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KEUISET

File: OZ-7988
Planner: M. Tomazincic

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: OLD OAK PROPERTIES 909 SOUTHDALE ROAD WEST AND 3045 POMEROY LANE PUBLIC PARTICIPATION MEETING ON MONDAY FEBRUARY 27, 2012 NOT TO BE HEARD BEFORE 4:40P.M.

RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Old Oak Properties relating to the property located at 909 Southdale Road West and 3045 Pomeroy Lane:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 20, 2012 to amend the Official Plan by adding a phrase to Special Policy 3.5.11 (North Talbot Community) to permit building heights to exceed a maximum of 40 metres through the use of Bonus zoning;

- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on March 20, 2012 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 (UR) Zone which permits existing dwellings; limited agricultural uses; conservation land; managed woodlots; wayside pits; and passive recreation use **AND** a holding Residential R9 (h-5•h-53•h-55•h56•R9-7•H40) Zone which permits apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and, continuum-of-care facilities, with a maximum height of 40 metres and subject to holding provisions which require: a public site plan review; street-oriented development and consistency with the community plan; a traffic impact study; and, implementation of noise attenuation measures to mitigate noise emanating from Southdale Road West prior to the removal of the holding provisions **TO** a holding Residential R9 Bonus (h-5•h-53•h-55•h56•R9-7•H40•B()) Zone to permit the same range of uses and subject to the same holding provisions in the Residential R9 Zone (listed above) as the base zoning and adding a bonusing provision to permit, subject to design approval: a maximum height of 50.5 metres; a maximum density of 207 units per hectare; a minimum south interior side yard depth of 35.0m from the main building; a minimum rear yard depth of 18.1 metres; and, a maximum lot coverage of 40.5%; such increases in height and density shall be permitted in return for the construction of a specified building design which is in accordance with the illustration included as Appendix "C" of this report that provides for the following design features:
 - Constructing two apartment buildings that are "L" shaped in plan, with terraced profiles that will achieve a maximum height of 50.5m and contain a maximum of 434 dwelling units;
 - The two apartment buildings shall be constructed in a mirror image with one apartment building located at the northeast corner of the subject lands with the two building faces constructed parallel to Southdale Road West and Pomeroy Lane and the other building located at the northwest corner of the subject lands with the two building faces constructed parallel to Southdale Road West and the westerly rear lot line in order to frame public realm;
 - Defining the base, middle, and top of the apartment buildings:
 - with the base consisting of the portion of the façade between the ground floor and the third and fourth floors and using architectural stone and cornice lines to define the base;
 - with the middle consisting of the portion of the façade between the top of the base to the fourteenth floor and using coloured concrete and cornice lines to define the middle; and,
 - with the top consisting of the portion of the façade above the fourteenth floor and using coloured concrete differentiated from the middle, floorplate setbacks and a roof form profile to define the top;

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- Addressing the intersection of Southdale Road and Pomeroy Lane with the concentration of massing and architectural treatment of the eastern apartment building to naturally direct the user to the primary entrances;
 - Introducing trees and vegetation along the street frontage to improve the pedestrian experience along this section of Southdale Road;
 - Designing and constructing an attractive, curb free paved and landscaped forecourt using unit pavers between the north facade and the Southdale Road West and the east façade and Pomeroy Lane to create an appealing interface between the buildings and the abutting roads;
 - Designing the parking structure elevations to complement the architectural details and materials used in the elevations of the base of the two residential apartment buildings to create visual consistency between the apartment buildings and parking structure;
 - Constructing of a 1.8m high solid board privacy fence along the southern property line to provide a visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south; and,
 - Planting a dense row of coniferous trees between the privacy fence and the parking structure to augment the visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south;
- (c) the Site Plan Approval Authority **BE REQUESTED** to implement the design and landscape features proposed in part (b) above, through the Site Plan Approval process; and,
- (d) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the proposed change to the by-law is minor in nature.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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May 8, 2006 – Request to amend the Official Plan and Zoning By-law (OZ-6795) – This report recommended that the request to amend the Official Plan and Zoning By-law away from Low Density Residential Uses to accommodate Community Shopping Area uses on the subject lands be refused and a by-law be introduced that amended the Zoning By-law to apply a Residential R2/Residential R4 zone on the lands to permit permit a range of dwelling types including single detached, semi-detached, duplex, converted dwellings (2 units maximum), and street townhouses in conformity to the Official Plan. Council resolved that this recommendation be referred back to Staff.

