to and from the site via the properties to the north and east that have not yet been developed;

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- vi) the provision of site and exterior building lighting solutions to minimize the impact on the single detached residential properties on the south side of Sunningdale Road East; and
- vii) confirmation of the existing location of the centerline of the Imperial Oil pipeline to ensure building setback requirements are met, noting this is a requirements of the Zoning By-law.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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O-6284- On June 16, 2003 Council amended the Official Plan designation on the property in accordance with the Uplands North Area Plan.

OZ-7602- On February 3, 2009 Council refused an application to amend the Official Plan and Zoning By-law Z.-1 to permit retail/pharmacy and office uses.

PL090268- On October 26, 2009 the Ontario Municipal Board dismissed the appeal by the applicant, confirming Council's decision to refuse retail/pharmacy and office uses.

OZ-7890- On June 13, 2011 a public participation meeting was held before the Built and Natural Environment Committee (now PEC). The applicant applied to amend the Official Plan and Zoning By-law to allow for a 260 unit, 15 storey tall (50 m) apartment building. At the public participation meeting the applicant presented an alternative proposal which would permit the construction of a 113 unit, 12 storey tall (40m) apartment building and an 8 unit 13m tall townhouse building.

OZ-7890 – On February 27, 2012, a public participation meeting was held before the Planning and Environment Committee. The applicant applied to amend the Official Plan and Zoning By-law to allow for a 113 unit, 12 storey tall (40m) apartment building and an 8 unit, 13m tall townhouse building.

OZ-7890 – On July 22, a public participation meeting was held before the Planning and Environment Committee. The applicant applied to amend the Official Plan and Zoning By-law to allow for a 10-storey (33 metre), 99 unit apartment building and eight, three-storey townhouse dwellings integrated into the apartment building along Sunningdale Road East, for a combined total of 107 units at a density of 123 units per hectare through the use of a bonusing provision and subsequent agreement.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommendation is to:

- Amend the Official Plan and Zoning By-law to provide for a level of certainty and clarity regarding the final form of the future development on the site.
- Permit medium density cluster development as-of-right in the form of single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, mid-rise apartment buildings apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities to a maximum height of 13 metres and a maximum density of 75 units per hectare.
- Permit a 10-storey (33 metre), 99 unit apartment building and eight, 3-storey townhouse dwellings integrated into the apartment building along Sunningdale Road East, for a combined total of 107 units at a density of 123 units per hectare through the use of a bonusing provision and subsequent agreement.

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RATIONALE

For the Official Plan amendment:

- The proposal is consistent with the Provincial Policy Statement;
- The proposal is consistent with the Uplands North Area Plan with respect to the need to provide flexibility for developers to respond to changing market conditions and providing consumer choice;
- The site is an appropriate location for a higher density residential development that has a high quality of urban design and provides a transition of density through design;
- The use of the special policy for the Multi-family, Medium Density Residential designation provides certainty and clarity to the developer, the area landowners and the City with respect to the final development;
- The proposed development takes into account the completed Sunningdale Road Environmental Assessment.

For the Zoning By-law amendment:

- The reasons noted above;
- The bonus provisions provide certainty and clarity to the developer, the area landowners and the City with respect to the final development;
- The bonus provisions require elements of public benefit related to quality urban design, underground parking and increased landscaped open space area, and planting of mature trees to mitigate the future impact of the Sunningdale Road improvements;
- If the bonus provisions are not met, then the permitted development reverts to the heights and densities permitted by the base zone that are also in keeping with the intent of the Multi-family, Medium Density Residential designation; and,
- The holding provisions will ensure: that adequate municipal services and appropriate future access arrangements are provided; the provision of further opportunity for future public input into site plan matters through a public site plan meeting; and, that the development will not have any negative impacts on the groundwater in the area.

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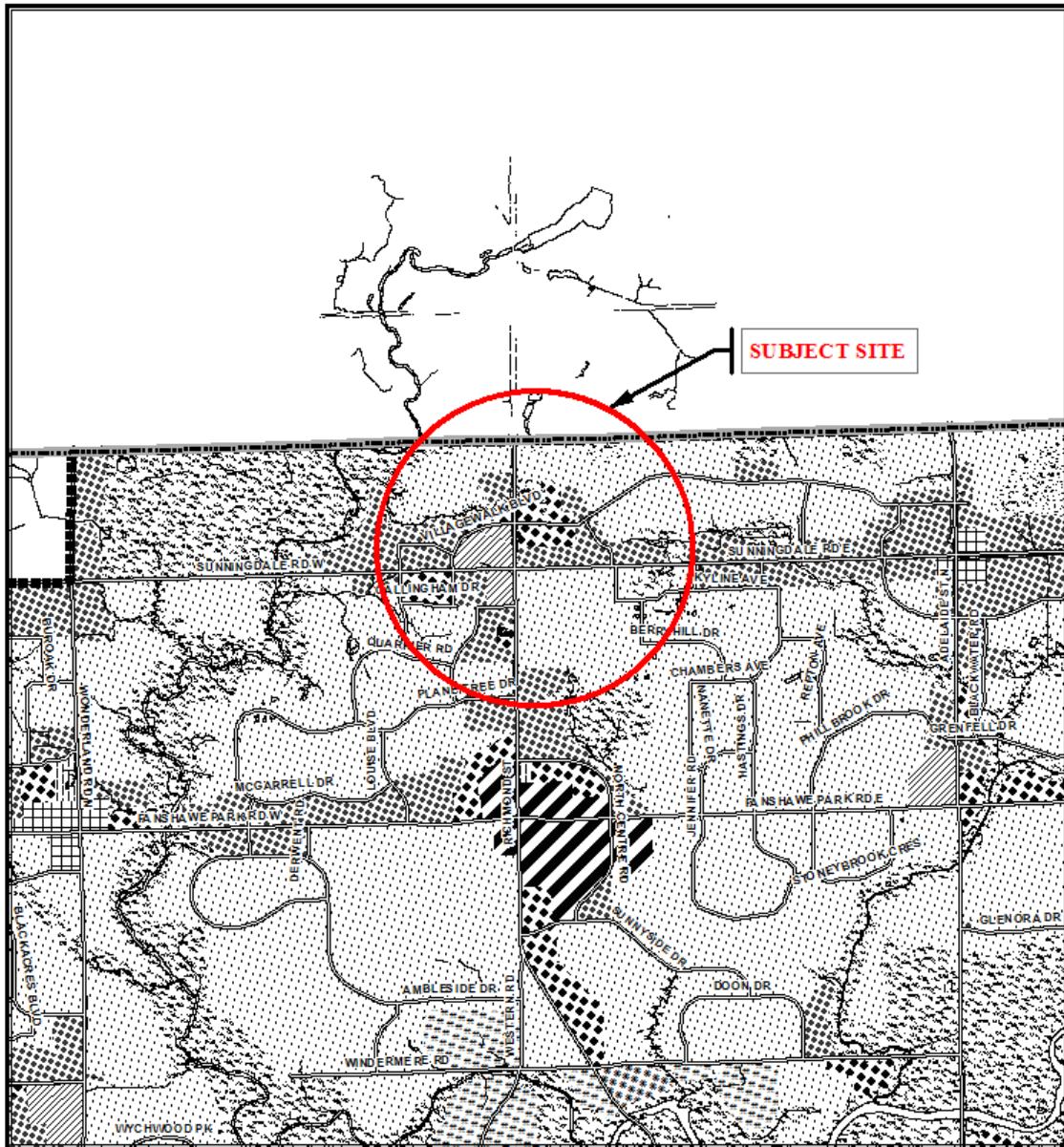
File: OZ-7890
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<p>LOCATION MAP</p> <p>Subject Site: 2118 Richmond St Applicant: 1705820 Ontario Limited (York Developments) Group File Number: OZ-7890 Planner: Barb Debbert Created By: Barb Debbert Date: 2014-06-16 Scale: 1:2500</p> <p>Corporation of the City of London Prepared By: Planning and Development</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
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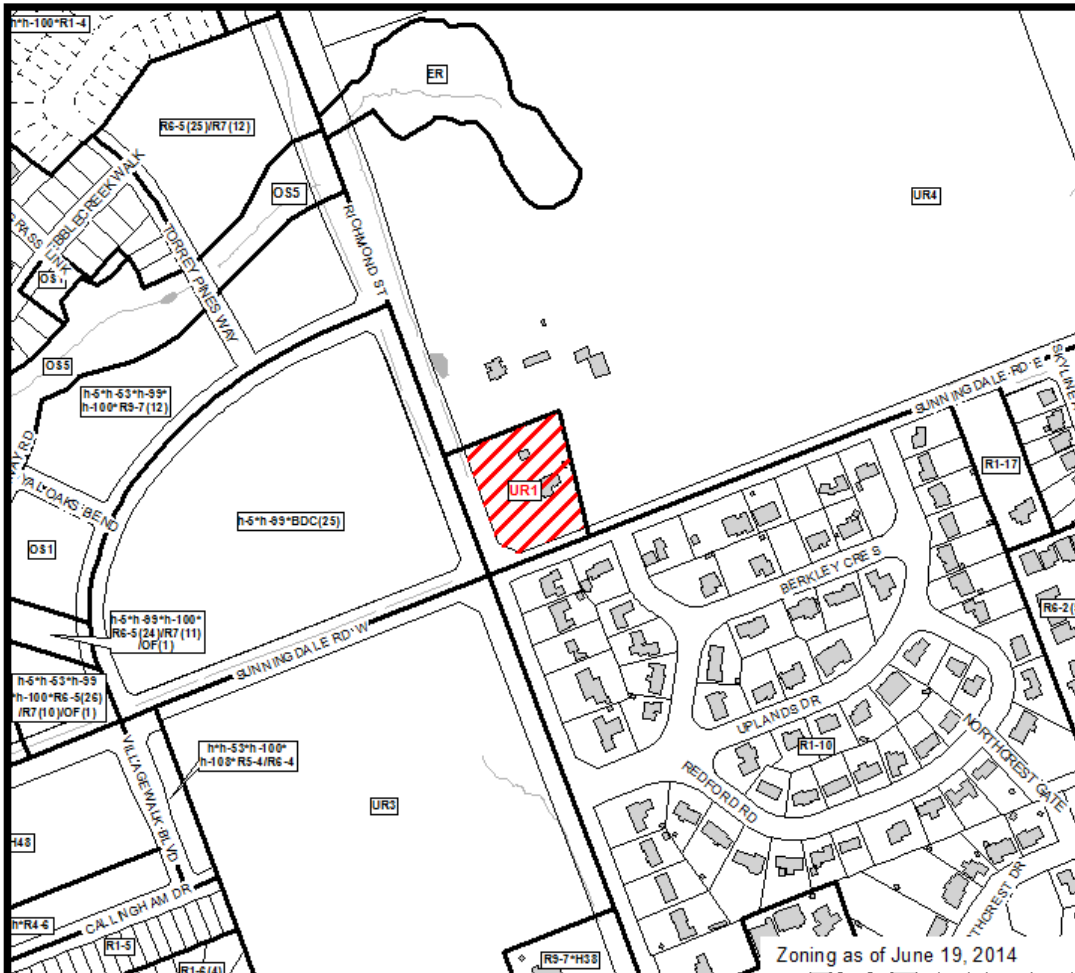
Legend

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

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-7890</p> <p>PLANNER: BD</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/07/07</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR1

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**



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

FILE NO:
OZ-7890 BD

MAP PREPARED:
2014/07/08 CK

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

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PLANNING HISTORY

Uplands North Area Plan

In February 2002 the Uplands North Area Plan was initiated by landowners in the area. The Uplands North Area Plan is bounded by Richmond Street to the west, Adelaide Street to the east, Sunningdale Road to the south and the municipal boundary to the north. The Uplands North Area Plan was adopted by Council in June, 2003. The intent of the Area Plan was to serve as a guideline document for future development of the area and address such issues as mixing of dwelling types, road configurations, school locations, servicing, and location of parkland. The Area Plan and subsequent Official Plan amendments designated the subject site as Multi-family, Medium Density Residential.

Retail/Pharmacy Application (OZ-7602)

On February 2, 2009 Municipal Council refused an application by 1699257 Ontario Limited for the property located at 2118 Richmond Street. The application was for an Official Plan and Zoning By-law amendment to permit a retail/pharmacy use and offices. Planning Staff recommended approval of the application. The Ontario Municipal Board subsequently upheld Council's decision.

Apartment Building Application (OZ-7890)

On June 13, 2011 a public participation meeting was held before the Built and Natural Environment Committee (now PEC). The applicant applied to amend the Official Plan and Zoning By-law to allow for a 260 unit, 15 storey tall (50 m) apartment building. At the public participation meeting the applicant presented an alternative proposal which would permit the construction of a 113 unit, 12 storey tall (40m) apartment building and an eight unit, 13 metre tall townhouse building. Council referred this proposal back to staff for review of a revised application and a full public consultation and planning process.

Following additional public consultation and planning review, on February 27, 2012, a further public participation meeting was held before the Planning and Environment Committee regarding the proposed 12 storey building. Pursuant to the recommendations of the Planning and Environment Committee, Council:

"...referred Clause 19 of the 6th Report of the Planning and Environment Committee back to staff for continued discussions with the developer to come to an amicable solution that residents might be happier with, in the context of medium density residential policies and regulations, and also in the context of the Community Plan.

Clause 19 read as follows:

19. That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of 1705820 Ontario Limited (York Developments) relating to the property located at 2118 Richmond Street:

- a) the Civic Administration **BE ASKED** to meet with the applicant to request that the application be revised in order that:

 - i) the proposed apartment building is reduced by two floors; and,*
 - ii) the proposed townhouses are built first or simultaneously with the apartment building;**
- b) the Civic Administration **BE DIRECTED** to report back on the results of the above-noted meeting and to provide advice with respect to potential holding provisions to achieve the following:

 - i) site access from Richmond Street only;**

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- ii) *quality urban design;*
- iii) *provision of a view shed study to define the views from the apartment building to the neighbouring properties south of Sunningdale Road and to provide possible remedies;*
- iv) *installation of roundabouts as per the submitted proposal; and,*
- v) *holding of a public site plan meeting;*
- c) *the Civic Administration **BE DIRECTED** to provide notice in accordance with the provisions of the Planning Act;*
- d) *the Civic Administration **BE DIRECTED** to prepare a traffic study for the area outside of Sunningdale Road and Richmond Street; and,*
- e) *the Civic Administration **BE DIRECTED** to widen Sunningdale Road as soon as possible;...*

A revised application was accepted as complete on June 9, 2014. The applicant applied to amend the Official Plan from a Multi-family, Medium Density Residential designation to a Multi-family, High Density Residential designation and to amend the Zoning By-law to allow for a 10 storey (33 metre), 99 unit apartment building and eight, three-storey townhouse dwellings integrated into the apartment building along Sunningdale Road East, for a combined total of 107 units at a density of 123 units per hectare through the use of a bonusing provision and subsequent agreement. Following a tied vote at Planning and Environment Committee on July 22, 2014, Council resolved on July 29, 2014 that:

the rezoning application submitted by 1705820 Ontario Limited (York Developments), relating to the property located at 2118 Richmond Street, BE REFERRED back to the Managing Director, Planning and City Planner to facilitate a further conversation between the applicant, the community and Planning staff in order to seek a more agreeable solution, with a report back on the matter to the Planning and Environment Committee, prior to the end of September, or sooner, if possible.

COMMUNITY CONSULTATION

Summary of Community Consultation Session (13 August 2014)

Ali Soufan, York Developments
 Carol Wiebe, MHBC Planning
 Michael Tomazincic, City of London
 Barb Debbert, City of London

16 members of the public, as recorded on the sign-in sheets that were available at the meeting

Opening Comments

- Residents felt the starting point should be an MDR designation allowing up to 4-storeys and 75 units per hectare (uph), that for an appropriate transition in intensity a height difference of 2-storeys was appropriate and that there should be a formula for the distance between different housing forms.
- City Staff noted there is no formula for transition since Official Plan policies for the Multi-Family, Medium Density Residential designation allow for up to 6-storeys and bonusing up to 100 uph in a variety of housing forms.
- C. Wiebe noted that the change from Low to Medium to High Density proposed does provide a transition and that in this case, the road provides the separation.
- Residents noted that with the road widening there will be no trees to block the view and that there is no transition for the additional traffic created by the road widening and this development.
- City staff noted the benefit of bonusing is that the design of the building is locked-in which includes the provision of significant landscaping with larger trees.

