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May 30, 2016

By Next Day Courier

London City Hall
300 Dufferin Avenue
P.O. Box 5035
London, Ontario N6A 4L9

Dear Mr. Gregg Barrett (gbarrett@london.ca)

Re: 3030 Singleton Avenue – Official Plan, Draft Three

We act for Schlegel Villages Inc. (“our client”). Our client owns 3030 Singleton Avenue (the “Property”). The Property is presently developed with a 192 bed Long Term Care Facility, named The Village of Glendale Crossing (see **Schedule A** for area context).

We wish to ensure that the Draft Official Plan continues to support the completion of development of the Property for a (seniors retirement community) namely, a retirement home and continuum of care facility. Accordingly, we request that:

- Existing policies specific to the Property are carried forward faithfully;
- The City work with our client to:
 - Remove and relocated the Active Mobility Route that presently runs through one of the existing buildings on the Property;
 - Update zoning and natural heritage feature mapping to reflect Zoning By-law Z-1-061575 and present site conditions; and,
- The City include policies in the Draft Official Plan to allow for greater flexibility in the height and densities that can be considered for long term care homes, (seniors’ home) without the need for an Official Plan Amendment. Such policies would be similar those found in the Bostwick East Area Plan and s. 3.5.17 of the Official Plan.

Please refer to: **John M. Alati**
e-mail: johna@davieshowe.com
direct line: 416.263.4509
File No. 333333



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Carrying Forward Existing Site Specific Policy

The Official Plan and Bostwick East Area Plan (the “Bostwick Plan”) provide a policy framework that supports the future development of the Property for a long term care home (seniors retirement community) at heights of 30m (eight storeys) and a density up to 100 UPH. These earlier plans are consistent with the more recent Southwest Area Secondary Plan (the “Southwest Plan”). What follows is a brief overview of the planning framework presently in place (see **Schedule B** for accompanying mapping).

- The Property is currently designated Multi-Family, Medium Density Residential in the Official Plan. These policies allow for “small-scale nursing homes”, “rest homes” and “homes for the aged”, which are now usually referred to collectively as “Long Term Care Homes”¹.
- The Bostwick Plan continues the Multi-Family, Medium Density Residential designation. The policies in the Bostwick Plan take precedence over the more general policies in the Official Plan.
- The Bostwick Plan specifically states:

A retirement community is proposed for the medium density block located on the south-east corner of Southdale Rd W and the westerly secondary collector road [3030 Singleton Avenue]. The proposed development is appropriate for this location but would exceed the 75 units per hectare density limit that normally applies to the MDR designation. Section 3.3.3. of the Official Plan allows a maximum density of 100 units per hectare (40 units per acre) without an amendment to the Official Plan for developments which are designed and occupied for senior citizens’ housing. Exceptions to the height limitations do require an amendment to the Official Plan. As such, a special policy in the Official Plan will restrict the seniors’ development to a maximum building height of 30 metres (98 ft.), which is equivalent to the applicant’s eight storey development proposal.

- Accordingly, under the present policy framework no Official Plan Amendment is required to allow heights up to 30m and a density reaching 100 UPH on the Property. This is confirmed by s. 3.5.17 of the Official Plan which states,

¹ As a result of the terminology used in the *Long-Term Care Homes Act*, 2007.



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For a portion of lands located on the south side of Southdale Road W, opposite Andover Drive, designed Multi-family Medium Density Residential [3030 Singleton Avenue], a maximum building height of eight storeys (30 metres) will be permitted provided the development is designed and occupied for senior citizens' housing. The retirement community development will be consistent with the design guidelines of the Bostwick East Area Plan.

- Most recently, the Southwest Plan has been approved by the OMB, and applies to the Property. The Property is within the Longwoods Neighbourhood. Consistent with the earlier plans, the Southwest Plan designates the property Medium Density Residential. It is noted that the Southwest Plan requires building heights to be between two and nine storeys, and densities from 30 to 100 UPH.
- All these policies are implemented by Zoning By-law Z-1-061575 (see **Schedule D**), which subject to a hold, permits apartment buildings up to 30m in height and a density of 100 UPH on the Property.

The Draft Official Plan could be modified to more faithfully carry forward the existing planning framework. In the Draft Official Plan, the above planning framework is summarized in policy 976, which states:

For a portion of lands located on the south side of Southdale Road West, opposite Andover Drive, a maximum building height of eight storeys will be permitted provided the development is designed and occupied for senior citizens' housing.