August 21, 2006 – Request to amend the Official Plan and Zoning By-law (OZ-6795) – This report recommended that the request to amend the Official Plan and Zoning By-law away from Low Density Residential Uses to accommodate Community Shopping Area uses on the subject lands be deferred and the applicant be requested to submit a plan of subdivision application.

July 9, 2007 – Request to amend the Community Plan and Official Plan (39T—07501/OZ-6795/O-7380) – This report recommended that, among other matters, that the Official Plan be amended to change the designation of the subject lands from Low Density Residential to Multi-Family, High Density Residential and to amend the special policy for these lands to recognize lands designated Multi-Family, High Density Residential. This report also recommended a series of Zoning By-law amendments that implemented the existing zoning for the subject lands as well as all the lands on Vallas Circle, Navin Crescent, and the lands immediately to the east of the subject lands.

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Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 909 Southdale Road West and 3045 Pomeroy Lane.

WHEREAS Old Oak Properties has applied to rezone an area of land located at 909 Southdale Road West and 3045 Pomeroy Lane, 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:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 909 Southdale Road West and 3045 Pomeroy Lane, as shown on the attached map comprising part of Key Map No. 141, from an Urban Reserve (UR) Zone and a holding Residential R9 (h-5•h-53•h-55•h56•R9-7•H40) Zone to a holding Residential R9 Bonus (h-5•h-53•h-55•h56•R9-7•H40•B(_)) Zone.

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

4.3(4) B-() 909 Southdale Road West and 3045 Pomeroy Lane

The increase in height and density to the zoning of the subject lands shall be permitted in return for enhanced urban design elements and urban design features that consist of:

- Constructing two apartment buildings that are "L" shaped in plan, with terraced profiles that will achieve a maximum height of 50.5m and contain a maximum of 434 dwelling units;
- The two apartment buildings shall be constructed in a mirror image with one apartment building located at the northeast corner of the subject lands with the two building faces constructed parallel to Southdale Road West and Pomeroy Lane and the other building located at the northwest corner of the subject lands with the two building faces constructed parallel to Southdale Road West and the westerly rear lot line in order to frame public realm;
- Defining the base, middle, and top of the apartment buildings:
 - with the base consisting of the portion of the façade between the ground floor and the third and fourth floors and using architectural stone and cornice lines to define the base;
 - with the middle consisting of the portion of the façade between the top of the base to the fourteenth floor and using coloured concrete and cornice lines to define the middle; and,
 - with the top consisting of the portion of the façade above the fourteenth floor and using coloured concrete differentiated from the middle, floorplate setbacks and a roof form profile to define the top;
- Addressing the intersection of Southdale Road and Pomeroy Lane with the concentration of massing and architectural treatment of the eastern apartment building to naturally direct the user to the primary entrances;
- Introducing of trees and vegetation along the street frontage to improve the pedestrian experience along this section of Southdale Road;
- Designing and constructing an attractive, curb free paved and landscaped forecourt using unit pavers between the north facade and the Southdale Road West and the east façade and Pomeroy Lane to create an appealing interface between the buildings and the abutting roads;

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- Designing the parking structure elevations to complement the architectural details and materials used in the elevations of the base of the two residential apartment buildings to create visual consistency between the apartment buildings and parking structure;
- Constructing of a 1.8m high solid board privacy fence along the southern property line to provide a visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south; and,
- Planting a dense row of coniferous trees between the privacy fence and the parking structure to augment the visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south.

The building design is identified through the elevations, site plan, and landscaping plan included in the development agreement.

The following regulations apply with the approved site plan:

i) Height (Maximum)	50.5 metres (165.7 feet)
ii) Density (Maximum)	207 units per hectare (83 units per acre)
iii) Interior side yard depth (south) from main building (Minimum)	35.0 metres (114.8 feet)
iv) Rear yard depth (Minimum)	18.1 metres (59.4 feet)
v) Lot coverage (Maximum)	40.5%

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 March 20, 2012.

Joe Fontana
 Mayor

Catharine Saunders
 City Clerk

First Reading – March 20, 2012
 Second Reading – March 20, 2012
 Third Reading – March 20, 2012