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Local Residents propose revisions to the requested amendment

- Based on the maximum Official Plan bonusing policies for Medium Density Residential developments, residents asked A. Soufan whether a 6-storey building with stepping back of the top storeys was possible, noting the proposed building is nice looking and the stepping back created interest?
- Residents were of the opinion that underground parking should not be a bonusable feature since it was not being provided as a design feature, instead it was being provided because there is no other alternative location to construct the parking for the number of units requested by the applicant.
 - There was a lack of certainty among the residence as to whether the water table would allow underground parking to be constructed, noting some people in the Uplands neighbourhood have 30 – 40 foot deep wells that could be impacted by the construction.
- City staff noted that underground parking is a bonusable feature since alternative parking solutions could be provided which do not mitigate the impact of additional height and density such as above-ground parking structure which would not be bonusable. Underground parking is bonusable because it mitigates the impact of the additional intensity, and further, that if the bonus provisions for underground parking could not be met, then the bonused development could not be built.
 - City staff also noted that a holding provision could be applied to the site which would not be removed until the applicant demonstrated there would be no impact on nearby wells.
 - Soufan confirmed geotechnical work and borehole testing had been completed and that the property was suitable for development.
- City staff noted increased landscaped open space and enhanced landscaping are also bonusable features and could be used as a buffer to adjacent lands uses.
- City staff noted high quality design is also bonusable and that the City’s urban designers and the Urban Design Peer Review Panel had also reviewed the proposal. This review is contextually based, not just focused on the property.
 - Wiebe noted the UDPRP appreciated the stepping back and the buildings facing Sunningdale so the ground view was of townhouses. Previous area landowner concerns that the townhouse component would not be constructed was addressed by attaching the townhouses to the apartment building.
- Residents wanted to know if it’s possible to not have access onto Sunningdale Road.
- City staff replied this is something we were asked to report back to Council on, noting the Transportation Engineers don’t support permanent access over the longer term.
- Residents expressed concern that High Density Residential on the corner would create a precedent for High Density Residential all the way along Sunningdale Road, citing the Blackwater/Garibaldi application.
- City staff noted that in the current context, this property is located at a major intersection and is directly across Richmond Street from future commercial development. The area plan was prepared some time ago, may have been influenced by land ownership at the time and was developed in the absence of the context of lands to the west. It is recognized that expectations were created at that time.
- A resident encouraged consideration of Medium Density with bonusing, recognizing it would provide certainty. Would 70 units (100 uph) be acceptable among the parties?
- Residents wanted Ali to provide some input but he indicated he wanted to hear the community before answering questions.

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- A resident asked if there's any chance of reaching a range of agreement tonight so discussions could continue, noting residents may not like the outcome of a Medium Density development without bonusing.
- The community believes it has already made concessions and is looking for some concessions from the applicant.

Applicant's response to requests from residents

- A. Soufan indicated that the proposed 10-storeys is his compromise given that the original proposal was for 14-storeys.
- A. Soufan believes that the proposal is consistent with more modern approaches such as in the Southwest Area Plan which allows for 9-storeys in the Medium Density designation at gateways. He has brought forward an aesthetically pleasing and smart design, not a concrete bunker. The proposed 3-storeys of townhouse façade and the stepping back was part of the compromise and the proposed 10-storeys provides an appropriate transition and the appropriate visual impact between his property and potential 18- to 19-storey development in future on the Drewlo lands.
- A. Soufan indicated he has been very patient for 3 years and has tried to work with the community. However, a 6-storey development is not an effective use of the site.
- A resident asked if A. Soufan would consider an 8-storey building.
- Soufan indicated the design of the proposed development is essentially an 8-storey building with the terracing.
- Residents acknowledged that Ali has taken the risk of purchasing the land and applying, however for the residents, height is the issue.
- A. Soufan explained reducing the number of units reduces the profit margin and therefore the ability to spend extra money beautifying the project and that a reduction in height (and therefore number of units) would not be able to deliver a project of the same quality.

Changes to the application resulting from the Community Meeting

- Notwithstanding the request of the residents who sought to reduce the height of the proposed building, the applicant is of the opinion that the proposed development includes concessions to the community in the form of a reduced height based on previous applications and an architectural design which incorporates step the proposed building away from the existing low density community.
- However, based on the request of the residents, the applicant has proposed to remove all driveway access to Sunningdale Road East thereby leaving one temporary access onto Richmond Street (see Figures 1 and 2, below)
- As a result of the request of the residents, Planning Staff have also recommended an additional holding provision which requires the submission of a Hydrogeological Study, prior to the removal of the holding provision, to evaluate the potential impact of the proposed development to area private wells to ensure that the development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells.

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Applicant's Revised Proposed Site Concept (April, 2014)



Figure 1 – Proposal considered by Council on July 29, 2014

Applicant's Revised Proposed Site Concept (August, 2014)



Figure 2 - Depicting removal of easterly access to Sunningdale Road East and replacing the area with additional landscaping

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Subsequent Community Consultation Session (28 August 2014)

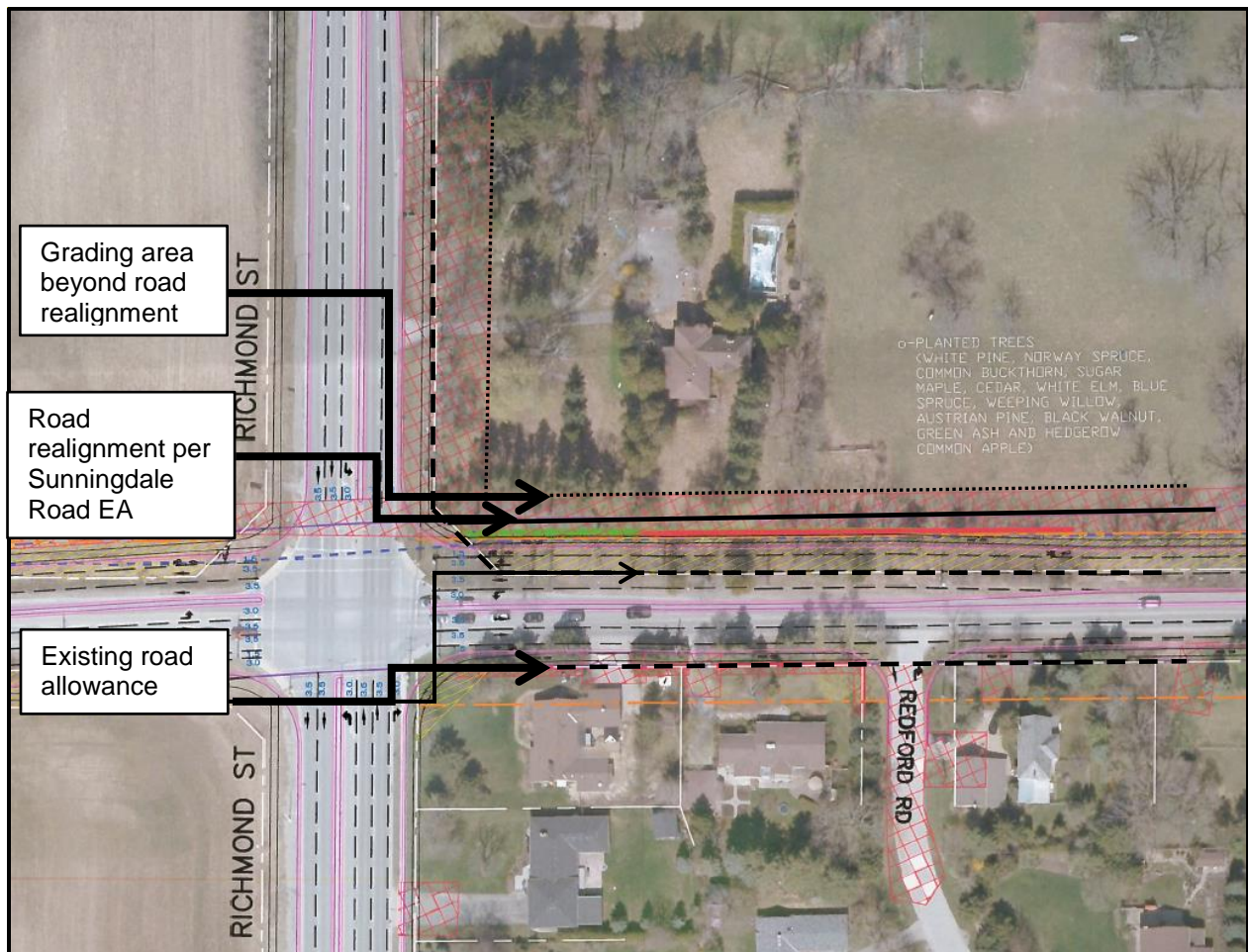


Figure 3 – Proposed future road alignment (labels added for clarification)

As a follow-up to the community meeting, management from Planning Services met with 2 community representatives as well as the Ward Councillor.

The community representatives sought clarification of the Staff recommendation from the July 22, 2014 report to the Planning and Environment Committee as well as sought clarification of various policies of the Official Plan and other planning matters.

The conversation evolved into a discussion about the approved Municipal Class Environmental Assessment (*Sunningdale Road Improvements – Wonderland Road North to Adelaide Street North – Environmental Study Report*) which was completed by AECOM in May 2013. Although the proposed road widening is not directed related to the current planning application, the residents are concerned about the potential impact on the existing community.

The alignment of Sunningdale Road East in this location is to be shifted to the north and the proposed future road alignment is to be constructed as shown on Figure 3, above. The 2014 Development Charges Background Study states that construction of the Richmond/Sunningdale intersection will occur in 2020 and the widening of Sunningdale Road east of Richmond Street will occur in 2022.

As a result of the concerns raised at this subsequent meeting on August 28, 2014, Planning Services has committed to organizing a subsequent community meeting which will discuss the future widening of Sunningdale Road East (at Richmond). This meeting will be attended by Staff from Planning Services (including Urban Forestry) and Engineering Services (Transportation). This meeting is scheduled to occur on September 18, 2014. However, comments and feedback from this meeting will not be available this at the time of submission of this report.

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CONCLUSION

The proposed Official Plan and Zoning By-law amendments will permit the construction of a ten-storey apartment building with a low-rise townhouse form integrated into the base of the tower fronting Sunningdale Road East, provided bonusing provisions with respect to urban design, underground parking and related landscaped open space, and the planting of mature trees are met. The use of the bonus provision will provide certainty and clarity to the applicant, the public and the City as to what will be constructed on the site. Should the required bonus provisions not be met, the development of medium density housing forms will be permitted at heights and densities consistent with the Multi-family, Medium Density Residential policies of the Official Plan. The use of holding provisions will ensure that arrangements are made for the provision of adequate municipal services, future internal access to the site, and an opportunity for public input at the site plan stage is provided.

As a result of additional consultation with the community, all access to Sunningdale Road East has been removed by the applicant and Planning Staff have recommended the adoption of an additional holding provision which requires the submission of a Hydrogeological Study, prior to the removal of the holding provision, to evaluate the potential impact of the proposed development to area private wells.

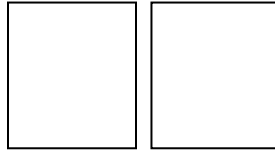
SUBMITTED BY:
MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

August 22, 2014

BD/

Attach.

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to\7890OZ - 2118 Richmond St (CS)\Third Round March 2014\OZ-7890 - 2118 Richmond Street OPA-ZBL Amendment Report Sept 23 2014.docx

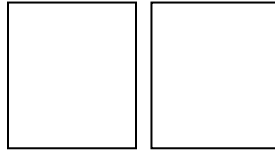


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Responses to Public Liaison Letter and Publication in “The Londoner”
(Note: these include respondents from 2011 and 2012 who may not have responded to the current proposal)

Written

Stoneybrook Heights/Uplands Residents Association- Dan Brown President 75 Pine Ridge Grove N5X 3H3	Drewlo- George Bikas-Manager, Land Development P.O. Box 6000, Komoka ON N0L 1R0 (attached)
Lloyd and Lucille Switzer 5 Redford Road N5X 3V5	Michael and Lorna Smith 21 Berkley Crescent N5X 3V5
Tracy Quinton 29 Sunningdale Road East N5X 3Y3	M. Kathryn Munn and John D. Godbolt 2090 Richmond Street N5X 4C1
Tom and Inga Slade 37 Uplands Drive N5X 3V6	Carol and John McWilliam 115 Sunningdale Road East N5X 3Y9
Gerald Cook and Laura Reid 14 – 27 Northcrest Drive N5X 4B1	David Naish 1970 Richmond Street N5X 3Z2
Philip and Kristina Wiebe 73 Sunningdale Road East N5X 3Y9	Loretta and Franz Bronnenhuber 9 Redford Road N5X 3V5
Stanley and Dora Jo Wilkins 2016 Richmond Street N5X 3V6	Mr. and Mrs. Tim Belton 25 Uplands Drive N5X 3V6
Reg and Jennifer Chavis 31 Uplands Drive N5X 3V6	Manuel and Tanya Abeleira 33 Uplands Drive N5X 3V6
Gordon McLean 103 Sunningdale Road East N5X 3Y9	Jeff Newsome 11 Redford Road N5X 3V5
Mr and Mrs Patrick Hogan 27 Uplands Drive N5X 3V6	Mr and Mrs. D. Hillis 23 Uplands Drive N5X 3V6
Victor Nemcek 33 Redford Road N5X 3V5	Margaret and Leszek Biurkowski 9 Uplands Drive N5X 3V6
Paul and Jane Martin 11 Uplands Drive N5X 3V6	Mrs A Pellow 17 Uplands Drive N5X 3V6
J.P. Lewicki 10 Uplands Drive N5X 3V6	Sal Circelli 14 Uplands Drive N5X 3V6
Bridget Von Schmeling 15 Redford Road N5X 3V5	Mikio Ikeda 21 Redford Road N5X 3V5



Mrs. A Nicolussi 23 Redford Road N5X 3V5	Tracey and Cory Sargent 25 Redford Road N5X 3V5
Bonnie Webb 45 Redford Road N5X 3V5	Lydia Pacifico 35 Redford Road N5X 3V5
Raheb Barghi 36 Redford Road N5X 3V5	Patricia Jacklin 39 Redford Road N5X 3V5
A.E. Green 34 Redford Road N5X 3V6	Barb Gutowski 26 Redford Road N5X 3V5
Walker and Nancy Schofield 16 Redford Road N5X 3V5	Ruth Sells 22 Uplands Drive N5X 3V6
Vera Faltynek 17 Berkley Crescent N5X 3V5	Renato and Stephanie Gasparotto 41 Redford Road N5X 3V5
John Green 16 Berkley Crescent N5X 3V5	Andrew Parrent 27 Redford Road N5X 3V5
Assunta Pepe 11 Berkley Crescent N5X 3V5	Dorinda Greenway Address unknown
Ezio and AnnaMaria Cucinelli 12 Berkley Crescent N5X 3V5	Claudio De Vincenzo 10 Redford Road N5X 3V5
Kerrie Inskip and Barbara Jovanovic 2070 Richmond Street N5X 3V6	George and Helen Katchabaw 7 Redford Road N5X 3V5
Craig Gauld 20 Berkley Crescent N5X 3V5	
Tony Cottle 2058 Richmond Street N5X 3V6	Laura and Brent Peterson 261 Meadowsweet Trail N5X 0A4
Gary Cook and Laura Reid 49 Sunningdale Road East	Tony Basacco, Fahima Akhi and Wahid Amiry 2080 Richmond Street N5X 3Z6
Paul and Linda Armstrong 30 Redford Road N5X 3V6	Martin and Katarina Robertson 49 Sunningdale Road East N5X 3Y9
Dan and Wendy Robinson 12 Redford Road N5X 3V5	Archie Grace 47 Northcrest Drive N5X 3V7
Les Flodrowski 32 Northcrest Drive N5X 3V8	Paul Barge 57 Northcrest Drive N5X 3V7

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File: OZ-7890
Planner: M. Tomazincic

Mike Sheehan 20 Northcrest Drive N5X 3V8	Romyn Amiry 81 Sunningdale Road East N5X 3Y9
Randy Warden 14 – 205 North Centre Road London ON N5X 4E2	

Telephone

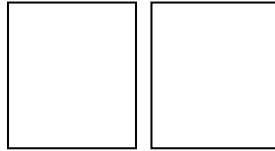
Dave Griffin
 1223 Sunningdale Road East
 N5X 4B1

Graham Grant
 17 Redford Road
 London ON N5X 3V5

Carol Birchmore on behalf of
 Peter Sergautis
 P. O. Box 143 Arva Ontario N0M 1C0

Appeared and spoke at Meetings (not on any other list)

Gloria McGinn McTeer
 18 – 683 Windermere Road
 London ON N5X 3T9



File: OZ-7890
Planner: M. Tomazincic

From: Kathryn Munn
Sent: Wednesday, August 13, 2014 12:04 PM
To: Debbert, Barb
Cc: City of London, Mayor; Monteith, Russell; STANLEY BROWN; GLORIA MCGINN-MCTEER; Philip G. Wiebe; Tracy Quinton; John Godbolt
Subject: 2118 Richmond - Aug 13 meeting

Hello Ms Debbert

This email is intended as an alternative to participation in the Aug 13 meeting for John Godbolt and me. We are away from London on vacation and not available to attend this meeting. Here is a brief summary of some of our concerns.

