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Z-8633
B. Turcotte

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 2403290 ONTARIO LIMITED 545 FANSHAWE PARK ROAD WEST PUBLIC PARTICIPATION MEETING ON NOVEMBER 28, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of 2403290 Ontario Limited relating to the property located at 545 Fanshawe Park Road West, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council Meeting on December 6, 2016, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Residential R9 Special Provision Bonus (h-11●h-55●h-169●h-170●R9-7(22)●B-27) Zone and an Open Space (OS4) Zone **TO** a Holding Residential R9 Bonus (h-11●h-55●h-169●h-170●R9-7●B-(*)) Zone and an Open Space (OS4) Zone. The new Bonus “B-(*)” Zone shall be implemented through a development agreement to provide for increased height up to 65 metres and an increased density up to 281 units per hectare in return for the following services, facilities and matters:

A high-quality building design which is consistent with the Site Plans, Elevations and Renderings attached as Schedules ‘1’ and ‘2’ to the amending by-law and includes such features as

- i. supporting the preservation of natural areas;
- ii. supporting the provision of common open space that is functional for active or passive recreational use;
- iii. supporting the provision of, and improved access to, public open space supplementary to any parkland dedication;
- iv. the inclusion of arbors/ pergolas and seating areas along the planned pedestrian trail in the large outdoor amenity area planned for the northwest quadrant of the site, with this trail being connected to the existing trail located along the storm pond to the north of the site;
- v. The inclusion of extensive green roof features in order to reduce the buildings heating and cooling requirements, and reduce the heat island effect;
- vi. The inclusion of “hardscape” forecourts on either side of the main driveway in front of the entrances into the apartment buildings leading to one of the entrances to the planned pedestrian trail in the Open Space lands on the north portion of the site;
- vii. The preservation of the view corridor to the Open Space lands on the north portion of the site by way of the main driveway from Fanshawe Park Road West;
- viii. A building design that provides for a positive interface with Fanshawe Park Road West by including:
 - Extensive landscaping along the Fanshawe Park Road West frontage to create a more pleasant and engaging experience for pedestrians;
 - Definition to the base, middle and top of the buildings with the base consisting of an articulated two storey brick section that extends beyond the main south elevation of the tower acting as a partial podium for the tower above, the middle consisting of a 15 storey tower above the base for Tower “A” and a 14storey tower above the base for tower “B”, and a top consisting of architectural features that will contribute a dynamic skyline;
 - Individual ground floor unit entrances with access to Fanshawe Park Road West by way of a landscaped court yard;

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- Tower elevations that have been divided into a series of modulated components that are defined by complimentary changes in articulation. These components have been defined by the use of architectural walls that protrude beyond the main building wall and return at the top of the tower;
- The inclusion of a variety of window sizes and types in order to add visual interest and further break up the massing of the building; and,
- Underground parking for the majority of the required parking with a limited amount of at-grade parking spaces located behind the buildings away from the street edge.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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City of London Zoning Amendment Application (File Z-8286)

On March 25, 2014, the Managing Director, Planning and City Planner recommended to the Planning and Environment Committee that the following actions be taken with respect to the property located at 545 Fanshawe Park Road West:

- a) That a by-law: “**BE INTRODUCED** at the Municipal Council meeting on April 1, 2014 to amend the Official Plan to change the designation of the subject lands **FROM** a ‘Multi-Family, Medium Density Residential’ designation **TO** a ‘Multi-Family, High Density Residential’ designation.”;
- b) That a by-law: “**BE INTRODUCED** at the Municipal Council meeting on April 1, 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** a Community Facility Special Provision (CF3(3)) Zone and an Open Space (OS4) Zone **TO** a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-(*)•h-(**))•R9-7()•B(*) Zone and an Open Space (OS4) Zone with a Bonus Zone which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:
 - A development design which includes two point tower forms with a common podium in the form of two-storey townhouses;
 - Building orientation toward the Fanshawe Park Road West corridor;
 - Building elevations that have been divided into a series of modulated components that are defined by complementary changes in articulation and cladding materials;
 - A variation of building materials and the use of cornices that define the major changes in cladding materials on the elevations;
 - The inclusion of a base, middle and cap with a base consisting of a two-storey townhouse form, a middle that consists of 14-storeys above the base for Tower ‘A’ and 13-storeys above the base for Tower ‘B’, and a one-storey cap above the middle;
 - A mix of underground and surface parking spaces that are located in the rear yard;



LOCATION MAP

Subject Site: 545 Fanshawe Park Rd W
Applicant: 2403290 Ontario Ltd
File Number : Z-8633

Planner : BT
Created By : MB
Date : 2016/10/05
Scale : 1:2500

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
File=planning\project\sp_bcat\bmmaps\MXDs

Legend

Subject Site



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- *Enhanced landscaping features including a centralized park feature and an outdoor amenity area integrating the existing open space setting;*
 - *Ground floor and second floor private amenity space; and,*
 - *Rooftop patios” ; and that,*
- c) *The Site Plan Approval Authority: “BE REQUESTED to implement, through the site plan approval process, with minor variations at the City’s discretion, the development of the subject site in a manner that is consistent with the Site Plan (shown below as Figure 1a) and Elevation Drawings (shown below as Figures 1b), and 1c) as well as additional design features below:*
- *Develop the edge treatment by enlarging the terraced gardens along the entire Fanshawe Park frontage incorporating the proposed staircases as shown on the existing plan in order to create an urban edge condition between the building face and public sidewalk;*
 - *Include options such as fencing, landscaping and the location of parking for the edge treatment which abuts the Open Space in order to create a positive relationship between this site and the Open Space*
 - *Consider a courtyard space at the central drive by eliminating the centre lane and incorporating a water feature or public art, along with a high level of planting to improve the public realm;*
 - *Ensure a high level of planting between the public sidewalk and the parallel pathway at the podium. Consider planters that are not as symmetrical in response to the topography to strengthen the landscaped open space;*
 - *Consider adding another pedestrian connection, or shifting the proposed connection to the public sidewalk at the southwest corner of the site, to relate more to the likely pedestrian activity to the adjacent commercial development;*
 - *Encourage the use of the sloping topography as an opportunity to develop a natural podium and consider multiple steps and the possibility of sunken courtyards for the townhomes and creating a positive interface of the site with the ravine to benefit from the natural topography;*
 - *Consider façade enhancements and fenestration for the townhome at the south-east corner to articulate the east elevation;*
 - *Consider high quality building materials that are consistent with the high quality of the design to enhance the building design and ensure its long term durability;*
 - *Consider the provision of a green roof to enhance the amenity space at the podium roof and to reduce the heat island effect on this site; and,*
 - *To improve the storm water management generated from this development, consider using permeable paving materials wherever possible and cost-effective.”.*

On April 1, 2014, Municipal Council adopted Official Plan and Zoning By-law amendments to provide for the site specific development proposal shown on Figures 1a), 1b) and 1c) to this report. The Official Plan and Zoning By-law amendments recommended in the Managing Director, Planning and City Planner’s report of March 25, 2014 are now in force and effect.

Figure 1a) – Site Plan Attached to the March 25, 2014 PEC Report

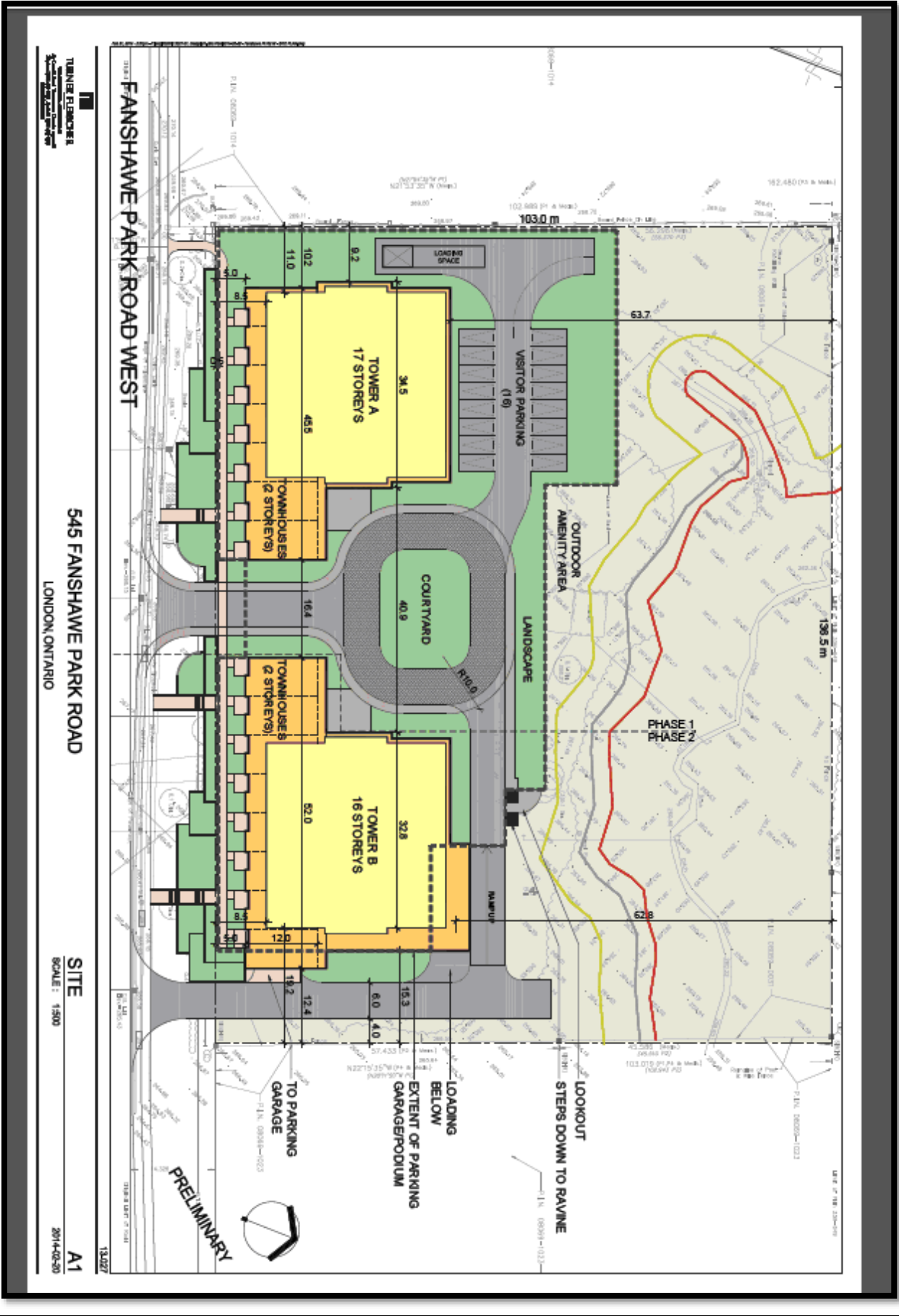
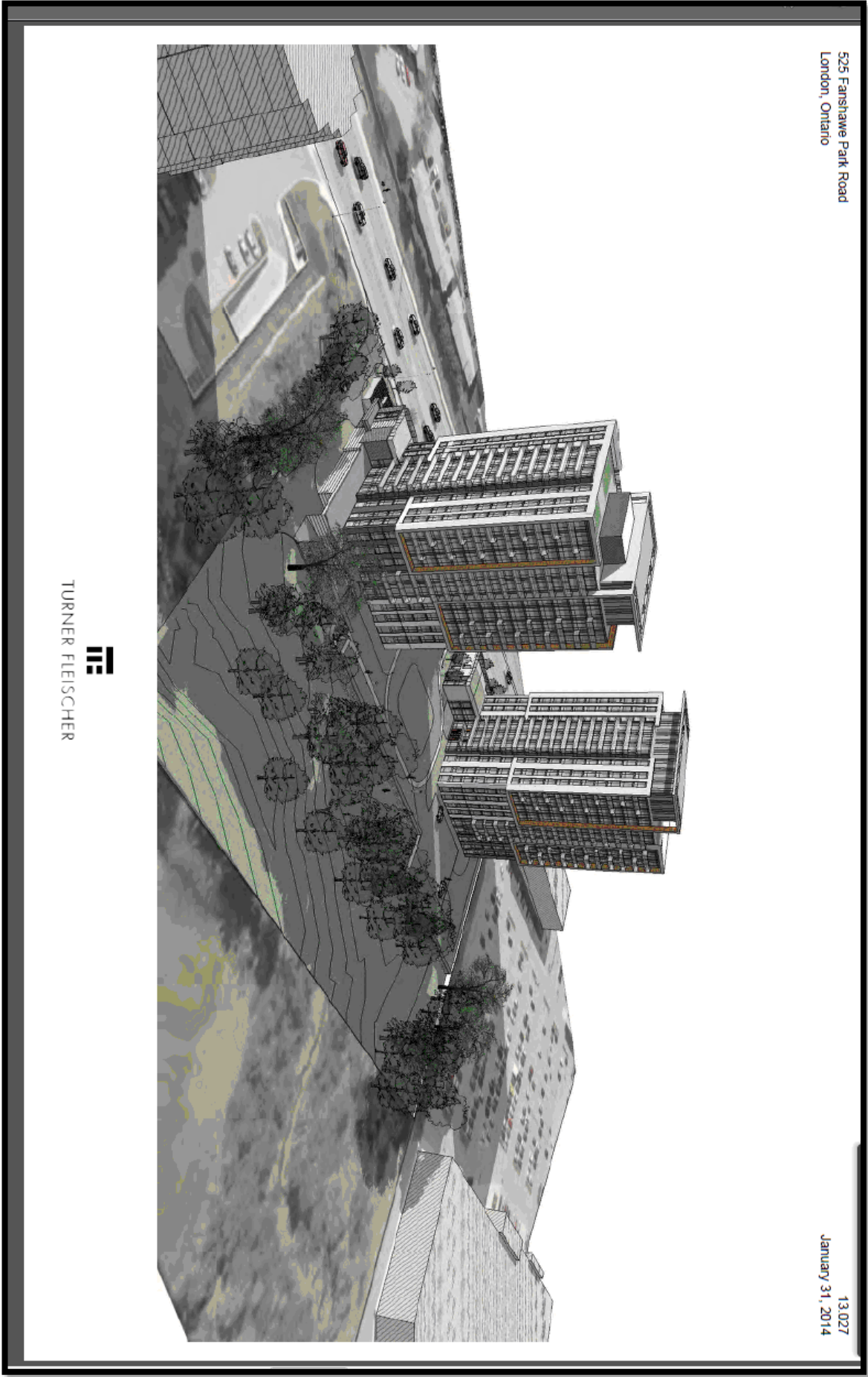