In order to improve certainty and clarity, we propose the following wording for policy 976:

The following applies to the approximate 3.9 ha area located on the south side of Southdale Road West, opposite Andover Drive, known municipally as 3030 Singleton Avenue:

1. *maximum building heights of 30m (eight storeys) are permitted; and,*
2. *density of up to 100 UPH is permitted.*

The intent of this policy is to carry forward policies formerly contained in the



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Bostwick Area Secondary Plan and Southwest Area Secondary Plan allowing for the continued development of a long term care home (a retirement community) on 3030 Singleton Avenue.

Active Mobility Route

On Map 4 of the Draft Official Plan, the Active Mobility Network is shown crossing through an existing three storey long term care building (see **Schedule E**). We suspect this is an inadvertent error. We suggest that the use of Springdale Road or Singleton Road would be preferable, and maintain the integrity of the Network.

Zoning and Natural Heritage

By-law Z-1-061575 removed the Open Space (OS4) Zone from the Property and replaced it with a Holding Residential R5/Residential R6/Residential R7 (h-3 R5-4/R6-5/R7 D100.H30) Zone. The Property has since been graded and partially developed.

Based on our review of zoning maps, and Maps 5 & 6 of the Draft Official Plan, it seems the City has not had the opportunity to update its mapping (see **Schedules C and E**). We ask the City to update its mapping to reflect present zoning and site conditions.

Attached to this letter as **Schedule F**, is a site photo which confirms the grading work which has been previously authorized and undertaken on the northwest corner of the property which clearly demonstrates that there is no natural heritage or valley land feature at that location.

Housing Forms – Housing for Seniors Generally

Throughout the Draft Official Plan references are made to promoting a range of housing choices, creating complete and walkable neighbourhoods that accommodate people of various ages and abilities. The Draft Official Plan also underscores the fundamental importance of intensification.

Our client is concerned that restricting housing forms to a maximum height of four storeys within the Neighbourhoods Place Type may limit housing options for seniors and challenge their ability to age in place.

Section 3.3.3.ii)a) of the Official Plan specifically anticipates that senior citizen housing may be developed at a density higher than other medium density



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development. There does not appear to be a similar policy in the Draft Official Plan. We submit that similar flexibility with regard to density, and height to achieve higher densities, is appropriate to include in the Draft Official Plan.

Next Steps

We appreciate the attention of Council and City Staff. We ask that any decision affecting 3030 Singleton Avenue be deferred pending further discussion. We would be pleased to coordinate a meeting for further discussion. Please do not hesitate to contact the undersigned.

Yours truly,

DAVIES HOWE PARTNERS LLP

John M. Alati

JMA:AL

encls.:

- Schedule A - Existing Site Conditions
- Schedule B - Current Official Plan Schedules as they relate to 3030 Singleton Ave
- Schedule C - Current Zoning By-law Maps (Z.-1) as they relate to 3030 Singleton Ave
- Schedule D - Zoning By-law Z-1-061575
- Schedule E - Draft London Plan (Map 2016) Maps as they relate to 3030 Singleton Ave
- Schedule F - Site photo of corner

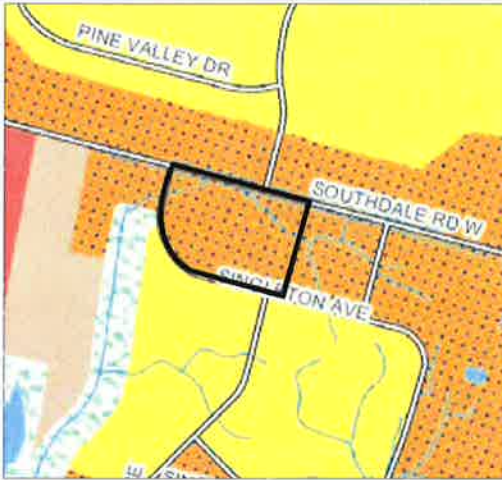
copy: Matt Brown, Mayor (mayor@london.ca)
Members of Council (citycouncillors@london.ca)
ReThink London, City Planning Division (rethink@london.ca)
Sean Galloway, City of London (sgallowa@london.ca)
Heather McNeely, City of London (hmcneely@london.ca)
Lina Al-Dajani, the MBTW Group (lina@mbtw.com)
Brad Schlegel, Schlegel Villages Inc. (bschlegel@rbjschlegel.com)
Richard Hammond, Cornerstone Architecture
(rhammond@cornerstonearchitecture.ca)