Community process:

We were not consulted in advance about this Aug 13 meeting date. We have been waiting to provide input as part of the community since 2012 when this matter previously was referred by Council to staff with a mandate to come up with a solution acceptable to the community. It appears disingenuous to consult the community now using the reason that it is suddenly urgent that this meeting be conducted with short notice and without consulting community members about their availability.

We invite the City staff to genuinely consult with our neighbourhood as well as with the developer. This means genuinely listening to community members and working with us in a 2 way process. It means scheduling meetings when participants can be available. It may take more than one short meeting. This does not mean a facade of community participation such as sending out notices of a staff recommendation as was done in June 2014 or calling a meeting on short notice during summer vacation time without considering availability of community participants.

Gateway to London:

The Richmond- Sunningdale corner was not all open fields when it was annexed in 1993. It was not 4 corners of farm fields. On the southeast corner the City obtained a long- established neighbourhood of single family homes. Whatever planning the City does must take this into consideration.

We do not accept the City's assumption that this corner is a "hub" for high density and commercial development. In fact, and based on the City's previous planning the hub is and should continue to be Richmond and Fanshawe Park Road, not further out from the City core at Sunningdale.

The City recognized this and worked extensively over many years after the annexation to come up with a community plan. The community had accepted the compromise of medium density development along Sunningdale Road across from our single family homes. That serious work by many stakeholders is the guiding plan for this area, not the wish of one subsequent purchaser of a 0.7 hectare parcel. That purchaser had just as much opportunity to find out the community plan as the subsequent purchasers of homes on the south side of Sunningdale.

Unsafe access to Sunningdale Rd:

Traffic studies were provided as evidence in the 2009 OMB hearing concerning 2118 Richmond. It was accepted by the OMB member that any access from this parcel to Sunningdale is too close to the Richmond corner to be safe. It's unsafe no matter how many years it's there. Even after the life interest of the current resident of the adjacent land, it is likely going to be many years before Drewlo chooses to develop the adjacent land and possibly allow access to 2118 Richmond through that development. Drewlo has provided a letter to the City that it will NOT allow access through its lands to the north and east for 2118 Richmond. "Temporary" access to Sunningdale could be 20 years or more at minimum, lots of time for many serious vehicle collisions and pedestrian injuries. Statistically those injured are most likely those of us who live in the neighbourhood.

Sunningdale Road widening:

From what we have been told the final plan is not yet decided. The final plan may require the use of some of the current 0.7 hectare of 2118 Richmond. What we received as a plan under

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**File: OZ-7890
Planner: M. Tomazincic**

consideration is to widen the road up to our property lines along the south, shift the road northward, and to move the pipeline also northward. This is not our preferred plan and we are willing to continue to work with the City come up with an acceptable plan. Until the final plan is decided for the road widening no decision should be made about building on 2118 Richmond. That now-vacant land on the north side of the road is needed to provide the required space for the road widening because there is no vacant land on the south side of Sunningdale. The Applicant 's lot has to considered in the context of the whole area.

Pipeline:

From our overlay of the developer's proposal on top of the City's road widening plan it appears that the 3 storey facade portion of the highrise is too close to the pipeline setback to be permitted in reality.

The pipeline and it's potential move was not addressed in the developer's plan. It is a serious consideration because of the considerable setback required from the pipeline for building construction.

Developer's proposed building :

A ten-storey highrise is not compatible with the single family homes across the road. The shorter facade to the south is not a sufficient transition from single family homes even if it were built as in the developer's drawings. Our experience in this neighbourhood with a previous highrise on Richmond is that once approved for a high density building it somehow became a much higher , larger building. In order to agree to any proposal we will need to have enforceability of the agreed plan.

In addition we must consider that the decision about this corner will flow to the adjacent landowners. Even if it wishes to do so the City will not likely be able to ensure medium density development of the adjacent land to the east along Sunningdale if the 2118 Richmond corner is a highrise.

Bonusing:

Chapter 19 of the Official Plan reads as follows:

“the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses or exceeds the capacity of available municipal services.” I then lists the objectives of this bonus density provision, the only one applicable being underground parking.

This is a 0.7 hectare piece of land, possibly smaller with road widening implications. There is not enough space to have a building plus parking for 107 units all on the ground level without underground parking. In this situation as we understand it underground parking is not correctly bonusable under Chapter 19 because it is required anyway if this density were approved

There is no indication in the information we received, even in the City's justification report, that a study was done to conclude that underground parking is possible on this site. Since there are streams underground and springs in the immediate vicinity this may not even be feasible, despite the developer's promises.

In any case the application of the bonus density provision must not result in a scale of development incompatible with adjacent uses. A 10 storey highrise is not compatible with our single family homes directly across the road.

As discussed above it also exceeds the road capacity. Municipal services such as buses are not available unless the people walk to the hub at Richmond and Fanshawe Park Road. That hub is where the highrise development should continue, where there are existing services.

Privacy:

Many of the trees on the south side of Sunningdale will be gone if the road is widened as proposed to the property lines along the south side. Many of the trees are on the road allowance or so close as to be killed by the road widening. Virtually all the current trees on 2118 Richmond would need to be removed for the developer's proposal.

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File: OZ-7890
Planner: M. Tomazincic

Despite the developer's proposal drawings, we have not seen a design plan which shows that in reality there is room for mature trees to be planted on the south side of 2118 Richmond between the proposed buildings, paved areas, and pipeline. This makes the view shed portion of the developer's proposal merely a fantasy which is not relevant to the actual view from the apartments into our homes and backyards. It is also not relevant because the 10 storey height is well over the height of even mature trees.

Our information from the City of London Forestry department is that the current trees will be removed. We therefore lose the sound screening as well as visual screening.

If the proposed development were in conformity with the scale in the community plan at medium density, namely 4 stories, mature trees would provide significant visual and sound screening.

We are willing to work with the City to find an acceptable solution. If this is to happen, a real dialogue is needed. We are not willing to be manipulated or trampled.

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**File: OZ-7890
Planner: M. Tomazincic**

Aug 25, 2014
The City of London Planning Division
PO Box 5035
London, Ontario
N6A 4L9

Attention: Barb Debbert

Re: File OZ-7890 - 2118 Richmond Street

Dear Ms. Debbert

As residents of the area, we offer the following input re the application from York Developments for a change to the zoning and official plan at 2118 Richmond Street.

We ask that your report to Planning Committee and City Council emphasize that the issues are not just about this developer's plans for this intersection, but that the size and timing of any major development must be tied to conditions that address protection of residents' water quality, existing safety issues with cut-through traffic and the timing of road development and services for this under-served neighbourhood.

We specifically request that the city, when considering approval of this developer's application, ensure appropriate initiatives to mitigate concerns:

- Address safety issues BEFORE starting construction or adding more residents to the area:
 - o Restrict 2118 construction site access to Richmond only.
 - o Deter cut-through traffic in the Uplands neighbourhood by restricting access and adding appropriate traffic calming initiatives.
 - o Reduce speed limits in Uplands neighbourhood.
 - o Add stop or yield signs at the currently un-signed intersection of Uplands and Redford.
 - o Fix the dangerous blind egress from Uplands onto Sunningdale Road.
 - o Plan for street lighting and curbs on the dark winding streets.
- Protect water quality and flow rate for the Uplands' wells by ensuring studies are specifically done to avoid any impact due to the planned high-rise and underground parking.

Input from myself and most residents in attendance at the August 13th meeting, is that "stick to the plan" implies understanding and acceptance of a development that meets the city's definition of 'Medium Density plus Bonusing'. The current application exceeds those guidelines.

We cannot speak for other residents, however personally feel that the developer has made a significant effort to bring a plan forward that helps to mitigate his plan for higher density with an attractive project on this site.

We would therefore accept his higher density plan IF the city addressed the conditions outlined above, ensuring protection of our water quality and addressing, before construction starts, the legitimate and well documented existing safety concerns in this neighbourhood.

The developer has offered a plan to mitigate the higher density. It's time for the city to step up with its own mitigating plans to establish the conditions for success of this proposed development.

Sincerely,

Paul & Linda Armstrong
30 Redford Road
London ON N5X 3V6

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File: OZ-7890
Planner: M. Tomazincic

**Bibliography of Information and Materials
OZ-7890**

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, Concept Plan and Elevations, completed by Sean Eden, November 12, 2011, as amended by Carol Wiebe February 28, 2014, May 23, 2014, July 9 and July 10, 2014.

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*, 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.

City of London. *Uplands North Area Plan*, May, 2003

City of London. Report to Planning & Environment Committee, June 13, 2011

City of London. Report to Planning & Environment Committee, February 27, 2013

Ontario Municipal Board. *Decision PL090268*

AECOM. *City of London Sunningdale Road Improvements Wonderland Road North to Adelaide Street North Environmental Study Report*, May 2013.

MHBC Planning. *Planning Justification Report 2118 Richmond Street*. March 2014.

MHBC Planning and Stantec. *2118 Richmond Street Urban Design Brief*. April 2014 – Revised June 2014.

Dillon Consulting Limited. *2118 Richmond Street Transportation Impact Assessment*. August 2013.

All file correspondence

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File: OZ-7890
Planner: M. Tomazincic

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 2118 Richmond Street.

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

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

PASSED in Open Council on September 30, 2014.

J. Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – September 30, 2014
Second Reading – September 30, 2014
Third Reading – September 30, 2014

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File: OZ-7890
Planner: M. Tomazincic

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in 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 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 2118 Richmond Street in the City of London.

C. BASIS OF THE AMENDMENT

These lands are designated as Multi-family, Medium Density Residential in the Official Plan.

The form of development proposed for the subject lands contemplates a maximum height of ten storeys and a maximum density of 123 units per hectare, in excess of the generally accepted heights within the Multi-family, Medium Density Residential designation and the maximum bonusable density of 100 units per hectare. Apartment buildings and townhouses are permitted uses within the Multi-family, Medium Density Residential designation. The proposed special policy would allow for site-specific increases to the permitted scale of development in return for matters which provide a public benefit.

Without compliance with the bonus zoning provisions, the permitted intensity of use on the lands would remain within the base maximum height of 4 storeys and maximum density of 75 units per hectare as permitted by the Multi-family, Medium Density Residential designation.

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File: OZ-7890
Planner: M. Tomazincic

D. THE AMENDMENT

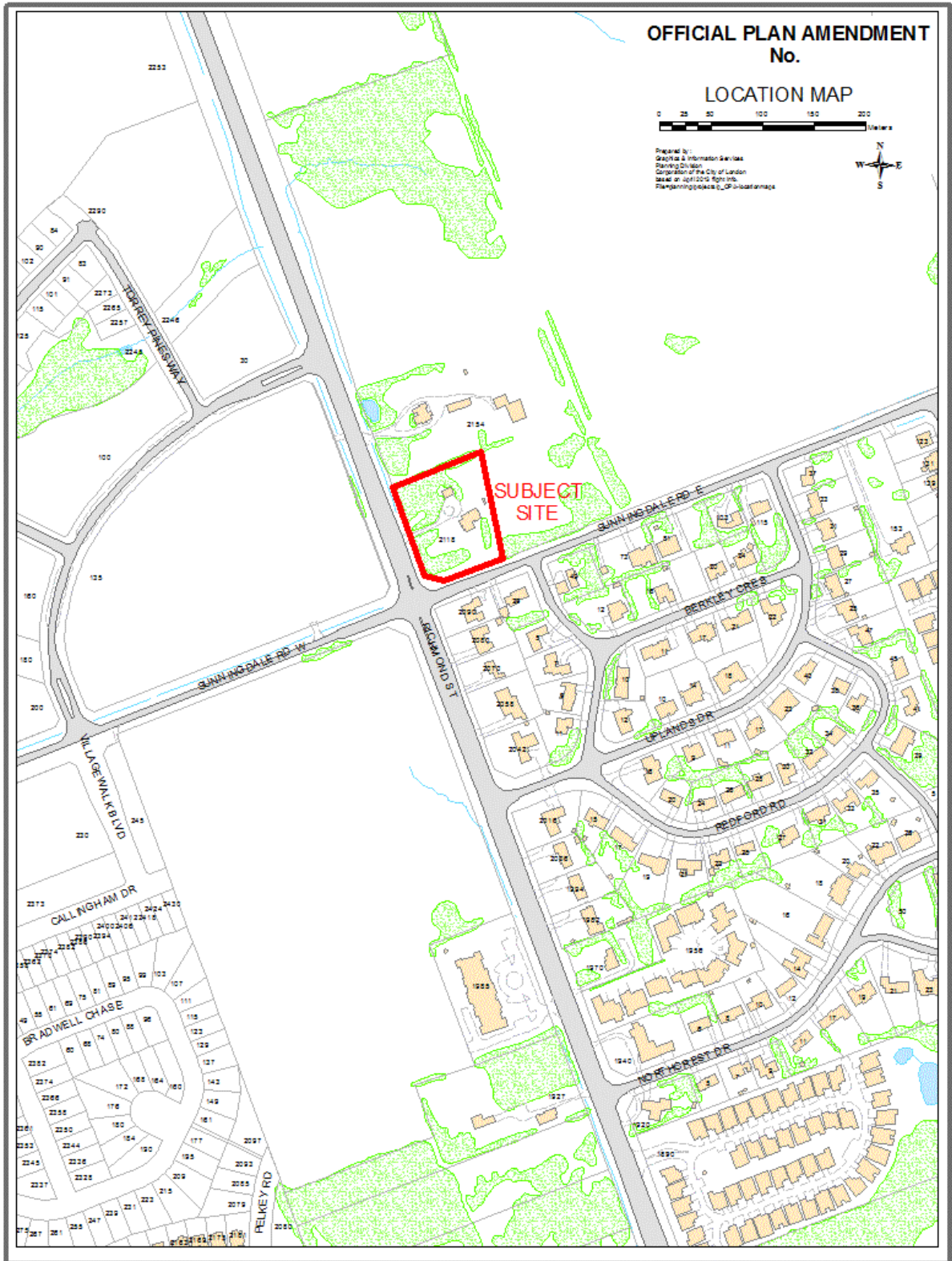
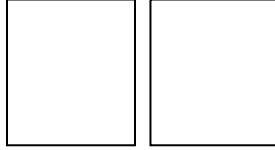
The Official Plan for the City of London is hereby amended as follows:

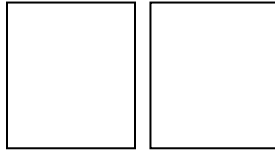
1. Section 3.5 – Policies for Specific Residential Areas, of the Official Plan for the City of London is amended by adding the following:

2118 Richmond Street

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 ten storeys and a maximum density of up to 123 units per hectare, subject to the following:

- i) The permitted form of development shall be an apartment building with three-storey townhouses forms integrated into the base of the building adjacent to Sunningdale Road East. The apartment building component of the structure shall be restricted to the north portion of the property, thereby locating the maximum intensity away from the single detached dwellings within the residential neighbourhood south of Sunningdale Road East.
- ii) The proposed form of development shall address the Urban Design Principles in Chapter 11, and the Bonus Zoning policies of Section 19.4.4 with respect to, at a minimum, enhanced urban design, the provision of underground parking, and encouraging aesthetically attractive residential developments through the enhanced provision of landscaped open space.