Figure 1b) – Rendering Attached to the March 25, 2014 PEC Report



Figure 1c) – Rendering Attached to the March 25, 2014 PEC Report



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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Zoning By-law amendment is to provide for the implementation of a revised development plan for the subject lands. The revised plan would provide for the development of 2 high-rise apartment buildings (with incorporated townhouse units), two levels of underground parking and surface parking (to accommodate for 324 vehicles) and an outdoor amenity area. The high-rise apartment building on the west half of the site is 17 storeys (64.9 metres) in height and contains 141 apartment units and 2 integrated townhouse units in the podium. The high-rise apartment building on the east half of the site is 16 storeys (61.5 metres) in height and contains 141 apartment units and 2 integrated townhouse units.

To provide for the revised development concept a Zoning By-law amendment to adopt a new Bonus “B-(*)” Zone for the subject site is required. The recommended Bonus “B-(*)” Zone identifies a maximum height of 65 metres and residential density of 281 units per hectare for the site. It should be noted an increase in the allowable height from 60 metres (under the existing Bonus “B-(27)” Zone) to 65 metres (under the recommended Bonus “B-(*)” Zone) is to provide for the installation of architectural elements atop the proposed residential towers and not for the purpose of creating additional habitable space. The Bonus “B-(*)” Zone also specifies the required setbacks, coverage and parking regulations to provide for the revised development concept.

The site plan and architectural drawings attached to the recommended Bonus “B-(*)” Zone serve to address those site plan, landscaping and building design considerations that have been identified through a concurrent Site Plan Approval application.

The Holding “h” (h-11, h-55, h-169 and h-170) Zones, previously adopted by Council in 2014, are carried forward in the recommended Holding Residential R9 Bonus (h-11•h-55•h-169•h-170•R9-7•B-(*)) Zone. The removal of these Holding “h” provisions would be dealt with through a future Zoning By-law amendment application process.

The Open Space (OS4) Zone, previously adopted by Council in 2014, is similarly being carried forward.

RATIONALE

- i) The recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the *Provincial Policy Statement*, 2014 which promote healthy, livable and safe communities;
- 2. The recommended Zoning By-law amendment is consistent, and will serve to implement, the Multi-Family High Density Residential policies of the Official Plan;
- 3. The subject lands are of a suitable size and shape to accommodate the development proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use, intensity and form of development;
- 4. The recommended Zoning By-law amendment is consistent with, and serves to implement the Bonus Zoning policies of the Official Plan;
- 5. The use of holding provisions in the recommended Zoning By-law amendment will continue to ensure that concern pertaining to access and Stormwater management are addressed as part of the Site Plan Approval process; and,
- 6. The recommended Zoning By-law amendment serves to retain the natural heritage area located in the north half of the property.

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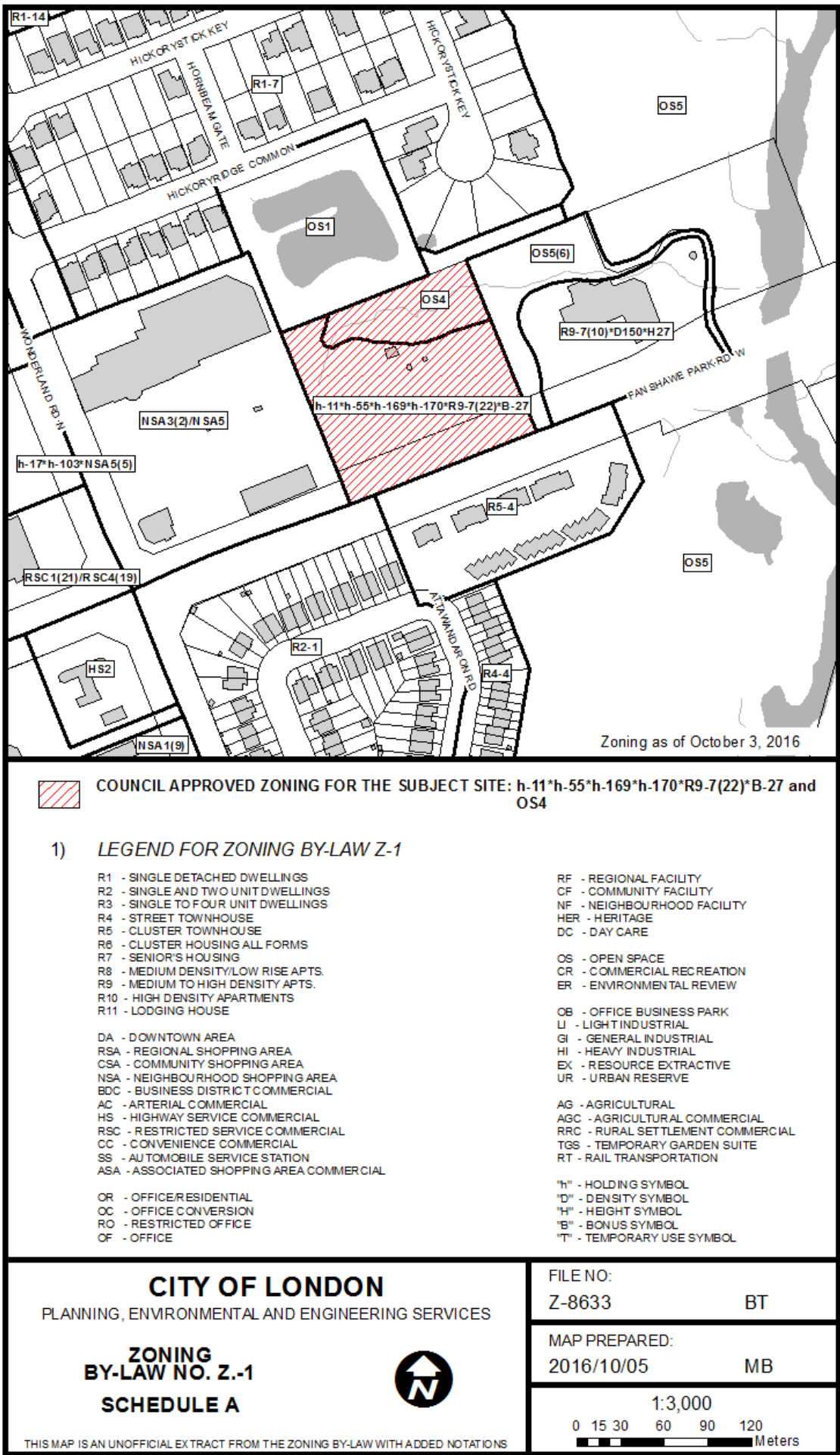
BACKGROUND

Date Application Accepted: July 11, 2016 2016.	Agent: MHBC Planning
REQUESTED ACTION: Possible change to Zoning By-law Z.-1 FROM a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-169•h-170•R9-7(22)•B-27) Zone and an Open Space (OS4) Zone TO a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-169•h-170•R9-7()•B-()) Zone and an Open Space (OS4) Zone. The applicant is requesting that the Residential R9 Special Provision (R9-7(22)) Zone be amended to permit: a minimum front yard setback of 0 metres; a minimum (east) interior side yard setback of 12 metres; a minimum (west) interior side yard setback of 9 metres; and, a minimum rear yard setback of 4 metres. The applicant is also requesting that the Residential R9 Special Provision Bonus (R9-7(22)•B-(27) Zone be amended to provide for a revised development concept that would permit: a maximum building height of 65 metres (it being noted that any additional height above 61 metres would be for the purpose of the installation of an architectural detail and not for additional habitable space); a maximum residential density of 281 units per hectare; a maximum of 286 dwelling units; a minimum front yard setback of 0 metres; a minimum (east) interior side yard setback of 12 metres; a minimum (west) interior side yard setback of 9 metres; a minimum rear yard setback of 4 metres; a minimum landscaped open space of 29.5%; a maximum lot coverage of 64%; and 324 vehicular (surface and subsurface) parking spaces plus an additional 68 tandem subsurface parking spaces in return for a specific development concept including such features as: two high-rise apartment buildings; townhouse units; a mix of surface and underground parking spaces; and, an outdoor amenity area. The applicant has not requested any changes to the existing Holding “(h-11, h-55, h-169 and h-170)” Zones or the Open Space (OS4) Zone.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none">• Current Land Use – former Sisters of St. Joseph’s retreat• Frontage – 136 metres (446 feet)• Depth – 103 metres (337 feet)• Area/Shape – 1.41 hectares (3.48 acres), regular

SURROUNDING LAND USES:
<ul style="list-style-type: none">• North - open space/ storm water management facility• South - arterial road• East - high density residential (AMICA residence)• West - a commercial shopping plaza

OFFICIAL PLAN DESIGNATION: Multi-Family High Density Residential (see map)
EXISTING ZONING: Holding Residential R9 Special Provision Bonus (h-11•h-55•h-169•h-170•R9-7(22)•B-(27)) Zone (see map)



PLANNING HISTORY AND A REVISED DEVELOPMENT PROPOSAL

History:

On April 1, 2014, Municipal Council adopted Official Plan and Zoning By-law amendments to provide for the site specific development proposal shown on Figures 1a), 1b) and 1c) to this report.

Following the approval of the Official Plan and Zoning By-law amendments, York Developments initiated the detailed design for the development. During the detailed design phase of the project, a series of technical assessments were carried out to evaluate the design relative to several “critical” matters including “...architectural design; structural engineering design; high-rise construction methods; market considerations; and, capital costs”.

As an outcome of these technical investigations, several revisions were made by York Developments to the preliminary design concept. These revisions included modifications to the building massing and architectural treatments, the internal driveway arrangement, the parking area configuration, and the layout of amenity areas and landscape features. These changes are further described in the Analysis Section to this report.

These revised architectural design and site plan revisions were included in a Site Plan Approval (SPA) application that was submitted to the City’s Development Services Division on May 17, 2015. Through the SPA process, City staff were advised that the development of the site would occur in two phases: Phase 1 was to include those works associated with the eastern tower; Phase 2 would include all additional works required to support development of the western tower. At the request of City staff, the SPA application was revised to include both phases and was resubmitted on June 17, 2015.

On July 22, 2015, City staff advised York Developments that the revisions made to the building form and site layout did not accurately reflect the design concept previously approved by Council on April 1, 2014 under the Bonus “B-(27)” Zone. City staff also advised York Developments that a Zoning By-law amendment would be required in order to implement a Bonus Zone reflective of the revised development proposal. City staff also requested that the revised development proposal be presented to the Urban Design Peer Review Panel on September 16, 2015.