Schedule A – Existing Site Conditions



Schedule B – Current Official Plan Schedules as they relate to 3030 Singleton Ave

CITY OF LONDON OFFICIAL PLAN (1989, CONSOLIDATED 2014)

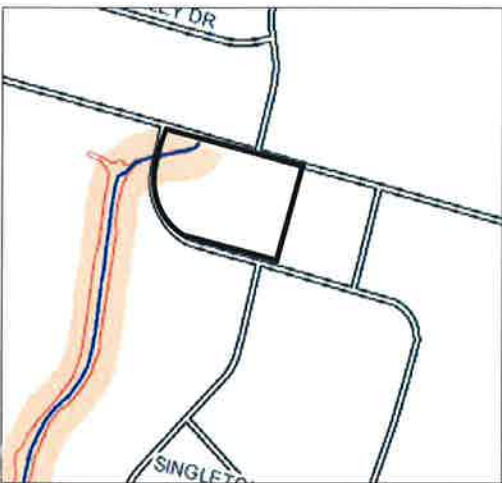


SCHEDULE A - LAND USE

Map retrieved from the City of London's website on May 10, 2016

LEGEND

- Low Density Residential
- Multi-Family, Medium Density Residential
- Regional Facility
- Open Space



SCHEDULE B-1 - NATURAL HERITAGE FEATURES

Map retrieved from the City of London's website on May 10, 2016

LEGEND

- Significant Corridors
- Max Hazard Line
- Watercourses



SCHEDULE B-2 - NATURAL RESOURCES AND NATURAL HAZARDS

Map retrieved from the City of London's website on May 10, 2016

LEGEND

- Conservation Authority Regulation Limit
- Regulatory Flood line
- Watercourses

Schedule C – Current Zoning By-law Maps (Z.-1) as they relate to 3030 Singleton Ave

CITY OF LONDON ZONING BY-LAW Z.-1



ZONING BY-LAW MAP

Map retrieved from the City of London's Old CityMap Zoning online mapping interface on May 19, 2016.



ZONING BY-LAW MAP

Map retrieved from the City of London's New Zoning CityMap online mapping interface on May 10, 2016.

Schedule D – Zoning By-law Z-1-061575



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

NOTICE OF THE PASSING
OF A ZONING BY-LAW BY
THE COUNCIL OF THE
CORPORATION OF THE CITY OF LONDON

TAKE NOTICE that the Council of The Corporation of the City of London passed By-law No. Z.-1-061575 on the 6th day of November, 2006 under section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended.

AND TAKE NOTICE that any person or public body may appeal to the Ontario Municipal Board (OMB) in respect of the by-law by filing a notice of appeal with the Clerk of The Corporation of the City of London **NO LATER THAN 4:30 p.m. ON THE 11th day of December, 2006**. The Office of the City Clerk is located in Room 308, 3rd floor, City Hall, 300 Dufferin Avenue. If you wish to appeal to the OMB, a copy of an appeal form is available from the OMB website at www.omb.gov.on.ca. The notice of appeal must set out the objection to the By-law and the reasons in support of the objection, and must be accompanied by the \$125.00 fee prescribed under the *Ontario Municipal Board Act*, in the form of a certified cheque or money order payable to the Minister of Finance.

Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group.

The land to which the By-law applies is the subject of an application under the *Planning Act* for approval of an Official Plan Amendment (O.P.A. #407). There is, however, no related application for a plan of subdivision or consent.

An explanation of the purpose and effect of the By-law and a description of the lands to which the By-law applies are printed on the reverse side of this notice. A key map showing the land to which the By-law applies is also attached to this notice.

For further information about this By-law, please contact Bruce Page in the Planning Division at (519) 661-2500 ext. 4980. Please quote Planning Division File No. OZ-7160 when making enquiries.

The complete By-law is available from the City Clerk's Office, 3rd floor, City Hall or by telephoning (519) 661-2500 ext. 5756 during business hours (weekdays from 8:30 a.m. to 4:30 p.m.).

Dated at the City of London this 21st day of November, 2006.

Kevin Bain
City Clerk
City of London
3rd floor, 300 Dufferin Avenue
London, Ontario N6B 1Z2

DESCRIPTION OF SUBJECT LANDS:

The subject lands are located on a portion of 1451 Wharnccliffe Road South.