File: OZ-7890
Planner: M. Tomazincic

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2104

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2118 Richmond Street.

WHEREAS 1705820 Ontario Limited has applied to rezone an area of land located at 2118 Richmond Street, as shown on the map attached to this by-law, as set out below;

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

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2118 Richmond Street, as shown on the attached map comprising part of Key Map No. A102, from an Urban Reserve (UR1) Zone to a Holding Residential R6/ Residential R8 Bonus (h•h-5•h-11•h-(*)•R6-5/R8-4•B-()) Zone.

2) Section Number 3.8 of the Holding "h" Zones to By-law No. Z.-1 is amended by adding the following holding new provision:

3.8_ h-(*) Purpose: To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior to the removal of the h-(*) symbol. Any recommendations contained therein shall be incorporated into the development agreement to the satisfaction of the City of London

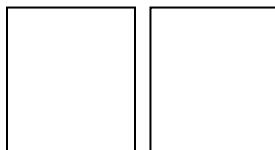
3) Section Number 4.3 iv) – Site Specific Bonus Provisions is amended by adding the following Bonus Provision:

) B-__ 2118 Richmond Street

The subject site is being bonused for:

- Enhanced urban design features;
- Underground parking and related additional open space; and,
- The planting of nine mature shade trees (minimum diameter at breast height (dbh) of 11 cm) as part of the landscaping plan between the south building face and Sunningdale Road East.

The development shall be in accordance with the site concept and elevations attached as Schedule "1" of this By-law which includes an apartment building with a maximum height of 33 metres with eight, three-storey townhouses integrated into the base of the building adjacent to Sunningdale Road East, for a total maximum of 107 units (123 units per hectare). The apartment building component of the structure shall be restricted to the north portion of the property, thereby locating the maximum intensity away from the single detached dwellings



File: OZ-7890
Planner: M. Tomazincic

within the residential neighbourhood south of Sunningdale Road East. The development shall specifically incorporate the following key components:

Building

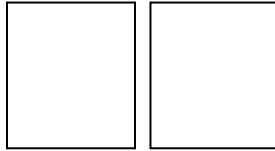
- a building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, matches the site concept and elevation drawings shown in Schedule “1”;
- the proposed building has an “L” shaped configuration with townhouses located along the Sunningdale Road East frontage and the apartment building portion located along the Richmond Street frontage;
- the building is located in close proximity to the Richmond Street property line and as close as possible to the Sunningdale Road East property line given the setback for the oil pipeline and the need to provide a landscaped amenity area between the building and the street;
- the townhouses facing Sunningdale Road East include individual accesses from each townhouse unit directly out the landscaped open space located along Sunningdale Road East;
- individual entrances to the apartments are located on the ground floor of the apartment building adjacent to Richmond Street and function as front doors rather than patio doors;
- the main entrance into the apartment building is located on the west façade facing Richmond Street;
- The building includes a differentiated base, middle and top:
 - with the base consisting of the portion of the façade between the ground floor and the top of the third floor; design elements from the three storey townhouses being carried through the first three floors of the apartment building.
 - with the middle consisting of the portion of the façade between the top of the base and the 8th floor, including material changes, large windows and balconies, and a column of windows following the width of the lobby.
 - with the top consisting of the portion of the façade above the top of the 8th floor, including the southern portion of the top of the building as a window wall set back on the 9th floor and set back further on the 10th floor.

Site

- Landscape plans include a minimum of nine mature trees with a minimum dbh of 11 cm between the building face and the south property line in order to reduce the visual impact of the new building on the single detached dwellings located on the south side of Sunningdale Road East;
- All parking is located behind and below the building;
- A limited amount of parking in the rear of the building in order to accommodate a landscaped amenity area.

Notwithstanding anything in the By-law to the contrary the following regulations shall apply:

i)	Lot Area (minimum)	0.8 hectares (1.98 acres)
ii)	Lot Frontage (minimum)	60.0 metres (196.8 feet)
iii)	Front Yard Depth (Sunningdale Road East) (minimum)	16.0 metres (52.5 feet)
iv)	Exterior Side Yard Depth (minimum)	8.2 metres (26.9 feet)
v)	Rear Yard Depth (minimum)	8.7 metres (28.8 feet)
vi)	Interior Side Yard Depth (minimum)	1.2 metres (3.9 feet) metres (9.8 feet) of main building height or fraction thereof, but in no case less than 4.5 metres (14.8 feet)



**File: OZ-7890
Planner: M. Tomazincic**

6.0 metres (19.7 feet) plus 1.0 metres (3.3 feet) per 1.0 metre (3.3 feet) in height for all portions of a building above 6.0 metres (19.7 feet) in height where the subject site abuts lands zoned Residential R1 or Residential R2

- vii) Landscaped Open Space (minimum) 55 %
- viii) Coverage (maximum) 30%
- ix) Height (maximum) 33.0 metres (108.3 feet)
- x) Density (maximum) 123 units per hectare

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

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

PASSED in Open Council on September 30, 2014.

J. Baechler
Mayor

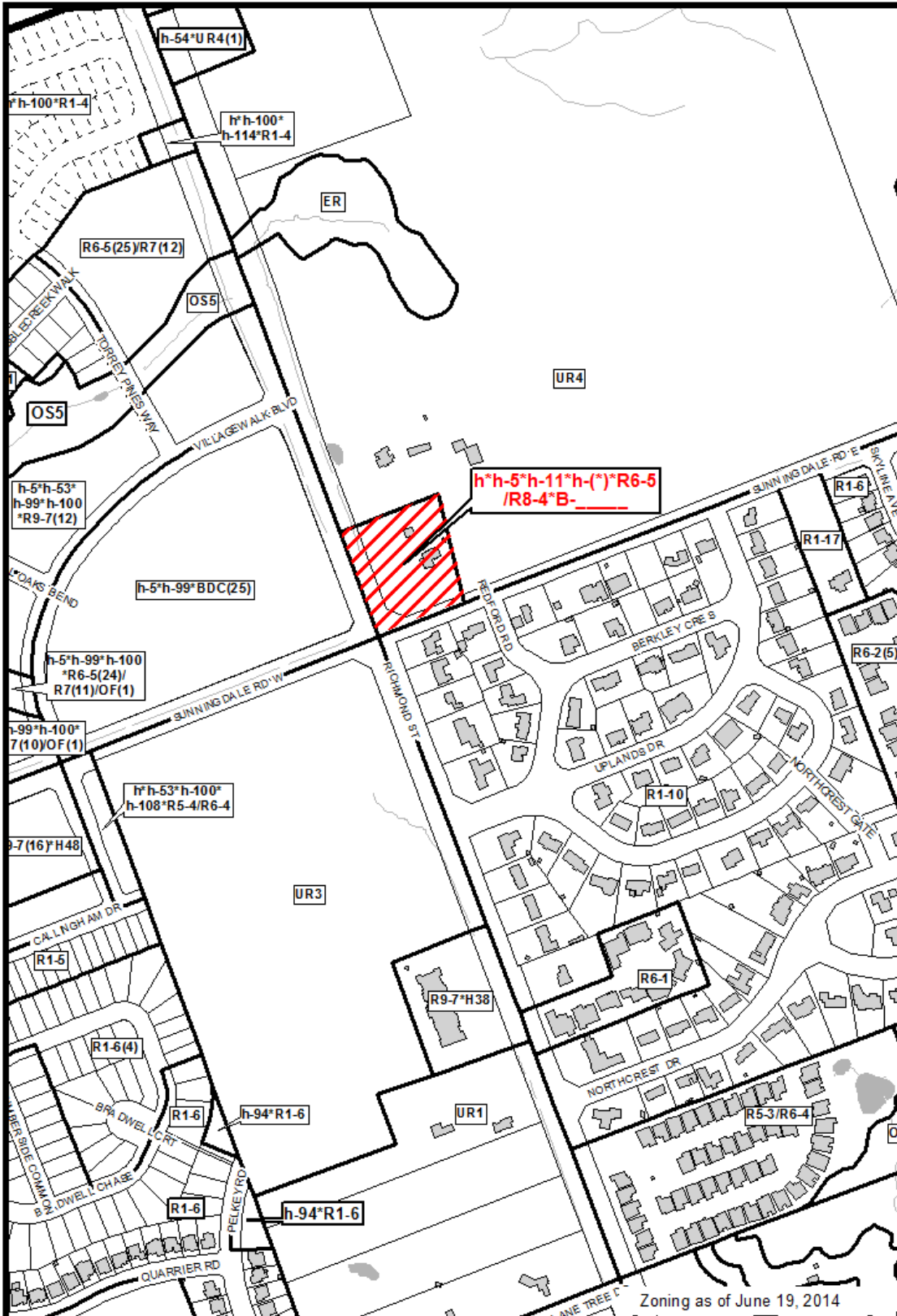
Catharine Saunders
City Clerk

First Reading – September 30, 2014
Second Reading – September 30, 2014
Third Reading – September 30, 2014

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File: OZ-7890
Planner: M. Tomazincic

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



File Number: OZ-7890_2
 Planner: BD
 Date Prepared: 2014/07/08
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE

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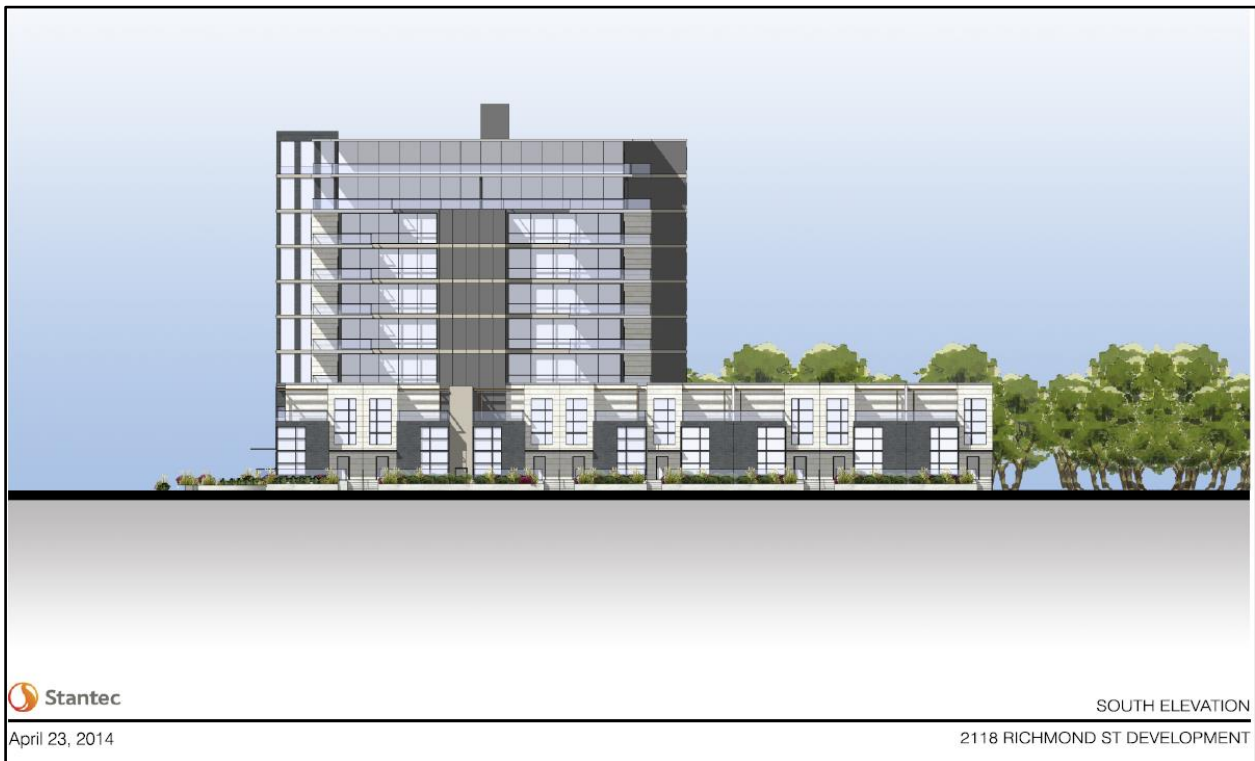
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File: OZ-7890
Planner: M. Tomazincic

Schedule "1" – Site Concept and Elevations



South Elevation



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File: OZ-7890
Planner: M. Tomazincic

Schedule "1" – Site Concept and Elevations

West Elevation



North Elevation



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File: OZ-7890
Planner: M. Tomazincic

Schedule "1" – Site Concept and Elevations

East Elevation



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File: OZ-7890

APPENDIX "C"

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 1705820 ONTARIO LIMITED (YORK DEVELOPMENTS) 2118 RICHMOND STREET PUBLIC PARTICIPATION MEETING ON JULY 22, 2014

RECOMMENDATION

That, further to the direction of Council on March 21, 2012, the following actions be taken with respect to the application of 1705820 Ontario Limited (York Developments) relating to the property located at 2118 Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend the Official Plan **BY ADDING** a specific policy to Section 3.5 – Policies for Specific Residential Areas.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting 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 property **FROM** an Urban Reserve (UR1) Zone, **TO** a Holding Residential R6/ Residential R8 Bonus (h•h-5•h-11•R6-5/R8-4•B-___) Zone;
- (c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the recommended base zone has been previously considered at a public meeting, and the recommended bonus provision effectively implements the proposed development while providing certainty and clarity as to the final result.
- (d) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) explore opportunities to better integrate the mechanical penthouse with the overall architectural design of the building in order to reduce the bulky appearance of mechanical penthouse and achieve a cohesive building design;
 - ii) ensure the design of the corner plaza is seamlessly integrated with the landscape treatment along Sunningdale Road East between the townhouses and the property line. Include features such as planters, planting beds, benches, pedestrian scale lighting, and hardscapes in order for this space to act as a private-public space;
 - iii) ensure the north and east elevations of the proposed townhouses are developed with wall articulations, material changes and where possible include fenestration in order to reduce the appearance of large blank facades;
 - iv) consider refinements to the Richmond Street three-storey tower base by strengthening the relationship between the tower's base and the townhouse elevations in order for the base of tower to be further distinguished from the middle and top;
 - v) maintain a lay out of the development's main drive aisle, passenger drop-off and parking areas in order to reduce the amount of asphalted area and increase the

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APPENDIX “C”

amount of landscaped amenity area, while ensuring opportunities are maintained for future access to and from the site via the properties to the north and east that have not yet been developed;

- vi) the provision of site and exterior building lighting solutions to minimize the impact on the single detached residential properties on the south side of Sunningdale Road East; and
- vii) confirmation of the existing location of the centerline of the Imperial Oil pipeline to ensure building setback requirements are met, noting this is a requirements of the Zoning By-law.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

O-6284- On June 16, 2003 Council amended the Official Plan designation on the property in accordance with the Uplands North Area Plan.

OZ-7602- On February 3, 2009 Council refused an application to amend the Official Plan and Zoning By-law Z.-1 to permit retail/pharmacy and office uses.

PL090268- On October 26, 2009 the Ontario Municipal Board dismissed the appeal by the applicant, confirming Council’s decision to refuse retail/pharmacy and office uses.