A Revised Development Proposal:

On June 6, 2016 the City of London accepted a Zoning By-law amendment application from York Developments requesting a new Bonus “B-(*)” Zone that would serve to provide for the implementation of the revised development concept. The revised development proposal (further described in the Analysis Section to this report) incorporated the following principle elements:

- 2 residential towers, each containing 141 apartment units and 2 two-storey townhouse units equating to a total of 286 dwelling units (of which 126 are one bedroom units and 160 are two bedroom units) and a residential density of 281 units per hectare;
- The residential tower on the east half of the site would be 16 storeys, or 61.5 metres, in height and the residential tower on the west half of the site would be 17 storeys, or 64.9 metres, in height. The towers would include an architectural feature, or “sunshade” atop both buildings;
- Ground floor and rooftop amenity space as well as townhouse terraces;
- A multi-level subsurface parking garage. The parking garage would contain 301 parking spaces including 68 tandem parking spaces. An additional 26 surface parking spaces would be provided to the north of the proposed towers;
- A total of 240 secure bicycle parking spaces would be accommodated in the underground parking structure;

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- Enhanced building design and landscaping features, including plaza features at the main building and townhouse entrances and common outdoor patios along the street frontage;
- An outdoor amenity area adjacent to the existing open space area that incorporates arbors/pergolas, seating areas and a pedestrian trail; and,
- Two points of vehicular access to Fanshawe Park Road West.

The site plan and building elevations submitted in support of the requested Zoning By-law amendment are shown below on Figures 2a), 2b) and 2c) to this report.

In support of their requested Zoning By-law amendment, the applicant submitted: a geotechnical analysis assessing the proposed encroachment of the reconfigured underground parking structure into the open space setback buffer; an Addendum to a previous Environmental Impact Study providing environmental justification and mitigation to support the proposed encroachment; an updated Transportation Impact Assessment addressing the impacts of the additional 36 residential dwelling units on the site; and, a Servicing Assessment Study which considered the availability of municipal servicing infrastructure to accommodate the revised development proposal.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London Transportation comments – October 26, 2016:

“Transportation staff reviewed a Transportation Impact Assessment (TIA) study that was completed earlier in the process. The TIA was received with the zoning amendment in December 2013. The TIA initially showed both accesses to the site as full turning movements despite staff instructions to restrict the centre access to right-in/ right-out. As such, staff requested holding provisions for access and the completion of a revised TIA as per Transportation staff direction. Staff then received an updated TIA in Feb 2014 that showed a restricted centre access and a full access at the easterly end of the property. The TIA was conditionally approved because of concerns regarding the left out movement at the easterly access, and staff asked for sight line analysis.

On August 19, 2014, the applicant submitted a sight distance analysis for the easterly access as requested by Transportation staff. This supplement study to the TIA was accepted conditionally by Transportation staff. The review showed that there would not be any sightline distance issues if the easterly access functions as a full-turning movements. Staff accepted the findings. The following Transportation comments on the Site Plan were submitted on June 25, 2015:

- *Raised center median should be extended more than 25 m to just before the easterly full access. The 25m is the minimum as per the Access Management Guidelines, however due to the left turn lane; the raised median should be extended further (15-20m) to the full access;*
- *TMP for any work in the City ROW will be required;*
- *Access radii should be 9.0m for both accesses;*
- *Fire hydrant to be a minimum of 1.5m away from access;*
- *Boulevards and curb to be restored to the City standards; and,*
- *Sidewalk to be installed along Fanshawe Park Road in front of the property.*

On June 23, 2016, Transportations commented on the re-zoning application for the subject site:

- The Westerly access to Fanshawe Park Road is to be restricted to right in/ right out through the construction of a median to the City's Access Management Guidelines (AMG);

Figure 2a)

June 6, 2016 Site Plan submitted in support of Revised Development Proposal

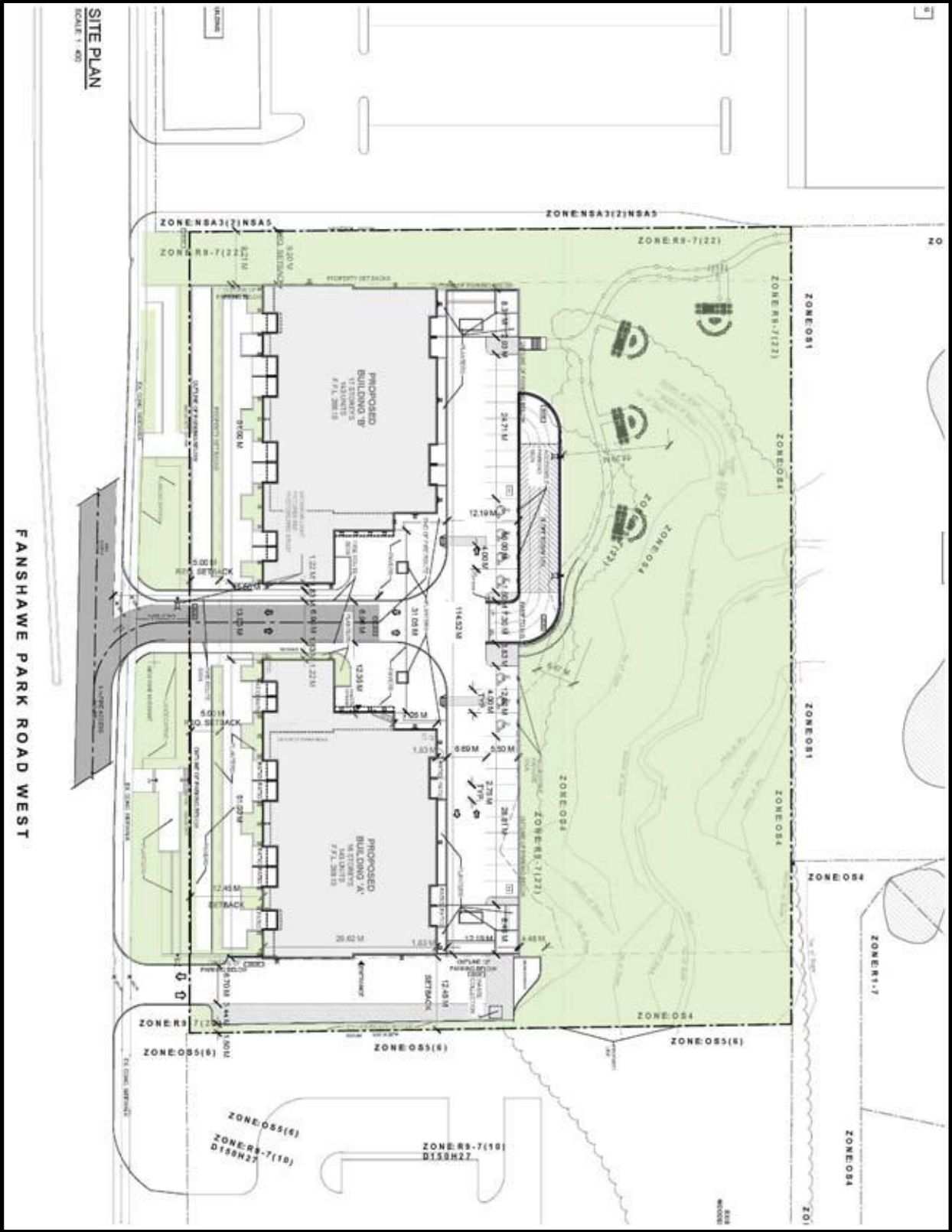


Figure 2b) – June 6, 2016 Rendering submitted in support of Revised Development Proposal



Figure 2c) – June 6, 2016 Rendering submitted in support of Revised Development Proposal



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- *The easterly access is permitted to be full turns provided a left turn lane is constructed on Fanshawe Park Road to the site access;*
- *The TIA update provided has been reviewed and accepted;*
- *Retaining walls, steps and other encroachments should be kept out of the Right-of-Way, if this is not possible an encroachment agreement will be required. Further comments regarding encroachments will be made during the site plan process. No structure of any sort such as retaining walls or stairs will be allowed within the ROW.*

Based on further discussion with Amica London the applicant confirmed that an assessment of the impact of the eastbound left turn movement to the subject development on the eastbound left turn movement to Amica site was included in the TIA. The review showed that there was minimal impact. The Amica development will not be affected by exiting left turns from the subject site given the distance separation. Occasionally, inbound left turn movements to the Amica driveway may be delayed in the left turn lane by 10-29 seconds if Amica patrons follow a left turn vehicle into the subject site. Based on the volumes, the probability of left turn movements into both sites occurring at the same time is calculated at 0.05% in the AM and 2% in the PM peak and less than that during the remaining hours of the day. These probabilities are very low indicating the impact will be minimal."

City of London WADE comments – July 8, 2016:

"The sewer available for the proposed development is the existing 300 mm sanitary sewer within an 8.0 m wide sanitary easement located west of the site. There is an existing 150 mm sanitary p.d.c. stubbed to sanitary manhole S3 as shown on accepted City drawing #18,743;

Proposed for the east half of the subject lands is a 16 storey high-rise apartment building containing 141 apartment units and 2 townhouse units. Proposed for the west half of the subject site is the same.

The existing dwelling's private on-site sanitary disposal system is to be properly abandoned as per the Ontario Building Code."

City of London SWM comments – July 8, 2016:

"The subject lands are located in the Medway Creek Subwatershed. The owner shall be required to comply with the SWM criteria and environmental targets identified in the Medway Creek Subwatershed Study 1995 and applicable updates, the Council accepted Sunningdale Storm Drainage and SWM Facility 7 Servicing Work Municipal Class EA study.

The owner's Professional Engineer shall prepare a servicing report to address minor, major flows, SWM measures (quantity, quality and erosion control), and identify outlet systems (major, minor) in accordance with City of London Design Specification and Requirement Manual including Permanent Private Stormwater Systems and any applicable MOECC requirements, all to the satisfaction of the City Engineer.

The owner agrees to provide all required adequate easements at no cost to the City, in relation to proposed Stormwater/drainage and SWM servicing works from this development into the Sunningdale 7 SWMF outlet system established on the northern part of this parcel, all to the satisfaction of the City Engineer.

According to drawings 21757 the design C value for the subject lands is 0.75. If this value is exceeded, the owner shall provide alternative on-site SWM which is designed and certified by a Professional Engineer for review and approval by the Environmental Services Department.

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The municipal Stormwater outlets for this development are the existing 825 mm diameter storm sewer on Fanshawe Park Road West.

Due to the nature of the land use the owner is required to have a consulting Professional Engineer design and install an Oil/Grit Separator to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.

The owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within this development application all to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and all to the satisfaction of the City Engineer.

The owner is required to provide a lot grading and drainage plan that includes, but is not limited to, minor, major storm/drainage flows that are mostly contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.

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

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

Development Services Site Plan Review Comments – September 8, 2016:

General Site Planning Comments:

- *"Remove all steps, terraced walls, raised planters, and covered parking landscape buffers from the road allowance of Fanshawe Park Road West;*
- *Waste collection areas should not be designed to require three point turns or hammerhead;*
- *Provide a landscape buffer along the east side of the covered parking area near Fanshawe Park Road West to screen the exposed wall;*
- *Provide walkways along the north building facade to provide access to the amenity areas abutting the surface parking and ensure all parking areas and parking aisles are a minimum 3 from the building. Provide a minimum 3 m separation between parking areas and common amenity areas. Consider amalgamating the two small amenity spaces into one large amenity space;*
- *Expand the north western patio area to include access to the proposed stairway to the amenity areas near the OS4 boundaries;*
- *Provide details of all external lighting fixtures on the site plan as well as a photometric plan demonstrating no impact on abutting lands. Remove the proposed light standards from Fanshawe Park Road West along the central driveway;*
- *Relocate snow storage area no further north than the proposed covered parking;*

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General Landscape Plan Comments:

- *Use of native plants adjacent to natural areas is required. Provide a naturalization plan for the lands abutting the OS4 zone including a mix of shrubs, trees, grasses and perennials;*
- *Provide a tree preservation report and plan inventorying all trees on site and within 3 m for the proposed development zone. Show the location of all tree preservation fencing on the landscape plans and site grading plans;*
- *Only plantings at grade supported in the road allowance. Owner will be required to maintain all plant materials within Fanshawe Park Road W. Built features like structures, stairs, and raised planters are not supported;*
- *Provide robust silt fencing along the OS4 zone boundary (or further south as much as possible) and include a detail on the site grading plans;*
- *Provide a written response from the author of the EIS (or qualified equivalent) advising how the recommendations from the EIS have been implemented with the proposed plans;*
- *Provide details for the proposed ‘green roof’; and,*
- *Provide a detail for the proposed pathway.*

Building Design:

- *If the notion of a podium is used for “bonusing”, the design should reflect the towers on top of a podium, in particular on the E and W facades that currently do not have a setback between the lower levels (two storey podium) and towers;*
- *Further articulation is requested on the East and West facades of the tower, elements such as balconies or changes in massing could achieve this; and,*
- *Include a higher proportion of transparent glazing on the south, west and east facades. The inclusion of sections window walls, particularly in “Grey Box” sections would help lighten the appearance of the towers, as mentioned by the UDPRP...”.*

The Urban Design Peer Review Panel comments – September 16, 2015:

“The Panel is supportive of the proposed application in general as it was with the previous iteration reviewed December 2013; however, the proposed architecture of the building above the townhouses in the 2013 scheme was preferable to that of the current application.