PURPOSE & EFFECT OF BY-LAW NO. Z.-1-061575:

The purpose of the By-law is to rezone the subject lands from an Environmental Review (ER) Zone, an Open Space (OS4) Zone and an Urban Reserve (UR4) Zone to a Holding Residential R5/Residential R6/Residential R7 (h-53.R5-4/R6-5/R7.D100.H30) Zone. By-law No. Z.-1-051432 is also hereby amended by repealing the zoning on the lands and deleting the lands from the said By-law.

The effect of the By-law will be to permit the following uses on the subject lands:

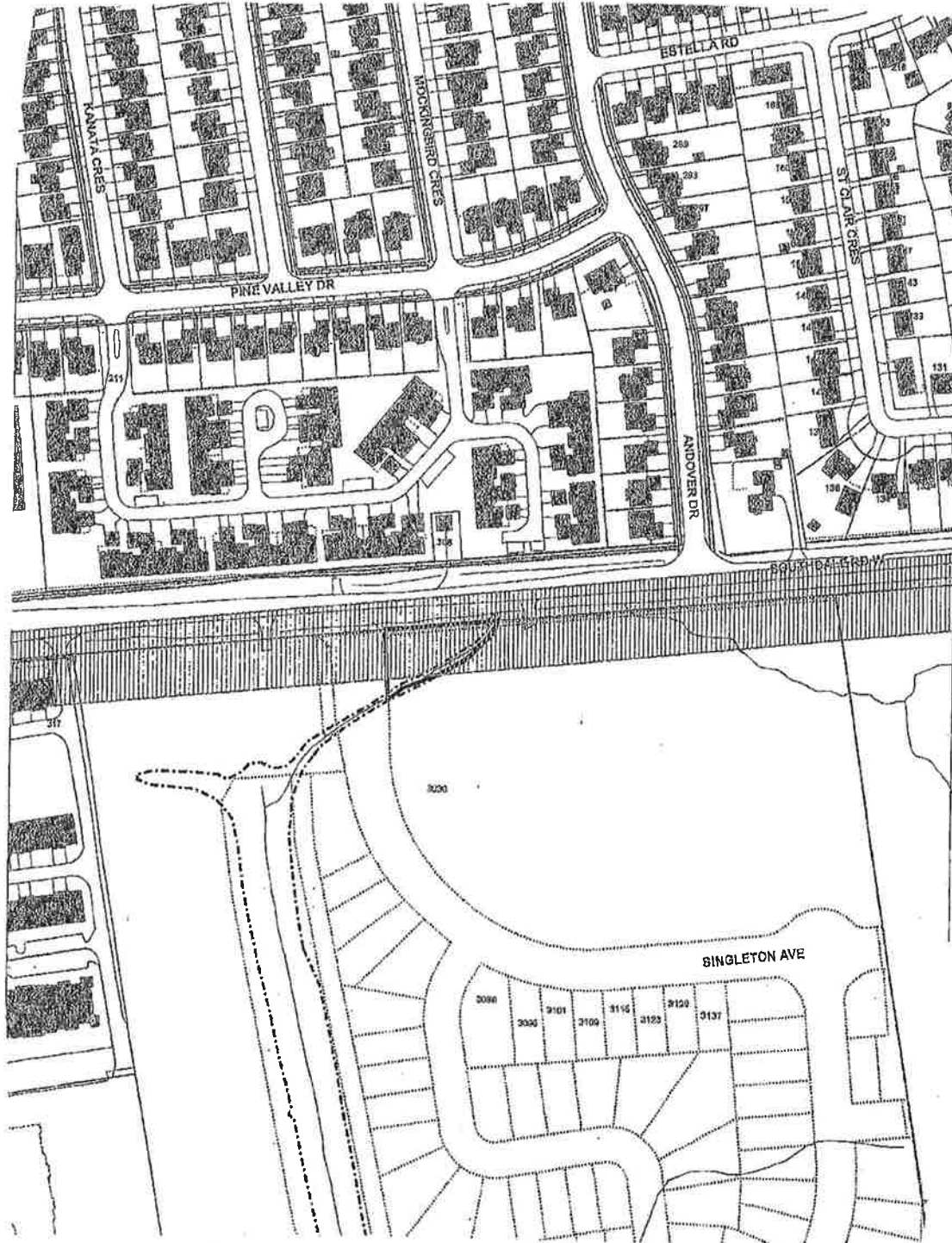
- a) the h-53.R5-4 Zone: Cluster townhouse dwellings and cluster stacked townhouse dwellings will be permitted when a development agreement is entered into to ensure that new development is designed and approved consistent with the Community Plan to encourage street-oriented development and discourage noise attenuation walls along arterial roads. Until that time, only those uses which legally existed on November 6, 2006, shall be permitted.
- b) the h-53.R6-5 Zone: Cluster housing will be permitted when a development agreement is entered into to ensure that new development is designed and approved consistent with the Community Plan to encourage street-oriented development and discourage noise attenuation walls along arterial roads. Until that time, only those uses which legally existed on November 6, 2006, shall be permitted.
- c) the h-53.R7.D100.H30 Zone: Senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments will be permitted when a development agreement is entered into to ensure that new development is designed and approved consistent with the Community Plan to encourage street-oriented development and discourage noise attenuation walls along arterial roads. Until that time, only those uses which legally existed on November 6, 2006, shall be permitted.