OZ-7890- On June 13, 2011 a public participation meeting was held before the Built and Natural Environment Committee (now PEC). The applicant applied to amend the Official Plan and Zoning By-law to allow for a 260 unit, 15 storey tall (50 m) apartment building. At the public participation meeting the applicant presented an alternative proposal which would permit the construction of a 113 unit, 12 storey tall (40m) apartment building and an 8 unit 13m tall townhouse building.

OZ-7890 – On February 27, 2012, a public participation meeting was held before the Planning and Environment Committee. The applicant applied to amend the Official Plan and Zoning By-law to allow for a 113 unit, 12 storey tall (40m) apartment building and an 8 unit, 13m tall townhouse building.

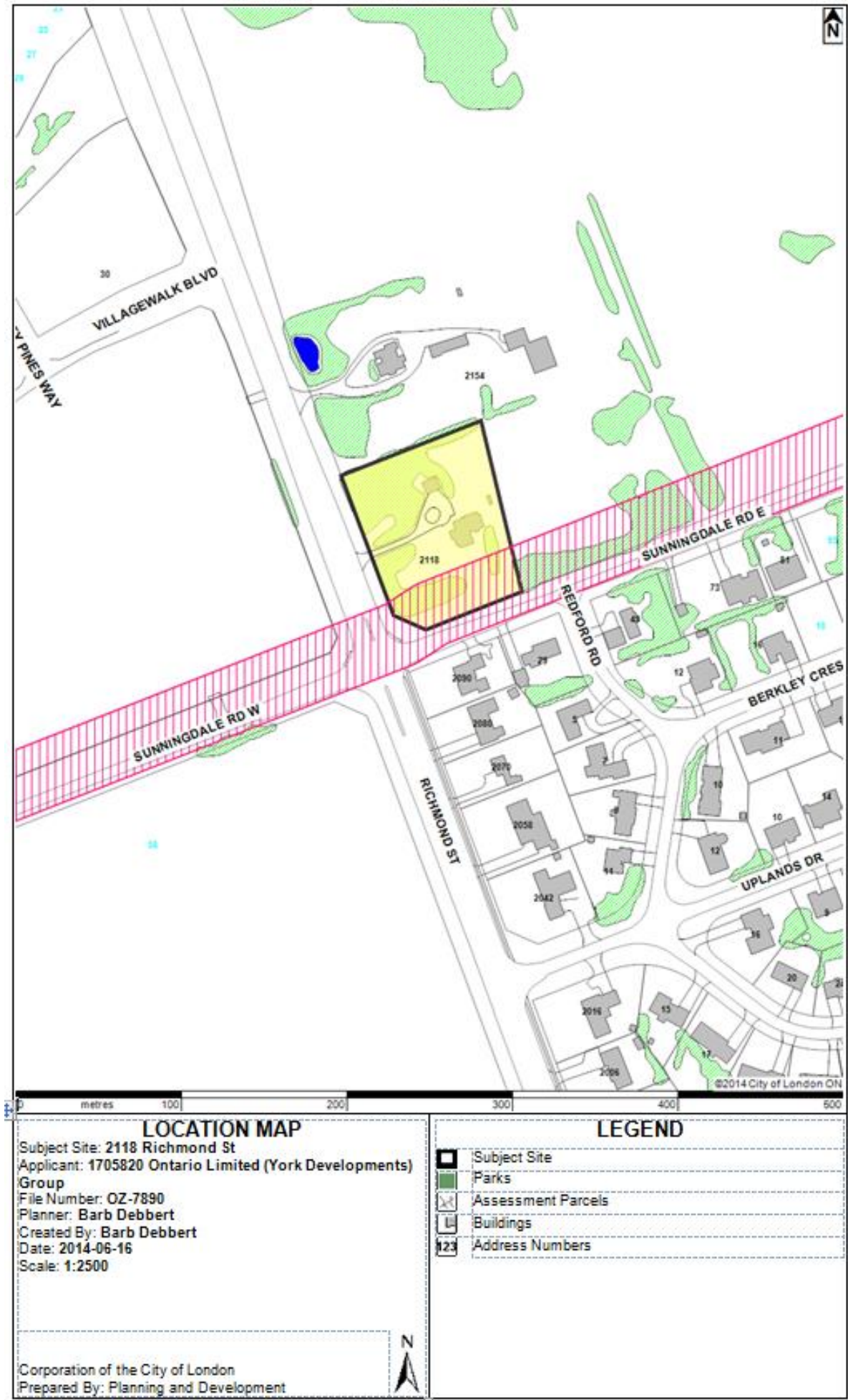
PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommendation is to:

- Amend the Official Plan and Zoning By-law to provide for a level of certainty and clarity regarding the final form of the future development on the site.
- The proposed amendment will allow as-of-right cluster development in the form of single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, mid-rise apartment buildings apartment buildings, handicapped persons apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities to a maximum height of 13 metres and a maximum density of 75 units per hectare.
- The proposed amendment will also allow a 10 storey (33 metre), 99 unit apartment building and eight, three-storey townhouse dwellings integrated into the apartment building along Sunningdale Road East, for a combined total of 107 units at a density of 123 units per hectare through the use of a bonusing provision and subsequent agreement.

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APPENDIX "C"



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APPENDIX "C"

RATIONALE

For the Official Plan amendment:

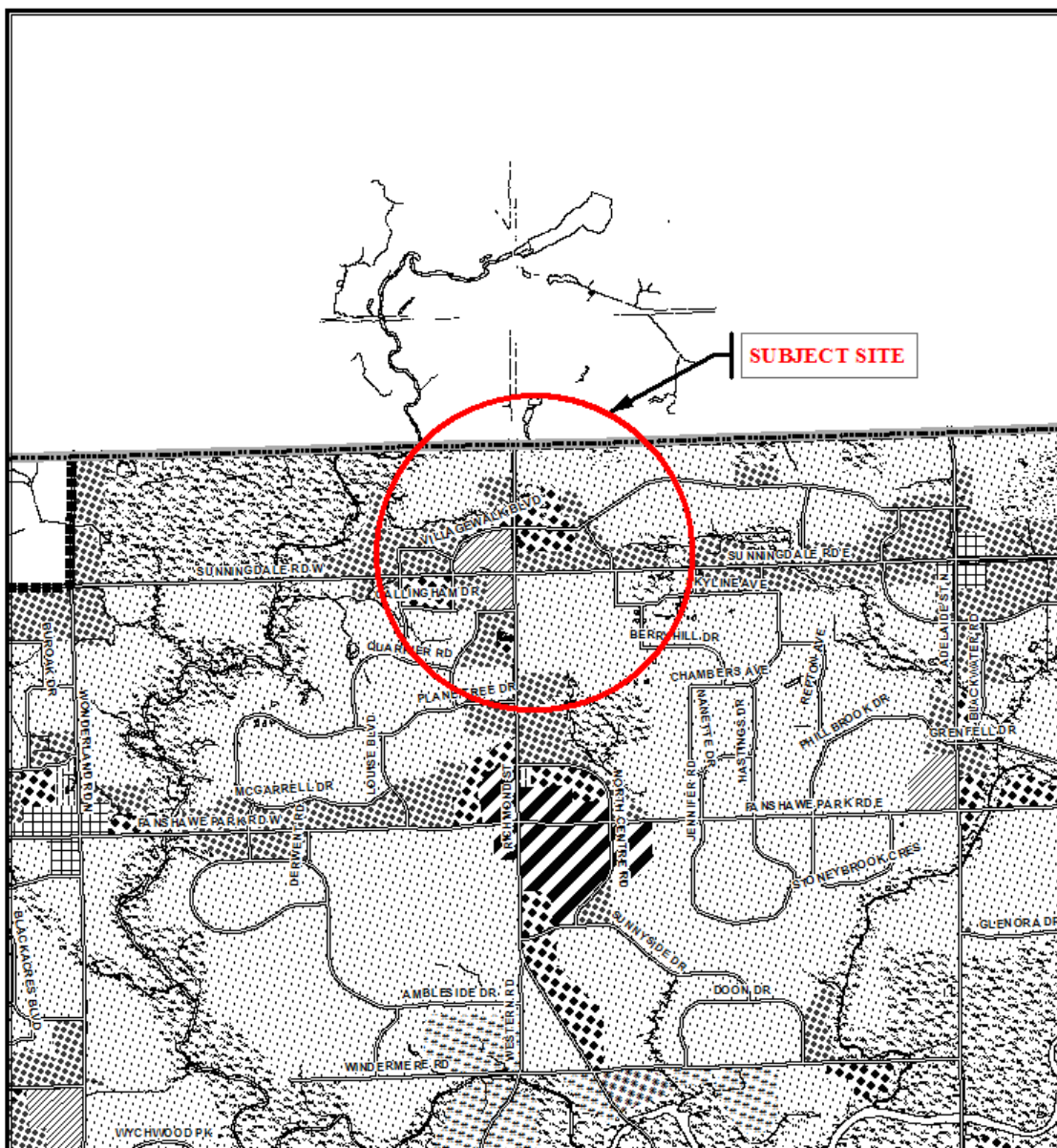
- The proposal is consistent with the Provincial Policy Statement;
- The proposal is consistent with the Uplands North Area Plan with respect to the need to provide flexibility for developers to respond to changing market conditions and providing consumer choice;
- The site is an appropriate location for a higher density residential development that has a high quality of urban design and provides a transition of density through design;
- The use of the special policy for the Multi-family, Medium Density Residential designation provides certainty and clarity to the developer, the area landowners and the City with respect to the final development;
- The proposed development takes into account the completed Sunningdale Road Environmental Assessment.

For the Zoning By-law amendment:

- The reasons noted above;
- The bonus provisions provide certainty and clarity to the developer, the area landowners and the City with respect to the final development;
- The bonus provisions require elements of public benefit related to quality urban design, underground parking and increased landscaped open space area, and planting of mature trees to mitigate the future impact of the Sunningdale Road improvements;
- If the bonus provisions are not met, then the permitted development reverts to the heights and densities permitted by the base zone that are also in keeping with the intent of the Multi-family, Medium Density Residential designation; and,
- The holding provisions will ensure that adequate municipal services and appropriate future access arrangements are provided, and provide a further opportunity for future public input into site plan matters through a public site plan meeting.

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APPENDIX "C"



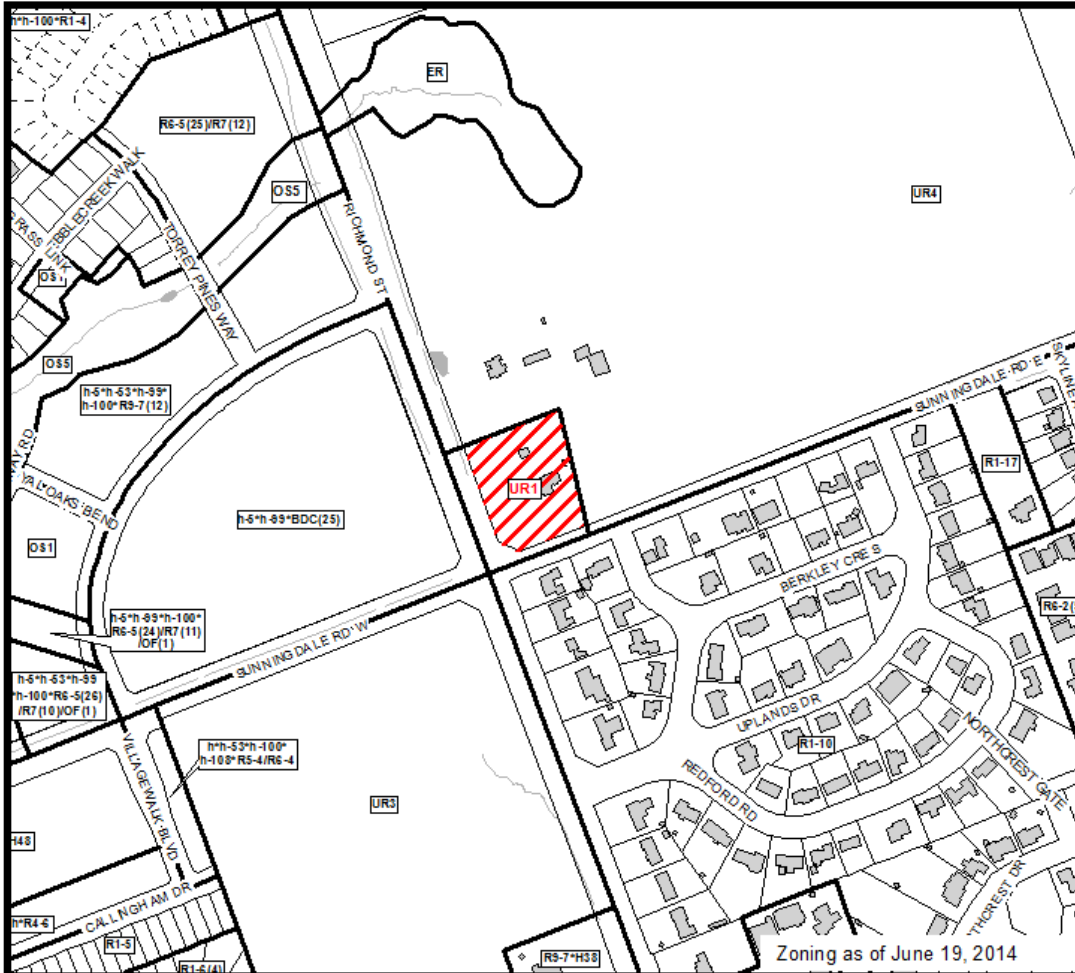
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low 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><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-7890</p> <p>PLANNER: BD</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/07/07</p>
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PROJECT LOCATION: e:\planning\projects\ip_officialplan\work\conso\00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

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APPENDIX "C"



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR1

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
|--|---|

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p>	FILE NO: OZ-7890 BD
<p>ZONING BY-LAW NO. Z-1 SCHEDULE A</p>	MAP PREPARED: 2014/07/08 CK
THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS	1:5,000 0 25 50 100 150 200 Meters

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APPENDIX “C”

PLANNING HISTORY

Uplands North Area Plan

In February 2002 the Uplands North Area Plan was initiated by landowners in the area. The Uplands North Area Plan is bounded by Richmond Street to the west, Adelaide Street to the east, Sunningdale Road to the south and the municipal boundary to the north. The Uplands North Area Plan was adopted by Council in June, 2003. The intent of the Area Plan was to serve as a guideline document for future development of the area and address such issues as mixing of dwelling types, road configurations, school locations, servicing, and location of parkland. The Area Plan and subsequent Official Plan amendments designated the subject site as Multi- family, Medium Density Residential.

Retail/Pharmacy Application (OZ-7602)

On February 2, 2009 Municipal Council refused an application by 1699257 Ontario Limited for the property located at 2118 Richmond Street. The application was for an Official Plan and Zoning By-law amendment to permit a retail/pharmacy use and offices. Planning Staff recommended approval of the application. The Ontario Municipal Board subsequently upheld Council’s decision.

Apartment Building Application (OZ-7890)

On June 13, 2011 a public participation meeting was held before the Built and Natural Environment Committee (now PEC). The applicant applied to amend the Official Plan and Zoning By-law to allow for a 260 unit, 15 storey tall (50 m) apartment building. At the public participation meeting the applicant presented an alternative proposal which would permit the construction of a 113 unit, 12 storey tall (40m) apartment building and an eight unit, 13 metre tall townhouse building. Council referred this proposal back to staff for review of a revised application and a full public consultation and planning process.

Following additional public consultation and planning review, on February 27, 2012, a further public participation meeting was held before the Planning and Environment Committee regarding the proposed 12 storey building. Pursuant to the recommendations of the Planning and Environment Committee, Council:

“...referred Clause 19 of the 6th Report of the Planning and Environment Committee back to staff for continued discussions with the developer to come to an amicable solution that residents might be happier with, in the context of medium density residential policies and regulations, and also in the context of the Community Plan.