The existing topography is used to good effect by creating a parking structure the top of which is at grade at the west side of the site but out of the ground at the east end of the site. That allows for daylight in the parking structure from the east and north and access to the east lower level at grade. The front of the parking structure is hidden effectively by terraced planting between the public side walk and parking structure. That would also be a desirable condition on the east end of the structure as suggested in the perspective image but not the site plan.

Two residential towers rise above the parking structure podium. A site plan showing only a portion of the Amica building to the east was provided so the relationship of the proposed and existing buildings to the street could not be compared adequately. The proposed buildings should relate logically to the Amica building in terms of setback from the street while also considering the potential impact of shadowing.

From the south, the design of the buildings is suggestive of a two-storey podium with the towers rising above. The north elevation of both towers and the east and west elevations of the east and west buildings respectively reveals that not to be the case. The effect of a two-storey podium with

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associated townhouse units at grade is achieved through massing and material use. In fact, there are only four townhouse units with the remainder of the first and second floor being one level apartments. The previous housing scheme was preferable because of the ground-oriented, two-storey townhouses in combination with apartments above. That combination rationalized the massing and material separation at the third floor; a design detail that is less important and justifiable with the current design given the proposed unit types and organization.

The proposed apartment blocks will be dominant on the street because of their scale relative to the site, their orientation, the sheer quality of the east and west elevations and the use of materials. Lightening of the building through the extent and rhythm of windows and glazing, balconies and cladding is recommended as with the previous scheme.

Having the main entrance to the apartment blocks related to the street rather than their proposed location away from the street would improve the project considerably. As it is the proposed entrance area is hidden from the street. Access is by way of a driveway essentially. Pedestrians are ill-considered and in some areas in danger from vehicle use. Eliminating a few units to create building entrances oriented to and visible from the street and of a scale and prominence more in keeping with that of the buildings is merited. Such entrances would also better animate the proposed promenade. Though intended for residents, the promenade is disconnected from both the city public space and the major amenity space north of the building.

The project amenity space needs to be considered holistically. It is suggested that the north and south sides of the site be connected to facilitate passive recreational use. It appears that is possible on the west side of the building. As well, the connections of the terraced areas to the public sidewalk could be increased and improved to account for the way residents would want to move to the commercial facilities to the west.

The width of the green space between the buildings and the drive aisle and parking on the north side of the buildings is inadequate. The area has been designed for vehicles. It is a critical visual space for building residents. Screening the area from ground floor view is critical. The view from above could also be improved by covering the vehicle area with a green roof.

The area beyond the parking structure is unresolved. It is a critical amenity space for building residents and should be designed as such. Ensure universal accessibility to the area. The view from the north amenity space back toward the building and what will be the exposed parking structure should be accounted for in both the design of the amenity space and the parking structure.

The materiality of the buildings is a concern. The proposed treatment of the first two floors is richer in detail in general than the rest of the building from the third floor up. This condition is evident especially in the east and west elevations because of the sheer wall quality.

This UDPRP review is based on City planning and urban design policy, the submitted brief and noted presentation. It is intended to inform the ongoing planning and design process. The current proposal in and of itself could be improved substantially in the quality of both the building and landscape architectural detail. The relationship of the building entrances to the street and their spatial quality is inadequate. Because the comparison of the current and previous proposals was presented, we cannot ignore the suggested higher architectural quality of the first scheme; in particular, the smaller tower footprints, the more complex expression of materiality, the general building configuration and associated detail – the roof top and fenestration, for example. We encourage the proponent to emulate those architectural qualities in their next iteration while also attending to the points expressed above.”

The Upper Thames River Conservation Authority (UTRCA) comments – August 17, 2016:

“The UTRCA has no objections to this application.”

London Hydro comments – July 5, 2016:

“London Hydro has no objection to this proposal or zoning by-law amendment.”

PUBLIC LIAISON:	On November June 15, 2016, Notice of Application was sent to 85 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 16, 2016. A “Possible Land Use Change” sign was also posted on the site.	4 replies were received (see Attachments 1, 2, 3 and 4 to this report.
<p>Nature of Liaison:</p> <p>The purpose and effect of this amendment is to provide for the development of two high-rise apartment buildings, townhouse units, a mix of surface and underground parking spaces, and an outdoor amenity area. The high-rise apartment building proposed on the east half of the site is 16 storeys in height and contains 141 apartment units and two townhouse units. The high-rise apartment building on the west half of the site is 17 storeys in height and contains 141 apartment units and 2 townhouse units.</p> <p>Notice of a possible change to Zoning By-law Z.-1 FROM a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-169•h-170•R9-7(22)•B-27) Zone and an Open Space (OS4) Zone TO a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-169•h-170•R9-7()•B-()) Zone and an Open Space (OS4) Zone. The applicant is requesting that the Residential R9 Special Provision (R9-7(22)) Zone be amended to permit: a minimum front yard setback of 0 metres; a minimum (east) interior side yard setback of 12 metres; a minimum (west) interior side yard setback of 9 metres; and, a minimum rear yard setback of 4 metres. The applicant is also requesting that the Residential R9 Special Provision Bonus (R9-7(22)•B-(27) Zone be amended to provide for a revised development concept that would permit: a maximum building height of 65 metres (it being noted that any additional height above 61 metres would be for the purpose of the installation of an architectural detail and not for additional habitable space); a maximum residential density of 281 units per hectare; a maximum of 286 dwelling units; a minimum front yard setback of 0 metres; a minimum (east) interior side yard setback of 12 metres; a minimum (west) interior side yard setback of 9 metres; a minimum rear yard setback of 4 metres; a minimum landscaped open space of 29.5%; a maximum lot coverage of 64%; and 324 vehicular (surface and subsurface) parking spaces plus an additional 68 tandem subsurface parking spaces in return for a specific development concept including such features as: two high-rise apartment buildings; townhouse units; a mix of surface and underground parking spaces; and, an outdoor amenity area. The applicant has not requested any changes to the existing Holding “(h-11, h-55, h-169 and h-170)” Zones or the Open Space (OS4) Zone. The City of London may also consider a change in the Z.-1 Zoning By-law FROM a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-169•h-170•R9-7(22)•B-(27)) Zone and an Open Space (OS4) Zone TO a Holding Residential R9 Bonus (h-11•h-55•h-169•h-170•R9-7•B-()) Zone and an Open Space (OS4) Zone. The purpose and effect of the considered Zoning By-law amendment would be to consolidate the requested Special Provisions of the Residential R9 Special Provision (R9-7(22)) Zone (noted above) and the requested regulations of the amended Bonus “B-(27)” Zone (noted above) into a new comprehensive Bonus “B-(*)” Zone to provide for the revised development concept. No changes to the existing Holding “(h-11, h-55, h-169 and h-170)” Zones or the Open Space (OS4) Zone would be considered. The City may also consider the application of a Height “(H)” provision to the base Residential R9-7(22) Zone. A height of 65 metres has been requested in the amended Bonus “(B-(27))” Zone noted above.</p>		

Responses: see Attachments 1, 2, 3 and 4 to this report. A staff response to those concerns is provided in the Analysis Section to this report.

ANALYSIS

The Subject Site:

The subject Site is located on the north side of Fanshawe Park Road West, approximately 200 meters east of Wonderland Road. The property is within the Sunningdale Planning Area and is approximately 1.4 hectares (3.47 ac) and includes approximately 136 meters of frontage along Fanshawe Park Road West. The property was previously utilized by the Sisters of St. Joseph as a retreat centre. Several vacant buildings associated with that activity have been demolished and the site is presently vacant.

A natural area incorporating a drainage channel is located within the northeastern quadrant of the property. Site topography gradually slopes downhill from southwest to northeast towards the stream channel. There are steeper, vegetated slopes found in the northeastern limits of the property, in close proximity to the channel. A portion of the Site is also within the Regulation Limit of the Upper Thames River Conservation Authority (UTRCA).

The development site forms part of an established, mixed use development area located in the immediate vicinity of the Fanshawe Park Road West/Wonderland Road North intersection. This area integrates low, medium and high density residential forms, an extensive commercial area, office park development and an open space system associated with the Medway Valley Heritage Forest Environmentally Significant Area (ESA). The site is fully serviced with municipal works.

The subject site is accessed via Fanshawe Park Road West. Fanshawe Park Road West is identified as an Arterial Road on Schedule C – Transportation to the City of London Official Plan. Between Wonderland Road North to the west, and Pinnacle Parkway to the east, Fanshawe Park Road experiences 33,000 vehicle trips per day.

It is anticipated that Fanshawe Park Road (and Wonderland Road North) will be widened to 6 lanes within the next 20 years as recommended in the Council approved Transportation Master Plan. Duel southbound left turn lanes were constructed at the intersection of Fanshawe Park Road West and Wonderland Road North to accommodate existing and future traffic volumes along these corridors. Additional improvements included a raised centre island for safety and operation of the duel left turn lanes. The raised centre island extends in an easterly direction across half of the frontage of the subject site.

Fanshawe Park Road West is on a major east/west transit route. Bus shelters may be found within 100 metres to the east and west of the subject site. The site is fully serviced by on-road and in-boulevard bicycle infrastructure along Fanshawe Park Road West (see Figure 3a)). Figure 3b) shows the east and west access points of the revised development proposal relative to the existing access to the AMICA site to the east. Figure 3b) also makes note of the City of London Transportation comments of June 23, 2016 noted above.

In support of their revised development proposal, the applicant has submitted an updated Urban Design Brief, an Updated Planning Justification Report, a Geotechnical Study; an Addendum to the original Environmental Impact Study (EIS), and an updated Traffic Impact Study.