These permitted uses will be subject to regulations relating to lot area, lot frontage, setbacks, landscaped open space, lot coverage, height and density.

As a condition of development or redevelopment of lands or buildings in the defined area, the developer may be subject to the City's Site Plan Approval process and may be required to enter into an agreement with the City with respect to certain development conditions and requirements.

Z.-1-061575

Sifton Properties Ltd. --
Portion of 1451 Wharnccliffe Road South



Bill No. 497
2006

By-law No. Z.-1-061575

A by-law to amend By-law No. Z.-1 to rezone an area of land located on a portion of 1451 Wharncliffe Road South

WHEREAS **Sifton Properties** has applied to rezone an area of land located on a portion of 1451 Wharncliffe Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number 407 this rezoning will conform to the Official Plan;

AND WHEREAS the subject lands were rezoned by way of By-law No. Z.-1-051432, passed by Council on June 13, 2005;

AND WHEREAS By-law No. Z.-1-051432 has been appealed to the Ontario Municipal Board and is not in full force and effect in accordance with the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

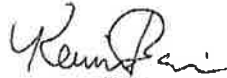
THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No Z.-1-051432 is hereby amended by repealing the zoning on a portion of the lands municipally located at 1451 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. 142 to By-law No. Z.-1, and deleting the lands from the said By-law.
2. Schedule "A" to By-law No. Z.-1 is hereby amended by changing the zoning applicable to a portion of the lands municipally located at 1451 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. 142 to By-law Z.-1, from an Environmental Review (ER) Zone, an Open Space (OS4) Zone and an Urban Reserve (UR4) Zone to a Holding Residential R5/Residential R6/Residential R7 (h-53-R5-4/R6-5/R7-D100.H30) Zone to the said lands.
3. 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. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said Section.

PASSED in Open Council on November 6, 2006.



Anne Marie DeCicco-Best
Mayor



Kevin Bain
City Clerk

First Reading - November 6, 2006
Second Reading - November 6, 2006
Third Reading - November 6, 2006



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



File Number: OZ-7160

Planner: BP

Date Prepared: 2006/10/13

Technician: CK

By-Law No: Z-1-061575

SUBJECT SITE



SCALE 1:4500



Schedule E – Draft London Plan (May 2016) Maps as they relate to 3030 Singleton Ave

THE THIRD DRAFT OF THE LONDON PLAN (MAY 2016)



MAP 1 - PLACE TYPES

Map retrieved from the London Plan website on May 10, 2016.

LEGEND

-  Green Space
-  Neighbourhood

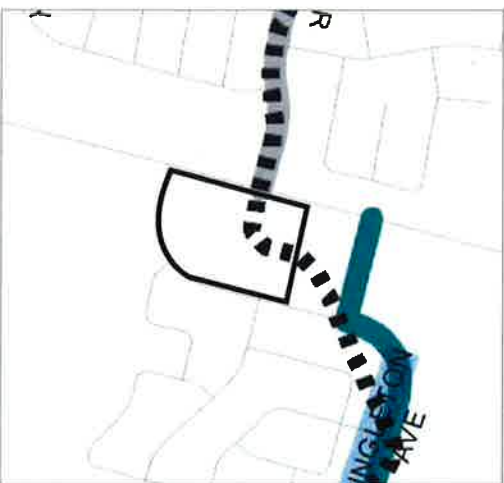


MAP 3 - STREET CLASSIFICATIONS

Map retrieved from the City of London's website on May 10, 2016.

LEGEND

-  Civic Boulevard
-  Neighbourhood Connector



MAP 4 - ACTIVE MOBILITY NETWORK

Map retrieved from the City of London's website on May 10, 2016.

LEGEND

-  Proposed Route

Schedule F – Site Photo of Corner