Clause 19 read as follows:

19. That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of 1705820 Ontario Limited (York Developments) relating to the property located at 2118 Richmond Street:

- a) *the Civic Administration **BE ASKED** to meet with the applicant to request that the application be revised in order that:

 - i) *the proposed apartment building is reduced by two floors; and,*
 - ii) *the proposed townhouses are built first or simultaneously with the apartment building;**
- b) *the Civic Administration **BE DIRECTED** to report back on the results of the above-noted meeting and to provide advice with respect to potential holding provisions to achieve the following:

 - i) *site access from Richmond Street only;**

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File: OZ-7890

APPENDIX “C”

- ii) *quality urban design;*
- iii) *provision of a view shed study to define the views from the apartment building to the neighbouring properties south of Sunningdale Road and to provide possible remedies;*
- iv) *installation of roundabouts as per the submitted proposal;and,*
- v) *holding of a public site plan meeting;*
- c) *the Civic Administration **BE DIRECTED** to provide notice in accordance with the provisions of the Planning Act;*
- d) *the Civic Administration **BE DIRECTED** to prepare a traffic study for the area outside of Sunningdale Road and Richmond Street; and,*
- e) *the Civic Administration **BE DIRECTED** to widen Sunningdale Road as soon as possible;...*

City staff met with the applicant on April 8, 2013. The applicant agreed to a reduction to 10 storeys from the 12 storeys proposed, and that the townhouse component of the development plan will be constructed at the same time as the apartment building, further indicating the timing will be ensured since both buildings will be constructed over, and share, the underground parking.

A revised application was submitted on February 28, 2014 and accepted as complete following the provision and confirmation of additional information, on June 9, 2014. This Staff planning report is in response to and reflects the direction given in the March 21, 2012 Council resolution.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Engineering

The City of London’s Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Official Plan and Zoning By-Law amendments application:

- The applicant is advised that Transportation staff has reviewed the Transportation Impact Assessment (TIA) included with this application. The study indicated that traffic generated by the site can be accommodated through a full turn access on Richmond Street and a right in, right out only access on Sunningdale Road East. To accommodate traffic turning into the site from Richmond Street and vehicles turning onto Villagewalk Boulevard to the north a two-way left turn lane will be required on Richmond Street. The right in and right out access on Sunningdale Road East will operate within acceptable parameters and be restricted through the construction of a centre median island.
- The applicant is advised that these lands were initially intended for medium density development with access through lands to the north and east. No direct access was anticipated to either Richmond Street or Sunningdale Road East when the area plan was approved. Therefore, access to this site will be temporary until surrounding lands develop at which time access to local or collector streets will be made available and the proposed accesses closed. The site must be designed and constructed to accommodate this eventuality.
- The applicant is advised that an Environmental Assessment (EA) was approved to widen Sunningdale Road West/East between Wonderland Road North and Adelaide Street North in stages with improvements planned at the intersection of Richmond Street and Sunningdale Road West/East in 2020 and Sunningdale Road East widened east of Richmond Street in 2024. The EA recommended the Sunningdale Road West/East alignment be shifted to the north from Richmond Street easterly. Road widening dedication will be required in accordance with the new centre line alignment as shown in the approved Sunningdale Road West/East EA.

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- The Transportation Division recommends that a holding provision for access be applied to the subject site and not lifted until access is arranged to the satisfaction of the City Engineer.
- The applicant is advised that water is available from the 300 mm diameter watermain on Richmond Street or the 400 mm diameter watermain on Sunningdale Road East, to be determined at the site plan stage. Any watermain design and construction shall be designed and constructed in accordance with the latest City of London water design standards. Water quality on private property is to be reviewed and if it is of concern then premise isolation will be required all as per City of London design standards.
- The applicant is advised that there is no municipal sanitary sewer available to service the subject lands. The Wastewater and Drainage Engineering Division recommends that a holding provision be placed on the subject lands until such time as there are municipal sanitary sewers available to service the subject lands.
- The applicant is advised that there is an Imperial Oil Pipeline easement which crosses the southerly portion of the subject lands.

Based on the provided information, the SWM Unit has no objection to the official plan amendment; however, a holding provision will be required to the zoning by-law to address the following:

- The owner’s Professional Engineer shall prepare a servicing report, all to the satisfaction of the City Engineer that shall address minor, major flows, SWM measures (quantity, quality and erosion control and water balance), and identify outlet systems (major and minor) in accordance Sunningdale Area Storm Drainage & Stormwater Management Servicing for Undeveloped Lands – Schedule B Class EA Final Report (AECOM 2009) and the City of London Design Specifications & Requirements and MOE’s requirements.

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

Urban Design Peer Review Panel

Thank you for taking the time to meet with the Urban Design Peer Review Panel (UDPRP) on June 18, 2014 to discuss your client’s proposal for a 10 storey Residential Development at 2118 Richmond Street, London, ON. We understand that the Urban Design Brief dated April, 2014 revised June 2014 and prepared by MHBC Planning with graphics by MHBC Planning and Stantec, forms part of your application for Official Plan Amendment and Zoning Bylaw Amendment.

The proposed development located in the north-east corner of Richmond Street and Sunningdale Road East consists of a 10 storey residential tower combined with eight (8) low-rise townhouses facing Sunningdale Road East. The applicant has noted that the site layout has been designed to support medium and high density residential use, indoor and outdoor amenity space and underground and surface parking areas.

The Panel offers the following observations and comments as part of the proposed project’s official plan amendment and zoning bylaw amendment application:

- 1. Provide a significant landscaped buffer to the easterly property line by reducing the number of surface parking stalls;*
- 2. Provide an appropriate landscaped buffer to the north side of the proposed townhouses by shifting the underground parking vehicular entrance to the north;*

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3. *Layout the building’s surface roadways, passenger drop-off and parking areas to eliminate the ‘ring road’ which currently runs along the easterly and northerly edges of the site between the project’s Sunningdale Road and Richmond Street vehicular entrances;*
4. *Replace the ‘window street’ south of the proposed townhouses with a landscaped passive recreation amenity area. Conduct a tree preservation study to determine the extent to which the existing trees can be preserved within this area;*
5. *Apply a higher architectural design standard to the building’s elevations by selecting an appropriate architectural organizing device to produce a more coherent whole. In addition:*
 - a. *refine the Richmond Street 3 storey tower base by strengthening the relationship between the tower’s base and the townhouse elevations;*
 - b. *provide a more effective density transition between the tower and the townhouses by further stepping the tower down towards the townhouses; and*
 - c. *rework the upper glazed floors and penthouse to provide an appropriate ‘top’ to the tower;*
6. *Consider implementing barrier free entries to the ground floor tower units and townhouse entries in light of the community’s changing demographic; and*
7. *Develop the townhouse exposed north and east elevations via selective wall articulation, material changes and fenestration.*

On behalf of the Panel, I thank you for your submission and presentation.

Upper Thames River Conservation Authority

The UTRCA had no objections.

PUBLIC LIAISON:	<p>On June 18, 2014, Notice of Revised 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 June 19, 2014. A “Possible Land Use Change” sign remains posted on the site.</p>	<p>Written replies were received from 19 households with signatures from 32 individuals. One telephone reply was received from an individual who did not also submit a written response. A petition listing those who are opposed to the development, signed by 35 individuals representing 25 households was submitted. Nine of these signatures were from households that did not also submit their own written response.</p>
<p>Nature of Liaison:</p> <p>The purpose and effect of the requested Official Plan and Zoning By-law amendments is to allow a 10 storey (33 metre), 99 unit apartment building and eight, two-storey townhouse dwellings integrated into the apartment building along Sunningdale Road East, for a combined total of 107 units at a density of 123 units per hectare. This revision results from the February 27, 2012 Planning and Environment Committee meeting and the March 21, 2012 Council Resolution regarding this application.</p>		

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Change the Official Plan land use designation of approximately the north ¾ of the property **FROM** a Multi-family, Medium Density Residential designation **TO** a Multi-family, High Density Residential designation, leaving the remainder of the property in the existing Multi-family, Medium Density Residential designation.

Change Zoning By-law Z.-1 **FROM** an Urban Reserve (UR1) Zone which permits existing uses, **TO** a Residential R9 Special Provision (R9-7()•H33) Zone to permit apartment buildings, lodging house class 2, senior citizens and handicapped persons apartment buildings, and continuum-of-care facilities at a maximum density of 150 units per hectare, with a minimum rear yard setback of 8.76 m, and an exterior side yard setback of 8.28 m. The City may consider an alternative approach including a Multi-family, High Density Residential designation for the front of the property with special policies applying to the entire site to address final built form, and bonus zoning to provide certainty regarding the final built form.

Responses:

There is no community support for the revised proposal. The comments received are summarized as follows:

- The community association participated extensively in the Uplands, Uplands North and Sunningdale Community Plans. The designations applied to the land were achieved through a planning process that included all stakeholders - the landowners, the city and the community. The plans were appealed to the OMB in 1999 - 2000 and the land use designations were determined through council resolution and a series of OMB decisions.
- It does not conform to the spirit or intent of the Community Plan as articulated in the OMB decision PL090268.
- The Community Plan thoughtfully designated this area medium density to allow for transition between the existing low density Uplands area and the area of high density located to the north of this property. At no time was there any objection/appeal by any landowner or city staff with this designation.
- The Community Plan identified high density adjacent to this property to the north.
- Changing the density from medium to high puts into place a potential domino of changes when a landowner "scoops" density from another landowner.
- Official Plan policies speak to the protection of long term residential housing and the need to ensure that new development being proposed is sensitive and compatible with existing residential in terms of size, scale and form.
- If the City is truly committed to citizen engagement, then stick to the plans created through this process. Otherwise, the past and current citizen engagement process is nothing more than a public relations exercise.
- Citizens having to continue to voice objection over issues that were previously adjudicated. The OMB decision made reference to these concerns and commented, "The Board is sensitive to the concern of the residents that changes to approved zoning may give rise to civic fatigue..."
- Current Multi Family Medium Density designation more compatible with existing low density development to the south.
- The new proposal does not change the fact that a high density residential development is being proposed directly across from single detached dwellings. The proposal is not compatible in scale or design with the existing neighbourhood.

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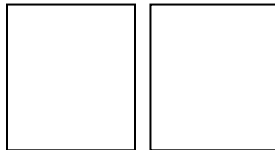
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- Approval of the application would subvert the City’s own Community Planning process.
 - the Sunningdale Road EA is not taken into account. It is inappropriate to locate the building so close to the future road allowance. There will be no space for trees and landscaping. The future possible relocation of the Imperial Oil Pipeline is not addressed.
 - The applicant has been previously advised that the entry and exit points to Richmond and Sunningdale will not be allowed.
 - The rationale in the MHBC Planning Justification Report is inconsistent with the Provincial Policy Statement, the Official Plan and the Uplands North Area Plan.
 - The site is not large enough to allow for a transition of scale between high density residential development and the existing single family neighbourhood. A row of townhouses at the base of the tower does not provide a sufficient transition.
 - The upper floor balconies facing south will destroy the privacy of the homes directly to the south and the east.
 - Increased traffic flow will reduce pedestrian safety. There are currently no sidewalks or street lights on Sunningdale.
 - High density residential demands for the area have already been met by the new Tricar building on Sunningdale west of Richmond, and by the High Density Residential designation to the north of the subject property.
 - Council directed that staff have *“continued discussions with the developer to come to an amicable solution that residents might be happier with, in the context of the medium density residential policies and regulations, and also in the context of the Community Plan”*. No legitimate attempt to address this clause was made. The revised application does not meet these criteria.
 - Proposed medians on Sunningdale and increased traffic volume will result in cut-through traffic through the existing neighbourhood at the south-east corner of Sunningdale and Richmond.
 - The parking in front of the building does not appear functional.
 - There is no opportunity for tree retention.
- This report reflects comments received up to July 10, 2014. Any responses received after that date will be included in the “added” PEC agenda and reported verbally at the public meeting.

DISCUSSION

What is the nature of the revised application?

The applicant is proposing the construction of a 10 storey (33 metre), 99 unit apartment building and eight, three-storey townhouse dwellings integrated into the apartment building along Sunningdale Road East, for a combined total of 107 units at a density of 123 units per hectare. To facilitate this proposal, the applicant requested an Official Plan amendment for the approximate rear three-quarters of the property from “Multi-family, Medium Density Residential” to “Multi-family, High Density Residential”, and a Zoning By-law amendment to a Residential R9 Special Provision (R9-7()•H33) Zone. The requested zone would allow a maximum density of 150 units per hectare, a maximum height of 33 metres, a minimum rear yard setback of 8.76 m, and an exterior side yard setback of 8.28 m.



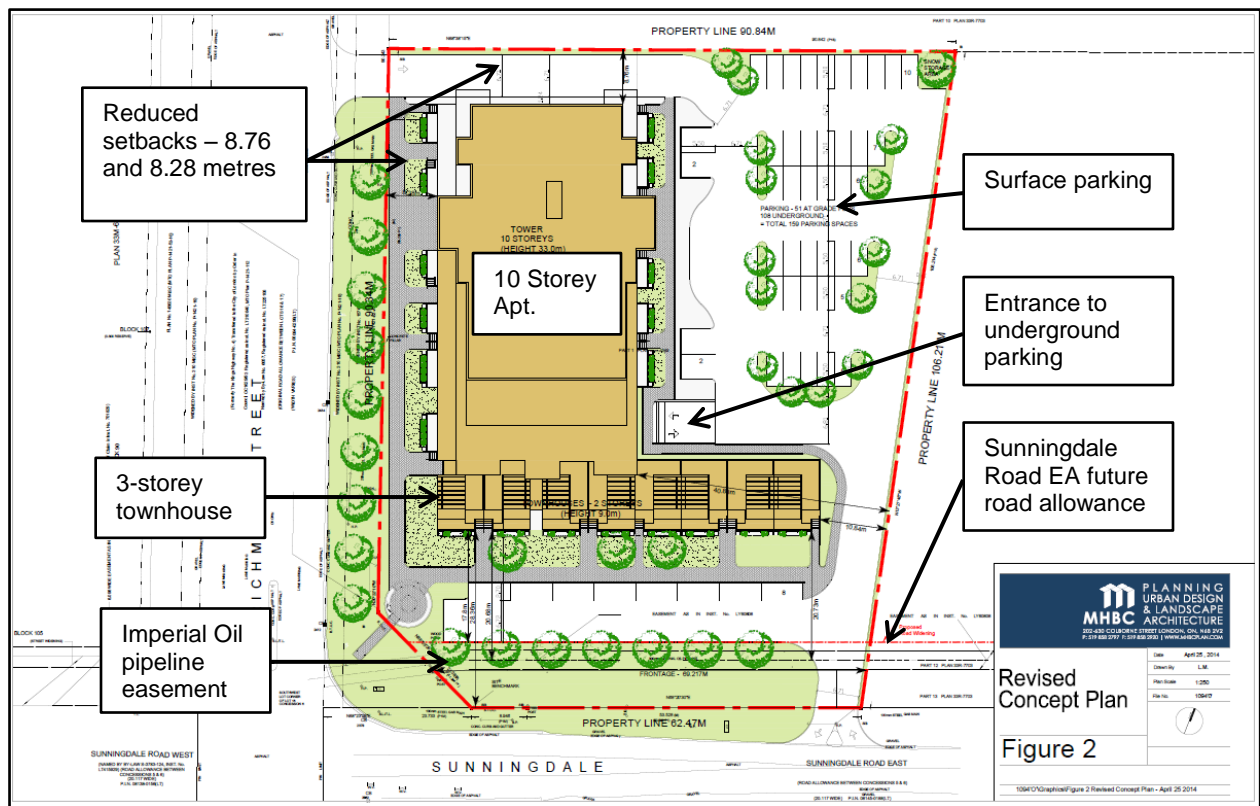
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The proposal includes underground parking which includes parking spaces and internal access to the townhouse units.