Figure 3a) - Existing Transportation Infrastructure: the larger area

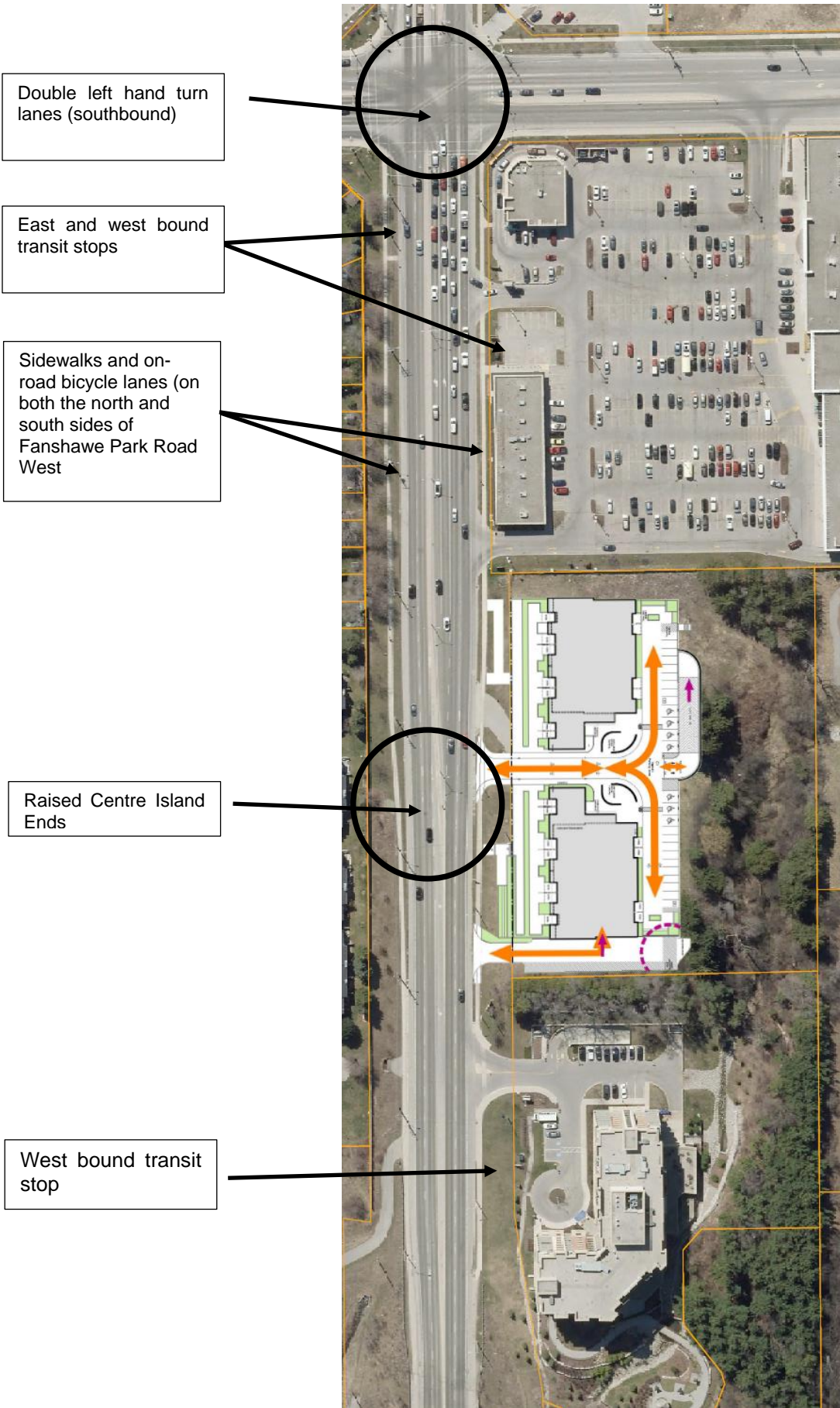
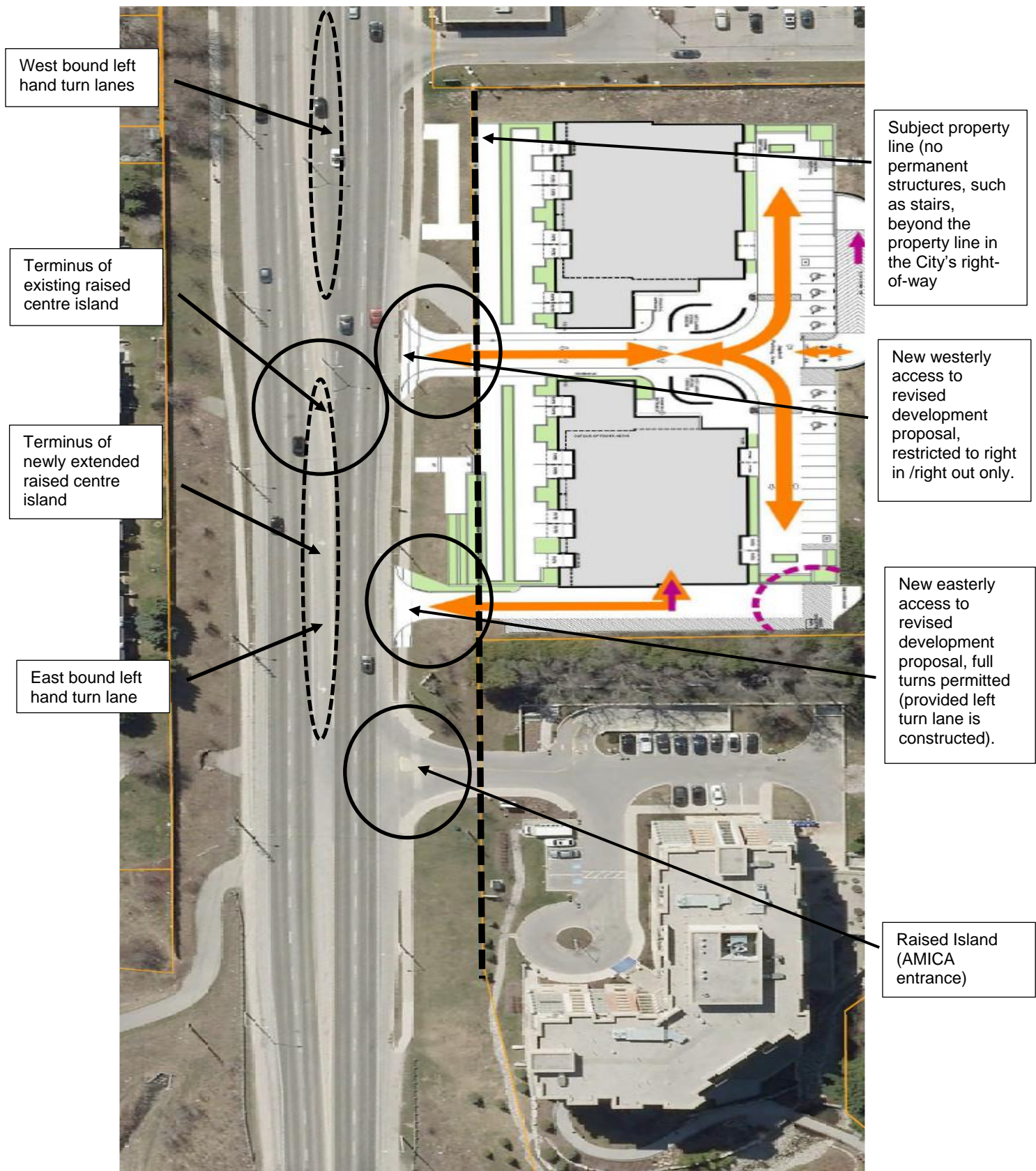


Figure 3b) - The Revised Development Proposal noting C of L Transportation Comments



A Summary of the Key Development Standards and Design Changes:

As noted in the History Section to this report, City staff advised York Developments that the revisions made to the building form and site layout as part of their initial submission for site plan

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approval did not accurately reflect the design concept previously approved by Council on April 1, 2014 under the Bonus “B-(27)” Zone. City staff also advised York Developments that a Zoning By-law amendment would be required in order to implement a Bonus Zone reflective of the revised development proposal.

On June 6, 2016 the City of London accepted a Zoning By-law amendment application from York Developments requesting a new Bonus “B-(*)” Zone that would serve to provide for the implementation of the revised development concept.

In their Planning Justification Report, the applicant identified the following “*key refinements*” that have been incorporated into the revised development concept (Figures 2a), 2b) and 2c):

- *“...The parking garage design and access ramp were reconfigured to improve efficiency and functionality. Through this redesign it was determined that one level of underground parking could be removed without a reduction in the required parking stalls or bicycle spaces. The revised parking arrangement also allows for a modest increase in the total amenity space available in the northwest quadrant of the site;*
- *The tower podiums were setback approximately 12.5 metres from the centre front lot line whereas the preliminary design concept proposed a 5 metre setback. This increased setback allows for enhanced outdoor amenity space along the street edge and improved articulation between the street and the podium (via a semi-private terraced area). Additionally, the increased setback would maintain an adequate buffer between the residential units and Fanshawe Park Road West following the planned future road widening to six lanes;*
- *The tower and podium footprints were allowed for a marginal increase in unit size, while maintaining the compact tower form to minimize the shadow effects. In effect the proposed tower floor plates changed from 950 square metres to 1,088 square metres; equating to a 14.5 % increase. However, the total podium footprint for each for each tower decreases from approximately 1,553 square metres to 1,259 square metres; equating to a 19% reduction;*
- *The number of townhouse units proposed along the street frontages was reduced to four (two per tower). Notwithstanding, the revised design maintains a prominent podium element across the entire length of the buildings fronting Fanshawe Park Road West. The podium components are differentiated from middle building elements by materials, window treatments, building setbacks and articulations; and,*
- *Following a detailed evaluation of the building design, site topography and lot grading, it was determined that portions of the parking structure along the easterly property line would be above-grade. For the purposes of conformity with the Zoning By-law, building setbacks need to be measured from exposed areas of the parking garage rather than the tower podium. Accordingly, the requested front yard setback was reduced to 0 metres and the requested rear yard setback to the Open Space (OS4) Zone boundary decreased from 9.5 metres to 4.5 metres.”*

In their Urban Design Brief, the applicant identified the design changes that have been incorporated into the revised development concept as a result of comments received from the Urban Design Peer Review Panel in September of 2016. These design changes may be summarized as follows:

- *The current design incorporates a terraced front yard that serves as transition towards the podium and better articulates its relation with the sidewalk (see Figures 4 and 5);*

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Figure 4 – Private/Public Walkway



Figure 5 – Terracing from Street



- *The proposed site plan has a row of parking located along the northern frontage interfacing with the natural area. Outdoor amenity areas are also now provided at the eastern and western limits of the surface parking area and adjacent to the main drive aisle increases the rear landscaped area which is a positive improvement to the plan (see Figure 6);*
- *The revised (proposed) design is in keeping with the original concept and exceeds the architectural articulation noted with townhomes; (see Figure 4);*

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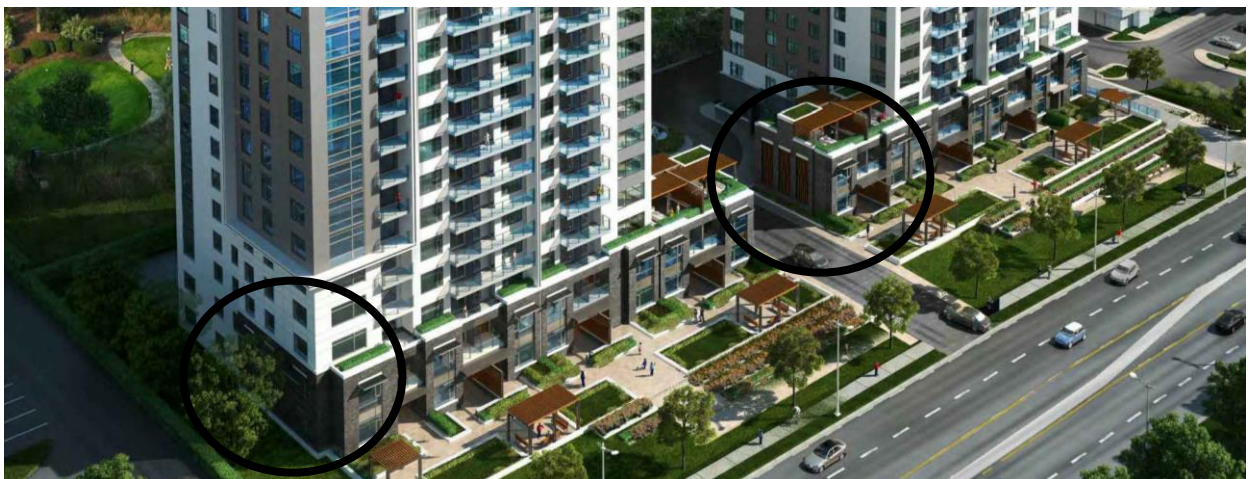
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Figure 6 – North Entrance Amenities and Additional Green Spaces



- *The revised design provides for a strengthened two level podium that is spanning not only the entire base but extends from both towers (east and west respectively) to re-enforce the main entrance access to the residential development. At both ends of the respective buildings, the podium element now wraps around the building via the use of the differentiating brick material used as a textural and defining element (see Figure 7);*

Figure 7 – The Podium now “Wrapping” the Buildings



- *The revised design maintains a strong rhythm to the base with bay window elements that have now been further extended and the recessed or balcony areas that provide for shade and articulation of the podium in the sense of massing.*
- *The updated design increases the floor plate area yet it remains within the allowable occupation percentage. This allows a more efficient floor plate that contributes to the financial success of the project and to the ability to offer a more articulated architectural design for the development;*
- *The refined design has a consistent approach offering a variety of windows sizes as the previous submission. This mix includes punched windows, floor to ceiling patio doors, swing*

door to access balconies as well as larger window surfaces with spandrel glass and a mix of clear and tinted glazing;

- The protruding balconies in tinted glass fronting recesses into the building façade provide shadowing into and across the building surface that together divides the massing into three elements giving sculptural form to the south facing façade.*
- The revised design maintains the spirit of the original submission by breaking the overall massing into three or more distinctive components through the manipulation of solids and voids;*
- Changes have been made to the top of the buildings. The revised design includes a strong box framed feature element on the building corners that is designed as an amenity for the users of the building rather than featuring a non-accessible mechanical penthouse and the rooftop level to be accentuated with LED lighting for nightly impact (see Figure 8).*

Figure 8 – The “Top” of the Buildings, Additional Amenity Space and Architectural Detailing (“The Sail”)



Revised Development Proposal and the Requested Amendments to the Residential R9 (R9-7) Zone:

The specific facilities, services, and matters which served to implement the existing Bonus “B-(27)” Zone have been described above in the “Previous Reports Pertinent to This Matter” Section of this report. It is important to note that the requested Bonus “B-(*)” Zone is a new zone to implement a revised development proposal. Table 1 identifies those services, facilities, matters and regulations that the applicant has requested to implement the revised development proposal. Table 1 also identifies the regulations of the existing Residential R9 (R9-7) base Zone to which the requested new Bonus “B-(*)” Zone would be tied. It is important to note that a direct comparison between the existing Bonus “B-(27)” Zone and the requested new Bonus “B-(*)” Zone would be inappropriate given the City’s stated position to the developer that a Zoning By-law amendment would be required in order to implement the revised proposal (see Planning History Section to this report). The planning merits of the revised development proposal (and the requested Bonus “B-(*)” Zone) must be considered within the policy framework of the *Provincial Policy Statement* and the *City of London Official Plan*.

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Table 1 - The Regulations of the Existing Residential R9 (R9-7) base Zone, and the Identified Services, Facilities, Matters and Regulations of the Requested Bonus (B-(*)) Zone:

Existing Residential R9 (R9-7) Zone	Requested Bonus “B-(*)) Zone
	<p>Summary of Identified Services, Facilities and Matters in the Bonus “B-(*))” Zone:</p> <ul style="list-style-type: none">• Two point tower forms are proposed which are framed by prominent podium elements and two storey townhouse units framing the central drive and entrance plazas;• Towers are positioned in close proximity to the corridor with podiums designed to support an active street edge;• The varying architectural elements employed in the towers;• A parking arrangement including surface and subsurface parking opportunities;• A large outdoor amenity area including arbors/pergolas and seating areas along the pedestrian trail;• Plaza features proposed at the tower and townhouse entrances integrating “hardscaping” and “softscaping” elements as well as seating areas to promote attractive, active common areas;• Outdoor patios are proposed along the street frontage and adjacent to the visitor parking areas; and,• Private amenity space for ground floor units and the rooftop area. Terraces are also proposed for the townhouse units to enhance privacy.
Existing Residential R9 (R9-7) base Zone Regulations	Requested Regulations to Implement the Bonus “B-(*))” Zone
<ul style="list-style-type: none">• Minimum front yard setback (14 metres – based on zone formula)	0 metres front yard setback;
<ul style="list-style-type: none">• Minimum rear yard setback (7 metres – based on zone formula);	4 metres;
<ul style="list-style-type: none">• Minimum interior side yard setback 26 metres - based on zone formula.	Minimum interior side yard setback (east) of 12.4 metres and minimum interior side yard setback (west) of 9.2 metres;
<ul style="list-style-type: none">• Minimum landscaped open space of 30%;	29.55%;
<ul style="list-style-type: none">• Maximum 30% coverage	63%;
<ul style="list-style-type: none">• Height – See Zone Map	65 metres “sail” or proposed architectural fin;
<ul style="list-style-type: none">• Maximum density of 150 units per hectare; and,	281 units per hectare;
<ul style="list-style-type: none">• 358 vehicular parking spaces.	327 vehicular spaces are provided plus an additional 68 tandem parking spaces. Tandem spaces are not considered parking spaces in the Z.-1 Zoning by-law.

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The Revised Development Proposal and the *Provincial Policy Statement*, 2014:

The *Provincial Policy Statement*, 2014 (PPS) provides policy direction on matters of provincial interest related to land use planning. The PPS is intended to be considered in its entirety and the relevant policies are to be applied in each situation.

Section 1.1.1 of the PPS, states that efficient and resilient development and land use patterns are sustained by:

- i) *“promoting efficient development and land use patterns which sustain the financial well-being of municipalities over the long term”:*
 - the revised development proposal would serve to provide for an increase in allowable density on a site that is currently vacant and readily serviced with municipal sewer and water works.
- ii) *“accommodating an appropriate range and mix of residential, recreation, park and open space uses to meet long term needs.”*
 - The revised development proposal would serve to provide for a mix of medium and high density residential housing forms in an area that has been planned for high density residential uses. Recreational and open space uses are to be maintained through the maintenance of the Open Space (OS4) Zone; and,
 - The revised development proposal would serve to implement a development form that is consistent with the planned function of the site. The subject lands are planned for high density residential development, are in close proximity to established commercial and office uses, are situated near the intersection of two arterial roads, and front an arterial corridor.
- iii) *“promoting cost-effective development standards to minimize land consumption and servicing costs”;*
 - The revised development proposal would serve to provide for use, intensity and form of development that is consistent with the planned function of the site.
- iv) *“ensuring the necessary infrastructure ...[is] or will be will be available to meet current and projected needs”;*
 - The revised development proposal serve to provide for a form of development that is consistent with the planned function of the lands in an area that is fully serviced with municipal sewer and water works. In addition, servicing studies have been completed for the subject lands to ensure that the development proceeds in a cost-effective manner;
- v) *“promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate”;*
 - The revised development proposal incorporates green roof technologies. The revised development proposal would also provide for a high density development form that, given its location on a major transportation corridor (that incorporates transit routes, sidewalks, and bicycle lanes) is supportive of alternative forms of transportation. The revised development proposal also serves to maintain the Open Space (OS4) Zone which is typically applied to steep slopes. An Addendum to the 2013 Environmental Impact Study addresses the requested encroachments into the 10 metre buffer and concludes that the proposed development will have no significant impact on the existing slopes.

Section 1.1.2 of the PPS states that *“sufficient land shall be made available through intensification*

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and redevelopment.... to accommodate an appropriate range and mix of land uses to meet projected needs."

- The revised development proposal would serve to provide for the intensification of a vacant, residentially designated lot within the Urban Growth Boundary. The proposal will support a mixture of medium and high density residential units which will help the City of London meet projected housing needs.

Section 1.4.3 of the PPS states that *"Planning Authorities shall provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market by...directing the development of new housing forms towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs."* Section 1.4.3 of the PPS further states that Planning Authorities shall *..."**promote densities for new housing which efficiently use land, resources and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed"*.

- The revised development proposal would provide for "higher density residential forms". As noted in the applicants Planning Justification Report, *"...these higher density residential forms: are compatible with the local development context, enhance the range and mix of housing types available in the local community; and, support a compact form of development. Servicing studies have been completed for the subject lands which indicate that municipal infrastructure is available to meet projected needs...The project represents an intensive residential use that will utilize existing land and servicing resources in an efficient manner, promote active transportation and support transit services."*

Section 1.6.7 of the PPS states that *"Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs"*.

- The original Transportation Impact Study prepared by Paradigm Transportation Solutions concluded that the existing road network could accommodate the original development proposal. Paradigm completed an update to the Traffic Impact Study carried out in support of the original design concept in 2014. The update concluded that *"the additional 36 units proposed for the site were to have no noticeable impacts above and beyond the findings of the original TIS. Further it was recommended that the remedial measures defined in the previous TIS report be applied to accommodate the revised development. It also concluded that the impacts of the east driveway will not have a significant impact on the AMICA site driveway"*.

The revised development proposal has been found to be consistent with Sections 1.1.1, 1.1.2, 1.4.3 and 1.6.7 of the *Provincial Policy Statement*, 2014.

The Revised Development Proposal and the City of London Official Plan:

The City of London Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the community. These policies promote orderly urban growth and compatibility among land uses. The following objectives and policies have served to assist in the review of revised development proposal and the implementing Zoning By-law amendment:

Section 3.1.1 General Objectives for all Residential Designations:

Section 3.1.1 of the Official Plan details Council's General Objectives for Residential Land Use Designations. In part, Section 3.1.1 states that the Official Plan:

- *"Support the provision of a choice of dwelling types according to location, size, affordability;*

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tenure, design and accessibility so that a broad range of housing requirements are satisfied”;

The development proposal contemplates a total of 286 residential units within two high-rise towers that incorporate townhouse units in the base of the buildings. In combination these housing options will provide a variety of choice in relation to dwelling type, location, design and accessibility.

- *“Direct the expansion of residential development into appropriate areas according to availability of municipal services, soil conditions, topographic features, environmental constraints an in a form which can be integrated with established land use patterns” and “encourage infill residential development in residential areas where existing land uses are not adversely affected and where development can efficiently utilize existing municipal services and facilities”;*
- In support of their requested Zoning By-law amendment the applicant has submitted a number of Background Studies including a Geotechnical Assessment, an Addendum to an Environmental Impact Study; an Updated Transportation Impact Study and Servicing Studies. The Studies have concluded that the proposed development can be integrated into the site without negatively impacting topographic features. These studies also concluded that the proposed development will not have a significant impact on the AMICA site driveway to the east. These studies also concluded that adequate municipal servicing infrastructure is available to accommodate the revised development proposal.
- *“Minimize the potential for land use compatibility problems which may result from an inappropriate mix of low, medium and high density housing; higher intensity residential uses with other residential housing; or residential and non-residential uses”;*

The proposed site plan has been designed in a comprehensive manner and with consideration for the land uses that surround it. The medium density housing forms proposed along the arterial frontage will promote a pedestrian scale along Fanshawe Park Road West and will serve as a transition between the proposed towers and surrounding land uses. Low density residential uses north of the site and high density residential uses to the east will also be buffered from on-site development by the existing vegetation, new plantings, and the retained open space lands.

- *“Support the provision of services and amenities that enhance the quality of the residential environment”;*

The revised development proposal provides for various on-site elements that collectively serve to enhance the quality of the residential environment. These on-site elements, which include an outdoor amenity area, pathways, seating areas, and landscaping, have been summarized under the Key Development Standards and Design Changes Section to this report (pg. 24 above) and itemized on Table 1 on page 30.

- *“Promote residential development that makes efficient use of land and resources”.*

The revised development proposal will provide for the development of a vacant fully serviceable lot for high density residential uses.

The revised development proposal is viewed as being consistent with the policies of Section 3.1.1 of the Official Plan.

Section 3.1.4 Multi-Family High Density Residential Objectives:

Section 3.1.4 of the Official Plan details Council’s Multi-Family High Density Residential Objectives. In part, Section 3.1.4 states that the Official Plan:

- *“Support the development of multi-family, high density residential uses at locations which*

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enhance the character and amenity of a residential area and where arterial streets, public transit, shopping facilities, public open space, and recreational opportunities are easily accessible; and where there are adequate municipal services to accommodate the development”; and,

- *“Provide opportunities for the development of multi-family high density residential buildings at locations adjacent to major public open space areas where compatibility with adjacent land uses can be achieved.”*

The revised development proposal provides for an alternative housing choice to the low and medium density types of housing within the area. The proposal would serve to provide for a high density residential use along an arterial road frontage. Consistent with the locational criteria for high density forms of development, the subject site: is serviced by public transit; incorporates on-site recreational amenities, and is in close proximity to major public open space and shopping opportunities. The revised development proposal also provides for a form of development that has been designed in a manner that takes into consideration existing land uses in the area. The development proposal will also contribute to the efficient use of existing municipal services.

- *“Promote, in the design of multi-family high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, on in close proximity to, the site.”*

As noted above, the revised development proposal has been prepared taking into consideration the land uses that surround it. The revised development proposal is also supported by the findings of an Addendum to the original Environmental Impact Study.

The revised development proposal is viewed as being consistent the policies of Section 3.1.4 of the Official Plan.

Section 3.4.1 Permitted Use and Residential Intensification:

The subject lands are designated Multi-Family High Density Residential in the City of London Official Plan. Section 3.4.1 of the Official Plan states that the primary permitted uses in the Multi-Family High Density Residential designation shall include low-rise and high-rise apartment buildings.

The revised development proposal would provide for a use that is contemplated under Section 3.4.1 of the Official Plan.

The Permitted Use polices of Section 3.4.1 of the Official Plan further note that within the Multi-Family High Density Residential designation residential intensification is a permitted use. Residential intensification, for the purpose of the present discussion, is defined as the development of a vacant and/or underutilized lot within a developed area.

The residential intensification policies of the Official Plan (Section 3.2.3.5) require that, in the consideration of a residential intensification development, the proposed development will be evaluated to ensure: sensitivity to existing private amenity spaces as they pertain to the location of proposed building entrances, garbage receptacles and parking areas; and, the use of fencing; landscaping and planting buffers to mitigate impacts of the proposed development on existing properties. The policies further direct the consideration of a number of key urban design principles to ensure that the proposed project is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood based on a review of the built form, massing, and architectural treatments.