The proposal under consideration includes the following key departures from the previous proposal:

- One zone across the entire site instead of split zoning;
- Number of storeys reduced from 12 to 10;
- Number of units reduced from 121 to 107 (138 uph to 123 uph);
- Townhouses connected to the apartment building in response to comments from the Urban Design Peer Review Panel (UDPRP);
- Different architectural style in response to comments from the UDPRP.

Applicant’s Revised Proposed Site Concept (April, 2014)
(labels added for information)



Following recent discussions between City staff and the applicant, and as further discussed below with respect to bonusing and urban design, the applicant further revised the application to:

- request that the Multi-family, Medium Density Residential designation be maintained with a new special policy to allow development to a maximum height of 10 storeys and a maximum density of 123 units per hectare provided enhanced urban design and bonusing policies are met;
- request a Residential R6/Residential R8 Bonus (R6-5/R8-4•B-___) Zone be applied to the site; and,
- provide modifications to the proposed site concept to:
- eliminate the driveway and parking spaces to the south of the building and replace it with a landscaped area, the details of which are to be determined at the site plan stage; and,
- reduce the above-ground parking in the north-east portion of the site, increase the landscaped open space, and reconfigure the drive aisle located along the east property line for large and emergency vehicles to reduce the amount of asphalt and slow vehicles, while retaining opportunities for future permanent vehicular access to these lands from surrounding undeveloped lands to the north and/or east. These changes

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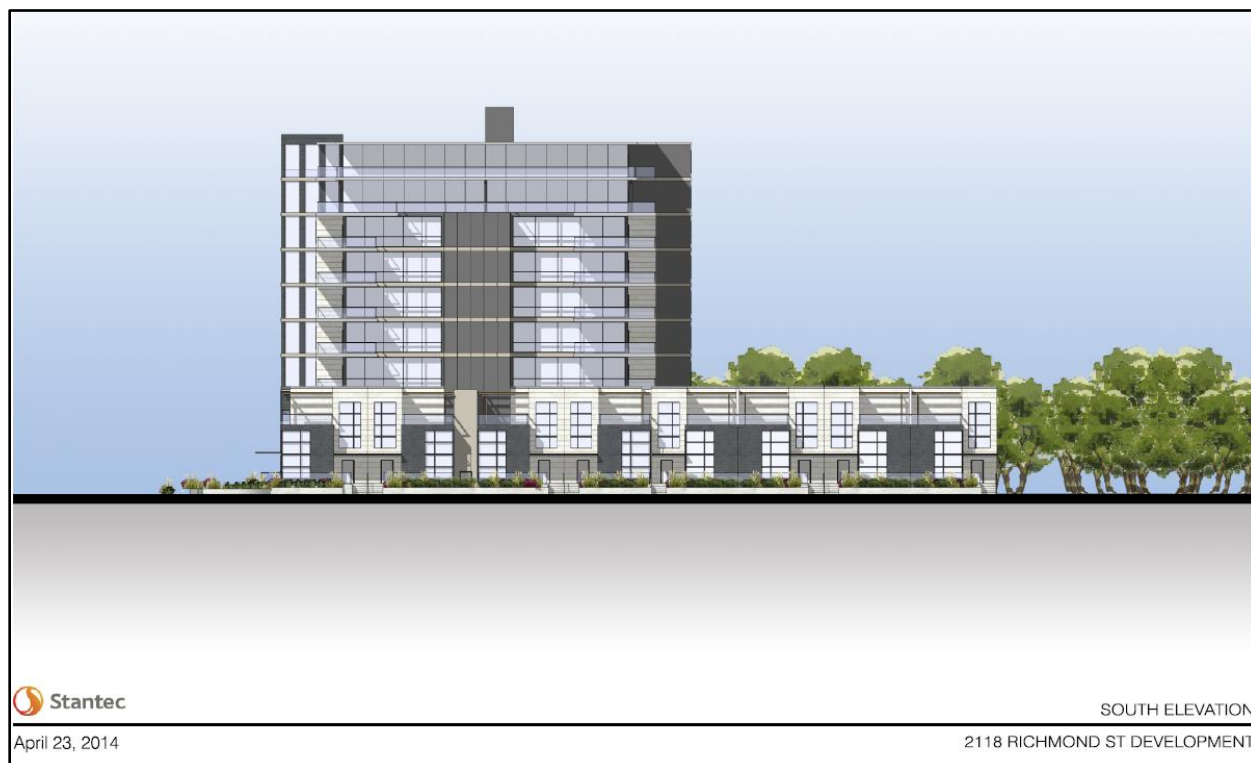
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may be subject to further modification subject to technical requirements at the site plan approval stage.

Applicant's Revised Site Concept Following Recent Discussions with City Staff (July 9, 2014)
(labels added for information)



South Elevation (Sunningdale Road East)



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West Elevation (Richmond Street)



North Elevation



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East Elevation



2014 Provincial Policy Statement

The 2014 Provincial Policy Statement (PPS) came into effect on April 30, 2014. It applies to all applications under the *Planning Act*, regardless of the date of submission of the original application.

The February 27, 2012 staff report provided an analysis of the PPS, generally indicating that development within the policies of the Multi-family, Medium Density Residential designation would be consistent with the policies of the PPS with respect to the provision of an appropriate range and mix of residential, employment, recreation and open space uses and the maintenance of an adequate supply of lands available for residential intensification and redevelopment. The 2014 PPS does not contain changes of substance that would affect staff's previous evaluation of the application for high density residential development.

The *Planning Justification Report – 2118 Richmond Street* (MHBC Planning, March 2014) contains analysis related to the 2005 PPS, having been prepared prior to the 2014 PPS coming into effect. The report indicates that the development concept proposed for the subject lands is consistent with the policies of the PPS, setting out a number of reasons related to compact urban form and residential intensification in appropriate areas, land use compatibility, transition of density, providing a range of housing choice, supporting alternative forms of mobility, utilizing existing and planned services, and lack of impacts on environmental and cultural resources.

Response to Council Resolution of March 21, 2012

Compliance with the Multi-family, Medium Density Residential designation

The applicant acknowledged that the Multi-family, Medium Density Residential designation framework does not accommodate the proposed development, and requested an Official Plan amendment on the rear part of the property to permit the apartment building component of the development. The proposal was to maintain the Multi-family, Medium Density Residential designation adjacent to Sunningdale Road East in order to provide certainty to the land owners

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within the Uplands neighbourhood that the front portion of the development would have a medium density form.

The *Planning Justification Report* (MHBC Planning, March 2014) contains analysis related to the general objectives of the Residential designations, and the Multi-family, Medium Density Residential and Multi-family, High Density Residential designations.

City staff sought an alternative to the proposed split medium and high density residential designation that would provide certainty and clarity for the developer, area landowners and the City with regard to the final development. The Residential land use designations permit policies for specific residential areas where it is appropriate to address development opportunities and constraints through specific policies that provide additional guidance to the more general policies of the Official Plan. The subject site is an appropriate location for a higher density residential development through the use of a special policy for the Multi-family, Medium Density Residential designation by continuing to facilitating uses that are permitted within the designation while allowing for additional heights and densities in return for certainty and clarity to the developer, the area landowners and the City with respect to the final development.

The proposed special policy also maintains the intent of Chapter 10 of the Official Plan, which permits Council to adopt policies for Specific Areas based on one of several criteria, one of which is *“the change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.”* Following discussions with City staff, the applicant agreed to amend the application to reflect this approach.

An Official Plan amendment is required because the general Multi-family, Medium Density Residential policies of the Official Plan include policies related to the scale of development which generally limit building height to a maximum of four storeys and net residential density to a maximum of 75 units per hectare.

Further to the policies related to building scale noted above, the Official Plan permits the maximum height to exceed this limit, and also permits the maximum density to be increased to a maximum 100 units per hectare through the use of bonus zoning provisions of Section 19.4.4 of the Plan. Generally heights are not increased above six storeys in keeping with the policies of the Plan.

The bonusing policies of Section 19.4.4 of the Official Plan contemplate increases to the scale of development through the use of bonus zoning in return for eligible facilities, services or matters which provide a public benefit and are identified in the Official Plan. Section 19.4.4 of the Official Plan states that bonus zoning will be used to support the City’s urban design principles and may include one or more objectives which include supporting the provision of underground parking, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The form of development proposed for the subject lands contemplates a maximum height of ten storeys and a maximum density of 123 units per hectare, in excess of the generally permitted heights within the Multi-family, Medium Density Residential designation and the maximum bonusable density of 100 units per hectare. Specifically these benefits include quality urban design, the provision of underground parking and the concurrent provision of additional landscaped open space, and the planting of mature trees between the building and Sunningdale Road East.

The proposed form of development for the subject lands is a ten storey apartment building with a three storey townhouse form integrated into the base of the apartment building on the south face adjacent to Sunningdale Road East. Apartment buildings and townhouses are permitted uses within the Multi-family, Medium Density Residential designation. The proposed special policy would allow for site specific increases to the permitted scale of development in return for matters which provide a public benefit.

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Without compliance with the bonus zoning provisions, the permitted intensity of use on the lands would remain within the base maximum height of 4 storeys and maximum density of 75 units per hectare as permitted by the Multi-family, Medium Density Residential designation.

Community Plan

The Uplands North Area Plan was adopted by Council in June 2003 and contains a Preferred Land Use Plan which delineates the subject lands for medium density residential land uses. It is its evaluation of compliance of the proposal with the Community Plan, the MHBC *Planning Justification Report* references text related to the need to provide a mix of housing types, and flexibility to meet market demands, and commentary on residential densities and intensification opportunities within the Planning Area.

Discussions with the Applicant Regarding Building Height and Timing of Construction of Site Components

City Planning staff met with York Developments on April 8, 2013 in response to the Council Resolution of March 21, 2012. York Developments agreed to a reduction in the height of the building from 12 storeys to 10 storeys, and to construct the townhouses at the same time as the apartment building. They further indicated that the simultaneous construction was insured since they will both be constructed over, and share, the proposed underground parking.

Prior to the submitting the revised application, the applicant modified the proposal to incorporate the townhouse component at the base of the tower as part of the same building. It is expected that the entire structure will be built at the same time.

Merits of holding provisions to address various matters

Site access from Richmond Street Only

Dillon Consulting prepared the *2118 Richmond Street Transportation Impact Assessment* (August, 2013) on behalf of York Developments to address the intersection of Richmond Street and Sunningdale Road, and the proposed private accesses to the site.

The proposed site design incorporates two accesses to the site:

- on Richmond Street near the north property line, which is proposed to function as the primary site access with full turning movements;
- near the south-east corner of the site, which is proposed to function as a secondary site access and will be restricted to right-in/right-out movements only.

The Dillon report recommended the implementation of a two-way left turn lane on Richmond Street to facilitate southbound access to the primary entrance to the site, and to facilitate southbound egress from the site to Richmond Street. The report also concluded that right-out, southbound movements from the site onto Sunningdale Road East would not interfere with the westbound left turn lane from Sunningdale Road East to Richmond Street. The median proposed by the Sunningdale Road EA, or a pork-chop island within the throat of the proposed access would provide the necessary turning restrictions for right-in/right-out access only.

The Dillon report indicates that in the future, the full site access to Richmond Street is intended to be restricted to right-in/right-out access only, and that a full future access link to the arterial road network will be via a future internal connection to the secondary collector road network within the Uplands area when the lands to the east are developed.

The Transportation Division accepts that the right-in/right-out access on Sunningdale Road will operate within acceptable parameters and be restricted through the construction of a centre median island. However, the opinion of the Transportation Division differs from the results of the Dillon study with respect to the permanency of the accesses to Richmond Street and Sunningdale Road East over the long term indicating that *“No direct access was anticipated to either Richmond Street or Sunningdale Road when the area plan was approved. Therefore*

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access to this site will be temporary until surrounding lands develop at which time access to local or collector streets will be made available and the proposed accesses closed. The site must be designed and constructed to accommodate this eventuality.”

Based on the findings of the Dillon report, City staff are recommending that access be limited to Richmond Street in the short term. Over the long term, the Transportation Division supports the ultimate removal of these accesses and all access being provided through adjacent developments to the north and/or east in the future.

The Transportation Division requested that a holding provision for access be applied to the site and not lifted until access is arranged to the satisfaction of the City Engineer. The staff recommendation includes the use of the h-11 holding provision, which reads “*To ensure the orderly development of lands and the adequate provision of municipal services, the “h-11” symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.*” The details of this agreement will be determined at the site plan approval stage.

Quality Urban Design

The Urban Design policies of Chapter 11 of the Official Plan apply to all development proposals but are especially important where density bonusing is proposed. These policies and principles relate to the visual character, aesthetics, and compatibility of land use, and to the qualitative aspects of development.

MHBC Planning submitted the *2118 Richmond Street Urban Design Brief* (April 2014 – Revised June 2014) on behalf of York Developments, which provides a response to the applicable urban design principles of the Official Plan. The report sets out a series of design goals and objectives related to providing a transition in height, creating a strong, visually appealing and walkable street edge, providing for transit supportive development in the future, providing appropriate landscaping, using superior building materials and finishes, and providing private amenity space for the residents.

Taking guidance from the input of the Urban Design Peer Review Panel and discussions with City Urban Design and Planning staff, the applicants submitted a slightly modified site concept which eliminated the drive aisle and parking spaces in front of the building adjacent to Sunningdale Road East, removed a significant number of surface parking spaces from behind the building (while still meeting the parking requirements of the Zoning By-law), increased the amount of landscaped open space, and provided a less direct route through the parking lot to slow vehicles. The applicant also agreed to the planting of mature trees in the landscaped open space area between the building face and Sunningdale Road as part of the bonus provisions that must be met in order to allow the development to proceed.

The bonus provisions contained in the recommended Zoning By-law amendment to allow for the proposed development require the development to be in accordance with the site concept (revised July 9, 2014) and the elevations contained in this report, with some minor variations to the building elevations at the discretion of the City Planner. They also identify the key design components that must be met, addressing the massing and location of the building, locations of main and supplementary entrances, and architectural treatment. For the site, they address the planting of nine mature (minimum 11 cm diameter at breast height) trees to help reduce the visual impact of the new building on the existing dwellings south of Sunningdale Road East, placement of parking in unobtrusive locations, and increased landscaped amenity areas.

Additional design matters to be considered at the site plan approval stage are articulated in clause (d) of the recommendations at the beginning of this report. They relate to the expectation that the landscaped open space area adjacent to Sunningdale Road will be developed as a passive private-public space with a variety of elements, and minor adjustments to the building elevations such as better integrating the mechanical penthouse, and providing more architectural detail on the east and north elevations of the townhouse component.

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The Urban Design Peer Review Panel suggested some refinements intended to help advance the design of the proposed development. The UDPRP’s detailed comments are reproduced in the Agency Comments section of this report and are, where appropriate to the broader circumstances of the site, incorporated by staff in the recommendation and reflected either in the Bonus Provisions or the matters to be considered at the site plan stage.

Public responses specific to this proposal addressed a number of site issues pertaining, other than to the size of the building, the interface between the existing and new development. Many of those issues are addressed through clarification of the impacts of the Sunningdale Road EA later in this report, and through the removal of the parking aisle and parking spaces in front of the building. In addition, staff recommend that the matter of the potential impacts of building lighting on the existing residences be considered at the site plan stage.

Matters addressing quality Urban Design will be addressed through the recommended bonus provisions, the matters recommended to be considered by the Site Plan Approval Authority, and the holding provision requiring a public site plan meeting. Therefore, holding provisions specifically addressing quality urban design is not required or recommended.

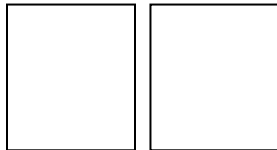
Viewshed Study

City staff requested that the viewshed analysis be completed as part of the application revision rather than through the application of a holding provision at the site plan stage. The building height, intended to be established through the rezoning, is a factor in evaluating and mitigating the viewshed and privacy issues.