In addressing the character of the existing neighbourhood and the compatibility of the revised development proposal the applicant’s Planning Justification Report and Urban Design Brief conclude:

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- *“The property is well suited in terms of its physical size, its location adjacent to an arterial road, and its proximity to an established commercial node, existing high density residential development, office park development and open space system.”;*
- *The proposal represents an appropriate intensification of the development pattern evident in the immediate area. Additionally, the revised design promotes a compact form and incorporates enhanced urban design program.”;*
- *The intended building form and site layout are compatible with the existing development context and should not generate significant land use conflicts with adjacent properties. Moreover, the associated landscaping plan serves to integrate the new development with the surrounding environment and create an engaging experience for pedestrians at street level.”*
- *Impacts on road infrastructure are acceptable, as confirmed by the Traffic Impact Study update, and safe and efficient access can be provided to the proposed development with the implementation of the recommended improvements.’; and,*
- *“The proposed development is appropriate for this location and will contribute positively to the character and built form in this area of the City.”*

Staff have reviewed the applicant’s Planning Justification Report and Urban Design Brief and are in agreement with the conclusions of both. The revised development proposal is consistent with the Permitted Use and Residential Intensification policies of Section 3.4.1.

Section 3.4.2 Location:

Section 3.4.2 of the Official Plan identifies “*preferred locations*” for the Multi-Family High Density Residential designation. Section 3.4.2 also identifies the criteria Council will consider when evaluating the designation of lands for Multi-Family High Density Residential purposes. These criteria include: compatibility with surrounding land uses; the adequacy of municipal services; traffic impacts; buffering; and the proximity to transit and service facilities.

In 2014 Council adopted an Official Plan and Zoning By-law amendment for the subject lands. The purpose and effect of the Official Plan amendment was to change the designation of the subject lands from a Multi-Family Medium Density Residential designation to a Multi-Family High Density Residential designation.

The revised development proposal, in-as-much as it would provide for a permitted use in an area that has been identified in Official Plan policy as being appropriate for Multi-Family High Density Residential development, is viewed as being consistent with the Location policies of the Official Plan.

Section 3.4.3 Scale of Development:

Section 3.4.3 of the Official Plan states that residential densities in the Multi-Family, High Density Residential designation will vary by location and will normally be less than 350 units per hectare (140 units per acre) in the Downtown Area, 250 units per hectare (100 units per acre) in Central London (the area bounded by Oxford Street on the north, the Thames River on the south and west and Adelaide Street on the east), and 150 units per hectare (60 units per acre) outside of Central London. However, these policies also permit Council to allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features

The Request for Bonusing and the Policies of the Official Plan:

The existing Residential R9 (R9-7) base Zone provides for a maximum residential density of 150 units per hectare. Neither the Residential R9 (R9-7) base Zone nor the existing Residential R9

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Special Provision (R9-7(22)) Zone include a maximum height regulation.

The regulations of the existing Bonus “B-(27)” Zone provide for a maximum height of 60 metres and a maximum residential density of 246 units per hectare. The revisions to the original design proposal (particularly as they related to an increase in height from 60 metres to 65 metres and an increase in the maximum allowable residential density from 246 units per hectare to 281 units per hectare) were considered significant enough by City staff that the developer was directed to submit a Zoning By-law Amendment application to provide for a new Bonus “B-(*)” Zone.

Section 3.4.3 ii) and 19.4.4 Criteria for Increasing Density:

The Official Plan notes that the Bonusing on individual sites may exceed the density otherwise permitted in the base zone (in this case the Residential R9 (R9-7) Zone) where Council approves site specific bonus regulations in the Zoning By-law where the owner of the lands enters into a development agreement with the City, to be registered against the title of the land.

Section 3.4.3 ii) states that Council may, on any lands designated Multi-Family High Density Residential, consider proposals to allow higher densities than would normally be permitted subject to the following criteria:

- *“the site shall be located at the intersection of two arterial roads or on an arterial and primary collector road and well served by public transit;*
- *The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms of housing and architectural design features; and,*
- *Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.”*

In response to these policy considerations the applicant’s Planning Justification Report notes the following:

- *“The proposed residential development benefits from frontage along a designated arterial road and connectivity to the London Transit system. The site is also located within convenient walking distance of retail/service activities, office uses and open space. Additionally, internal walkways and trails provide pedestrian linkages to Fanshawe Park Road West, the tower lobbies, parking facilities and outdoor amenity areas;*
- *The revised design integrates an architectural theme that establishes a prominent presence within the corridor while also supporting a pedestrian-oriented environment. In particular, the repetition of lines and windows through horizontal articulations and setbacks are used on the facades to break up the continuous mass of the buildings along the sidewalks and reinforce the podium effect. The two-storey townhouses also serve to frame the high-rise towers, establish a pedestrian scale to the development and support housing choice within the complex;*
- *Amenity features are incorporated into the design will provide residents with a high standard of indoor and outdoor common space. Most notably, a variety of enhanced landscaping features are proposed at key locations in the site layout including areas adjacent to Fanshawe Park Road West, the main building entrances, the tower podiums and outdoor amenity area. Collectively, these features will enhance the public realm associated with the development and accentuate the existing natural setting within the site; and,*
- *Underground parking will be provided to residents and accessed from the rear of the development and from the east podium. Visitor and additional barrier free parking will be*

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located in the surface parking area at the rear of the development. Surface parking will be largely screened from public view by the high-rise towers and the podium elements.”

Staff would agree with the conclusions of the applicant’s Planning Justification Report that the revised development proposal is consistent with the policies of Section 3.4.3 ii) of the Official Plan which seek to identify proposals meriting Council’s consideration of a higher density than would normally be permitted in the Zoning By-law – in this case the Residential R9 (R9-7) base Zone.

Section 19.4.4 of the Official Plan defines Council’s principles and objectives for implementing height and density bonusing opportunities within the Zoning By-law.

It is a general principle of the of the Bonus Zoning policies of the Official Plan that 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. This report has demonstrated that the revised proposal is based on a site plan that has been designed in a comprehensive matter and with consideration for both the land uses that surround it and the availability of municipal serves.

Section 19.4.4 states that Bonus Zoning will be used to support the City’s urban design principles as contained in Section11 and may include one or more of the following objectives:

- *“to support the provision of common open space that is functional for active or passive recreational use”*
- *“to support the provision of underground parking”;*
- *“to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space”:*
- *“to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements”;*
- *“to support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit” and,*
- *“to support the provision of design features that provide for universal accessibility in new construction and/or redevelopment”.*

As has been demonstrated in this report, the revised development proposal incorporates design elements that specifically respond to Council’s stated objectives in the consideration of bonusing for height and density beyond that which is contemplated in the base Residential R9 (R9-7) Zone.

As noted previously, the revised development proposal has been reviewed by City staff through a concurrent Site Plan Approval process. Staff are satisfied that the revised proposal is consistent with the spirit and intent of the City’s Urban Design Principles as advanced in Section 11 of the Official Plan.

Given the above, staff are satisfied that the revised design proposal is consistent with the policies of Section 19.4.4 of the Official Plan which serve as a policy basis for height and density bonusing in the Zoning By-law.

Section 3.7.2 Planning Impact Analysis:

The regulations of the requested Bonus “B-(*)” Zone that would serve to implement the revised development proposal have been previously identified on Table 1 to this report.

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The policies of the Official Plan require the preparation of a Planning Impact Analysis (PIA) to evaluate the appropriateness of a proposed zone change and to identify ways of reducing any adverse impacts on surrounding land uses. In the preparation of the PIA, the Official Plan advances a set of criteria to be considered in the preparation of the PIA. These criteria would include:

Compatibility - “The compatibility of the proposed use with surrounding land uses and the likely impact of the proposed development on present and future land uses in the area”.

No changes to the Residential R9 (R9-7) base Zone, which provides for a maximum residential density of 150 units per hectare, are sought by way of the requested Zoning By-law amendment application. The revised proposal contemplates the development of a permitted use on a vacant and fully serviceable lot that is flanked by high density residential uses to the east, commercial uses to the west, open space uses to the north, and medium density residential development to the south. The use proposed by way of the revised development proposal is considered to be compatible with surrounding land uses.

The requested Bonus “B-(*)) Zone would provide for a maximum height of 65 metres. The revised development proposal contemplates a 57.5 metre, 16 storey residential tower on the east half of the site and a 60.81 metre, 17 storey tower on the west half of the site. The requested Bonus “B-(*)) Zone would serve to provide for a maximum height of 61.5 metres on the eastern tower and 64.9 metres on the western tower to allow for the installation of the architectural detail described as “the Sail”. No additional habitable space (i.e. dwelling units) would be provided for above the 60 metre height presently contemplated in the existing Bonus “B-(27)” Zone. While the requested Bonus “B-(*)) Zone would provide for an increase in height from what is currently permitted under the existing Bonus “B-(27) Zone, this increase is both minimal in scale and compatible with the existing and future land uses in the area and only to facilitate the installation of an architectural feature.

The request for a new Bonus “B-(*)) Zone is the result of a design modification that is currently being sought by the applicant to the original concept plan that served as the basis for the existing Bonus “B-(27)”.

The existing Bonus “B-(27) Zone included a design concept that provided for two residential towers of the height described above. The eastern tower consisted of 115 apartment units and an additional 7, two storey, townhouse units incorporated into the podium of the tower. The western tower consisted of 120 apartment units and an additional 8, two storey, townhouse units incorporated into the podium. The regulations of the existing Bonus “B-(27)” Zone that served to implement the original concept plan provided for a maximum residential density of 246 units per hectare and a maximum number of dwelling units of 250 units.

In the current development proposal the number of 2 storey townhouse units has been reduced from 7 units to 2 units in the east tower and 8 units to 2 units in the western tower. In place of these townhouse units the applicant is proposing apartment units. The net effect of this design modification, in addition to other modifications to unit size, is that the total number of dwelling units has risen from 250 units per hectare to 286 total units. Correspondingly the residential density for the site has increased from 246 units per hectare to 281 units per hectare. The subject site is approximately 1.4 hectares in size and is bisected by a zone line (see pg. 11) which serves to effectively divide the property into 2 separate lots - an Open Space (OS4) Zone and a holding Residential R9 Special Provision Bonus (h-11●h-55●h-169●h-170●R9-7(22)●B-(27)) Zone. It is important to note that the calculation of residential density, for the purposes of the requested Bonus “B-(*)) Zone would not include, or have consideration for, those lands that fall within the Open Space (OS4) Zone.

Staff have reviewed the appropriateness of the requested increase in density from 150 units per hectare (as permitted in the Residential R9 (R9-7) base Zone) and the requested density of 281 units per hectare under the new Bonus “B-(*)) Zone relative to the policies of the Official Plan – particularly as they pertain to compatibility and bonusing. As noted previously, staff are satisfied

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that the revised proposal would be sensitive to, compatible with, and a good fit within the surrounding neighbourhood. In addition, the revised proposal contains many key design elements that specifically address, and are supportive of, Council's Bonusing Objectives advanced in Section 19.4.4 of the Official Plan.

The Size and Shape of the Parcel - "The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the use."

The requested Bonus "B-(*)" Zone seeks to include a number of specific regulations that would serve to provide for the implementation of the revised development proposal. These special regulations serve as a useful measure in determining the ability of the site to accommodate the intensity of the requested use.

A reduction from the minimum front, interior side yard and rear yard requirements of the Residential R9 (R9-7) base Zone are required to provide for the revised development proposal. This was determined following an evaluation of the building design, site topography and lot grading that demonstrated that portions of the parking structure along the southerly, easterly and northerly property line would be above grade and as such requiring relief from the provisions of the base Residential R9 (R9-7) zone.

It should be noted that the interior side yard regulations of the requested Bonus "B-(*)" Zone and the existing Bonus "B-(27)" Zone mirror each other and that, notwithstanding a request for an increase in density, no additional relief from what was previously determined to be appropriate is being sought. It should also be noted that the UTRCA has reviewed the requested rear yard setback to the Open Space (OS4) Zone and the Addendum to the EIS which serves as the basis for requested regulation. As noted above, the UTRCA has commented that the Authority has no objections to the application. Given the above, staff are satisfied that the yard regulations necessary to provide for the implementation of the revised development proposal in the new Bonus "B-(*)" Zone are appropriate to accommodate the intensity of the requested use.

The requested Bonus "B-(*)" Zone also seeks a regulation that would allow for the provision of 327 parking spaces and 68 tandem parking spaces as opposed to the 358 parking spaces that would be required under the General Provisions to the Z.-1 Zoning By-law. In response to this deficiency the applicant has made the following comments:

"With respect to parking, although we would be providing physically more than the required number of parking spaces, it is recognized that the planned 68 tandem parking spaces are not currently recognized under the present Zoning By-law. Despite the technical deficiency, the tandem parking is not considered problematic as every unit is guaranteed a parking space, and the tandem parking spaces would be provided to households having more than one vehicle, therefore no significant parking conflicts are anticipated. The fact that the tandem parking spaces are underground also reduces difficulties accessing such spaces in winter months. The future planned rapid transit system may allow residents to be less reliant on motor vehicles, but there will be adequate passive and active transportation choices for residents. In addition, more than the required number of accessible parking spaces is being provided. Lastly, the tandem parking spaces were not identified as problematic in the traffic study undertaken by Paradigm Transportation Solutions Ltd."