MHBC Planning’s *Urban Design Brief* and an appendix to their *Planning Justification Report* provided a viewshed analysis consisting of drawings and explanatory text. The analysis generally indicated that privacy issues are mitigated by:

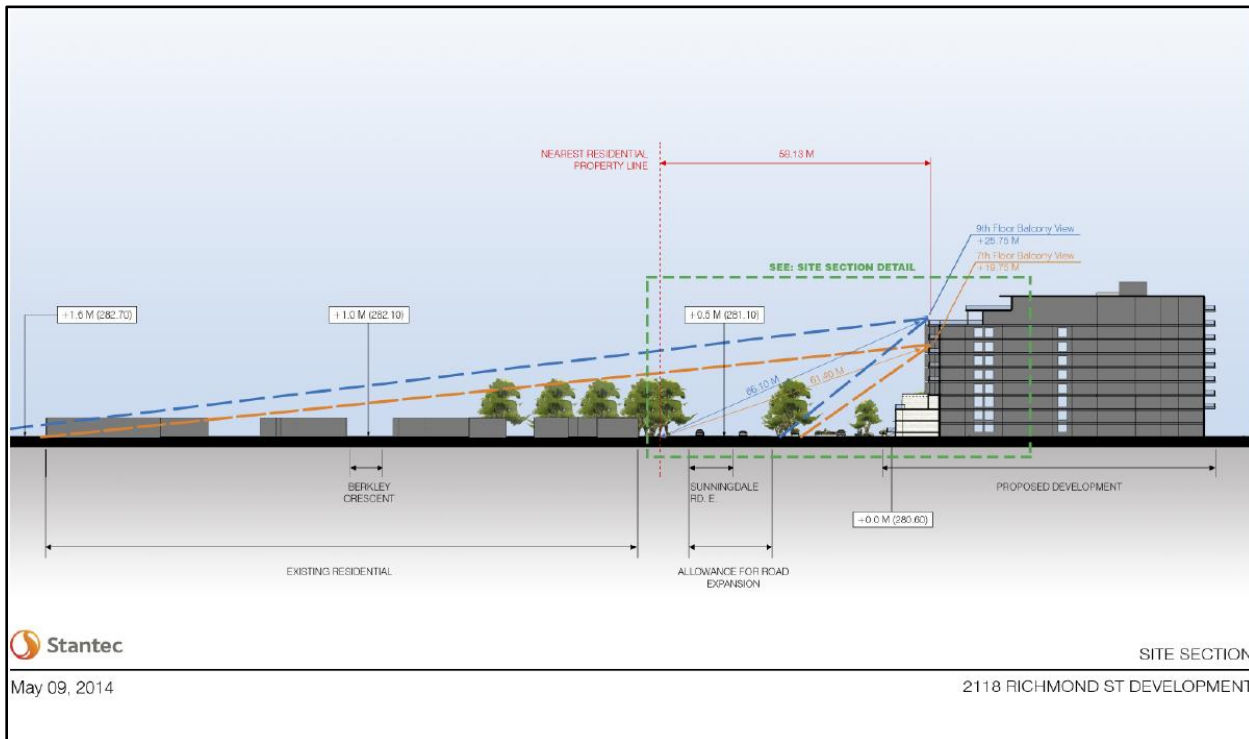
- the viewing distance from the proposed tower to the nearest point of an adjacent single detached residential property line;
- the recession of the 10th floor further increasing the viewing distance;
- interruption of views by mature trees located along both sides of Sunningdale Road East, and the foliage of the heavily planted properties south of the road allowance; and,
- the oblique view angle from the higher floors, resulting in a view of roofs rather than into windows.

The drawings reproduced below illustrate these principles.

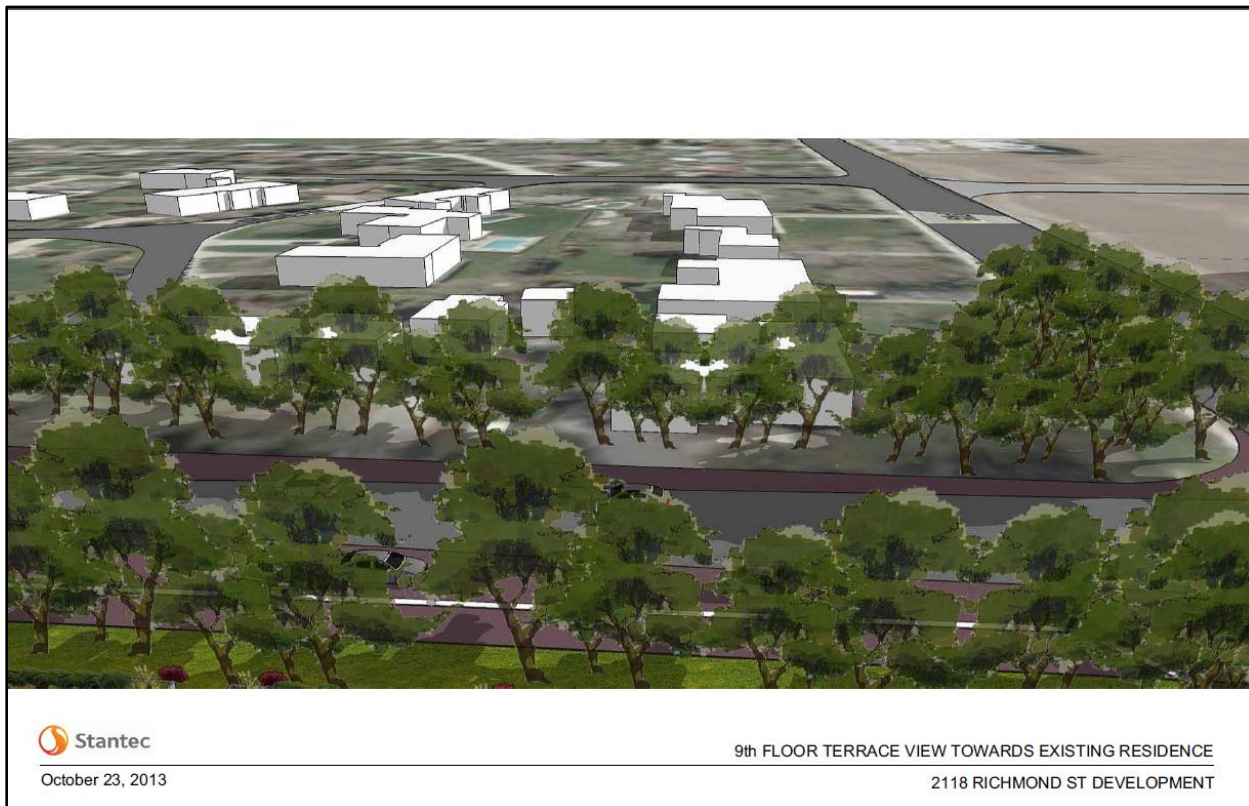


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Viewshed Cross Section



Ninth Floor Terrace View Toward Existing Residences

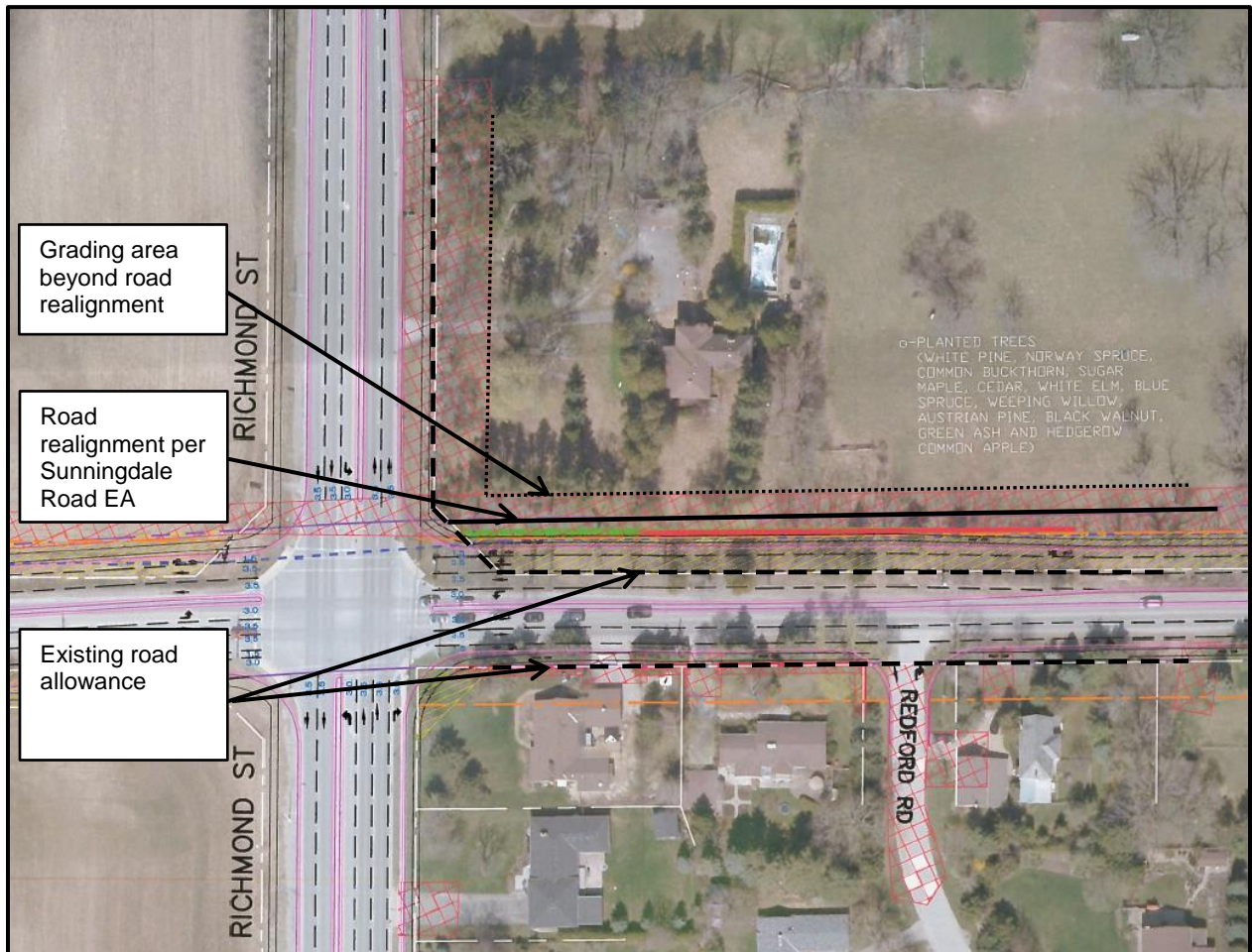


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City staff has some concerns about viewshed mitigation based on existing or future mature trees. The northerly shift of the Sunningdale Road East alignment, road construction, and associated grading beyond the road allowance in accordance with the Sunningdale Road EA, will result in the removal of the existing mature boulevard trees on the south side of Sunningdale Road East and the removal of all of the trees within the widened road allowance and the grading area on the north side. Staff also anticipate that grading and construction activities for the proposed development will result in the loss of mature trees outside of the road grading area. Furthermore, Transportation Division staff have advised that the future road design will allow for little to no softscaping on Sunningdale Road East between Richmond Street and Uplands Drive. Therefore, the mitigating impact of mature trees on privacy concerns cannot be relied upon. It is expected the greatest impact would be on the three single detached properties that front on Sunningdale Road. However, in an effort to reduce the impacts of the removal of trees on the north side of Sunningdale Road, the recommendation requires the planting of nine mature trees as part of the landscaping plan between the south building face and Sunningdale Road.

Extract from Preferred Solution – Sunningdale Road EA
(labels added for clarification)



Installation of Roundabouts as per the submitted proposal

At the February 27, 2012 PEC meeting York Developments proposed to install two roundabouts at its own expense at the intersections of Berkley Crescent and Redford Road, and Berkley Crescent and Uplands Drive, to resolve neighbourhood concerns about cut-through traffic.

It was determined that the incorporation of roundabouts within the Uplands neighbourhood is not a feasible resolution due to space constraints and technical design requirements. A holding provision is not recommended.

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Holding of a Public Site Plan Meeting

The inclusion of a holding provision for a site plan public meeting is recommended. This will provide for the opportunity for public involvement:

- in the event the lands are developed for medium density uses in accordance with the recommended base Residential R6/Residential R8 zone, for which a site concept has never been prepared or circulated; and,
- in reviewing the detailed design for the proposed development to be permitted through the recommended bonus provisions, particularly the design of the landscaped open space area between the building face and Sunningdale Road East.

Engineering has requested the application of holding provisions for the submission of engineering studies and the provision of full municipal services at the site plan approval stage. These requests are addressed through a holding provision (h) which requires *“To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”*

Transportation Study Outside of Sunningdale Road and Richmond Street

A Schedule C Municipal Class EA (*Sunningdale Road Improvements – Wonderland Road North to Adelaide Street North – Environmental Study Report*) was completed by AECOM in May 2013.

The alignment of Sunningdale Road East in this location is to be shifted to the north. The proposed road widening as shown on the Revised Concept Plan Figure 2 (MHBC Planning, April 25, 2014) reproduced earlier in this report appears to accurately reflect the recommended new road alignment.

The report concluded that improvements to Sunningdale Road, in the form of urbanization, traffic signalization and widening from two to four lanes would be required to meet the projected transportation requirements in the northwest quadrant of the City. The Richmond Street intersection improvements include the addition of left/right turn lanes, tapers and storage on all four quadrants. Medians will be used to divide westbound and eastbound lanes. Sidewalks will be provided on both sides of Sunningdale Road and on-road bicycle lanes are recommended. Improvements to the Richmond Street and Sunningdale Road intersection were identified as a priority (5 – 10 years) from a traffic demand perspective.

The recommended solution requires a road dedication from the subject lands and will also involve grading onto the subject property. In order to avoid the need for a retaining wall which would interfere with the proposed Sunningdale Road access to the site, the developer will be required to increase the grade of the subject property in accordance with the proposed centerline grade in the Sunningdale Road EA.

The Imperial Oil pipeline easement is located just inside the identified future road allowance along the north side of Sunningdale Road East in front of the subject property. The Sunningdale Road EA identified several locations along Sunningdale Road where the horizontal alignment of the Imperial Oil pipeline needs to be moved to the north. While the area adjacent to the subject property is not identified, Transportation Division staff advise that there is the possibility that the pipeline may need to move to the north as detailed designs for the road reconstruction are prepared and finalized. Imperial Oil requires buildings to be set back 20 metres from the centerline of the pipeline. The proposed building is to be located 20.68 metres from the centerline of the pipeline easement. Should the development proceed prior to the road construction, and if the pipeline needs to be moved to the north, there is the possibility that the pipeline would be relocated closer than 20 metres from the building. In that event, the City might be required to incur additional construction costs to mitigate the possible impacts.

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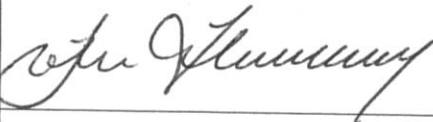
In the interim, it is recommended that at the site plan stage, the Approval Authority be requested to consider confirmation of the location of the centerline of the Imperial Oil pipeline in its existing location, prior to finalizing the building location to ensure that it is no closer than 20 metres.

Timing of Future Road Widening

The 2014 Development Charges Background Study states that construction of the Richmond/Sunningdale intersection will occur in 2020 and the widening of Sunningdale Road east of Richmond Street will occur in 2022.

CONCLUSION

The proposed Official Plan and Zoning By-law amendments will permit the construction of a ten-storey apartment building with a low-rise townhouse form integrated into the base of the tower fronting Sunningdale Road East, provided bonusing provisions with respect to urban design, underground parking and related landscaped open space, and the planting of mature trees are met. The use of the bonus provision will provide certainty and clarity to the applicant, the public and the City as to what will be constructed on the site. Should the required bonus provisions not be met, the development of medium density housing forms will be permitted at heights and densities consistent with the Multi-family, Medium Density Residential policies of the Official Plan. The use of holding provisions will ensure that arrangements are made for the provision of adequate municipal services, future internal access to the site, and an opportunity for public input at the site plan stage is provided.

SUBMITTED BY:

MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:

JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

July 11, 2014

BD/

Attach.

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