Given the above, and noting the proximity of existing transit infrastructure and alternative transportation choices (sidewalks and on-road and in boulevard bicycle lanes), staff are satisfied that the parking provided for in the revised development proposal is appropriate to provide for the intensity of the requested use.

The requested Bonus "B-(*)" Zone also includes regulations that would serve to provide for an increase in lot coverage and a decrease in landscaped open space.

In regards to lot coverage, it is important to note that the coverage calculation for the revised

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development proposal would be a function of entire area of the parking garage as opposed to just the area of the podium. This is due to the sloping of the site to the east which exposes the parking above-grade. Had the entire parking garage remained underground, it would not have resulted in the application of a lot coverage calculation. It is also important to note that in the revised development proposal, the total podium footprint for each tower decreases from approximately 1,553 sq. metres to 1,259 sq. metres – equating to a 19% reduction.

In regards to the requested reduction to the minimum landscaped open space requirement of the base Residential R9 (R9-7) Zone, it is important to note once again that this calculation is based only on those lands that are presently zoned for residential purposes. The calculation has no regard for those amenity areas to the north of the proposed buildings that would be located within the Open Space (OS4) Zone.

Given the above, staff are satisfied that the coverage and landscaped open space elements provided for in the revised development proposal are appropriate to provide for the intensity of the requested use.

Vacant Land – “the supply of vacant land in the area which is already designated and/or zoned for the proposed use;”

The subject lands are currently vacant, designated and zoned to provide for Multi-Family High Density Residential uses sought by way of the requested Bonus “B-(*) Zone.

Proximity – the proximity to public open space and recreational facilities and transit facilities”:

The subject lands enjoy proximity to public open space and recreational opportunities as well transit facilities.

Natural Features – the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area”:

The revised development proposal includes design elements that are sensitive to existing topography. Further, the revised proposal seeks to maintain and enhance the existing natural features within the existing Open Space (OS4) Zone.

Vehicular Access – the location of vehicular access points and their compliance with the City’s Road Access Policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City Street, on pedestrians and vehicular safety, and on surrounding properties.

The impacts of an additional 36 units on the site was a matter of great concern to both the residents and administration of the AMICA community located to the immediate east of the subject site (see responses on Attachments 1, 2, 3 and 4 to this report). In particular, concerns were expressed regarding the proximity of the easterly access shown on the revised development proposal relative to the existing AMICA entrance (see Figures 2a), 3a) and 3b) above).

In support of the revised development proposal an updated Transportation Impact Study was prepared by Paradigm Transportation Solutions for the property owner in February of 2016. This Study was updated again in August of 2016 to specifically address the concerns of the residents and AMICA administration. In response to the AMICA driveway concerns the updated study makes the following comments and conclusions:

“Concern has been raised regarding the separation of the subject site’s east driveway from the AMICA development driveway to the east. Information provided from AMICA indicates that over 160 seniors reside at the development with 63 staff - 40 on site during regular business hours. There are also paramedics, family members, service providers, entertainers, and deliveries consistently that make up over half the traffic flow. AMICA is concerned about how the subject site east driveway may affect their operations.

The proposed easterly access is located 40 metres from the AMICA building access (centerline to centerline). The City of London Access Guidelines state that typically, a minimum spacing of 30 – 60 metres is used along an arterial or primary collector roadway. The minimum spacing between the two driveways is met by the proposed easterly access location and the existing AMICA building driveway. The spacing criteria have been developed to minimize interference between traffic movements at adjacent driveways.

The AMICA development will not be affected by exiting left turns from the subject site given the distance separation. Occasionally, inbound left turn movements to the AMICA driveway may be delayed in the left turn lane by 11-21 seconds if AMICA patrons follow a left turn vehicle into the subject site. Based on volumes, the probability of left turn movements into both sites occurring at the same time is calculated at 0.1% in the A.M. and 1.3% in the P.M. peak and less than that during the remaining hours of the day. These probabilities are very low indicating the impact will be minimal.

In conclusion, the impact of the east driveway operations will not have a significant impact on the AMICA site driveway.”

City of London Transportation staff have also reviewed the conclusions of the updated Transportation Impact Study and are in agreement with its conclusions. The recommended improvements to provide for the revised development proposal are illustrated on Figure 3b) to this report.

Figure 3b) also shows that a portion of the proposed landscaped terracing on the revised development proposal fall within the ultimate City road allowance. City of London Transportation staff have noted that no permanent structures within the City’s right-of-way are to be allowed. It is important to note that the landscape elements shown within the City’s right-of-way are not permanent but temporary structures that can be easily removed should it ever be required. It should also be noted that the developer will be required to enter into a Development Agreement and an Encroachment Agreement regarding the use and maintenance of lands within the City’s right-of-way for temporary design elements

Given the above, staff are satisfied that the location of vehicular access points, and temporary design elements shown on the revised development proposal to be within the City’s right-of-way, are appropriate given the intensity of the requested use.

The Conclusion of the PIA:

It is the conclusion of this report and the PIA that the increased height, density, and yard regulations sought to provide for the revised development proposal are sensitive to, compatible with and a good fit within the existing surrounding neighbourhood.

Consistency with the London Plan:

The subject lands are included in the Neighbourhood Place Type. That being said, the subject lands are also identified on the High Density Residential Overlay (from the 1989 Official Plan). In reference to the subject lands the London Plan (policy 1060_) states the following:

“Within the High Density Residential Overlay (from 1989 Official Plan), for the lands at 545 Fanshawe Park Road West, a bonus zone may be permitted for a height in excess of 12 storeys and a density in excess of 150 units per hectare.”

The recommended amendment is consistent with the policies of the London Plan.

A Recommended Zone for the Subject Lands:

This report has served to describe the revised development proposal and the Bonusable elements and regulations necessary for implementation (see Table 1). This report has also served to evaluate the planning merits of the proposal relative to the policies of the *Provincial Policy Statement* and the City of London Official Plan. Based on this review, a new Bonus “B-(*)” Zone to the existing Residential R9 (R9-7) base zone is recommended. Those design elements defined to support the increased height and density of the recommended Bonus “B-(*)” Zone, as well as the regulations to provide for the revised development proposal, are included in the attached by-law.

No requests to amend the existing Holding (h●11●h-55●h-169●h-170) Zones as they pertain to the subject lands have been made to provide for the revised development proposal and none are recommended at this time. Similarly, no requests to amend the Open Space (OS4) Zone as they pertain to the subject lands have been made to provide for the revised development proposal and none are recommended.

CONCLUSION

The recommended Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement (2014), the City of London Official Plan, and the London Plan. The recommended Zoning By-law Amendment represents good planning.

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

Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone</u>	<u>Written (e-mail)</u>
	Fr. G. Blonde Residents Committee Chair AMICA London 517 Fanshawe Park Road West London ON N6G 0C1
	Sandra Taggart, Manager, AMICA 517 Fanshawe Park Road West London ON N6G 0C1
	Jason Post Regional Director, AMICA 20 Queen Street West Toronto ON M5H 3R4517
	Anish Srivastava No address given
	Henk Ketelaars No address given

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Bibliography of Information and Materials
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Request for Approval:
City of London Zoning Amendment Application Form, completed by MHBC, May 13, 2016

Planning Justification Report, completed by MHBD, May, 2016

Urban Design Brief, completed by MHBC, May, 2016

Updated Transportation Impact Study, completed by Paradigm Transportation Solutions, February, 2016

Addendum to the Updated Transportation Impact Study, completed by Paradigm Transportation Solution, completed August, 2016

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

Our Move Forward: London’s Downtown Plan, 2015

Correspondence: (all located in City of London File No. Z-8633 unless otherwise stated)

Departments and Agencies - (all located in City of London File No. Z-8633 unless otherwise stated)

Other:
Numerous Site visits throughout the summer of 2016

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**ATTACHMENT 1 – PUBLIC COMMENTS (July 19, 2016 email from Rev. G. Blonde, Chair,
Residents Council of AMICA)**

July 19, 2016
Josh Morgan:

Dear Mr. Morgan:

While we, the 183 residents living independently at Amica at London, appreciate your presence among us and your bringing members of the city staff from the planning and traffic departments, we are not convinced that our concerns are being understood nor any suitable solutions pursued. Let us share again our concerns.

- We are being treated as some sort of collectivity rather than as 183 individuals/families. In the recent census it took considerable time to convince the census takers that we are indeed not a collectivity but 183 independently living people. They finally invited each of us to participate in the census. Similarly the city seems to treat us (retired persons) as some sort of collectivity (one resident raising issues) rather than 183 residents who are unanimously raising these issues. We are 100% of the residents whose homes touch on the boundaries of 545 Fanshawe Park Road W.
- We are concerned about our safety as we try to envision a way in which we will be able to enter Fanshawe Park Road or exit from it to our property. The statements from the traffic department as regards left turn in without resulting in backups into the passing lane of the highway headed west serve only to confuse us further, based as they are on assumed numbers rather than any actual on-location study of the issues. We are concerned that this proposal will result in injury &/or death to some of us.
- We are concerned for the safety of any and all of us (183 residents) who wish to go shopping at the nearby plaza, the only one available on foot. The present proposal of a narrow unprotected sidewalk located hazardously close to the major highway is a threat to our well-being.
- It appears that the original plan of an elegant style combination of townhouses and apartments has been reduced to a bland appearing residence for college students.
- Are the owners/builders of the proposed towers aware that in a few years no left turns will be allowed into their property due to the necessary barrier when the highway is widened to 6 lanes?
- There is no existing 15 storey high rise apartment complex on this highway with sole access from the highway to provide a comparative study of access to property difficulties. In fact this is an experiment involving a piece of property located on a busy highway (33,000 + vehicles per day) sandwiched between a retirement home and a mall close to one of the busiest intersections in London.
- Finally as Mr. Ketelaars, who came to this meeting after learning about it from you, notes "This traffic issue must have slipped by, for one reason or another, but should never have been allowed to be rezoned on this fast speed highway, with that density. "

Please let us know the date and place of the public meeting.

Yours respectfully

Fr. Greg Blonde,
Chair
Residents' Council of Amica at London.

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ATTACHMENT 2 – PUBLIC COMMENTS (July 15, 2016 email from Jason Post, Regional Director of Operations for AMICA)

Good afternoon Brian and Eric:

I appreciate you all taking the time to meet with Resident Council and senior management the other day. I have summarized some concerns on the Fanshawe Road development at your request, and hope there is clarity in my notes.

Since a large number of traffic concerns have already been raised, I will leave that item out of my questions (excepting the request for a traffic study on the current volume of left hand turns into Amica from Fanshawe Road and the subsequent added volume from the new development. Essentially - will a two car left turn lane be sufficient?).

General Queries and Requests:

- We would request the developers meet with Resident Council to present their plans and address concerns at several stages throughout the process. We would also request that the developers meet with the senior management teams at several stages throughout the process. Ideally a collaborative approach will be beneficial for all and that will be our main goal from the Amica viewpoint.
- Given two 16 storey buildings will be erected, we would respectfully request a viewshed analysis is conducted and how it may impact not only the residents of Amica London, but the surrounding conservation area as well. Many deer and various wildlife populate the adjacent forest, as our residents will attest.
- What general contingencies will be put in place to safeguard essential services for the vulnerable population of Amica London? Given the major infrastructure being erected next door over a long period of time, what can be done to ensure essential electrical and water services to the Amica community are protected?
- An added population of 1200 students next door may lead to some turbulent evenings in the vicinity of the community, as has happened at other student housing projects across the country. Are there longer term security measures in place for the student housing community once the buildings are ready for occupancy?

Construction Management Plan:

- What contingency will the developer have in place for dust management and snow removal? It would be expected that sufficient compensation be availed to the Amica community to have more frequent window and balcony cleanings as required due to the vast amount of dust particles. Most likely more frequent cleaning of the underground parking will need to be considered as well. Daily parking lot cleaning and dust control measures must be put in place for the stages of construction that warrant it. Further dust concerns to intake units for MUA units and the heads of smoke detectors located with those units, will need to be taken into compensatory consideration by the developer, as they will fail more frequently given the volume of dust that will be present. The use and location of mud mats would be expected to be noted as well.
- An EXP analysis and recording of the Amica building, parking lot, as well as the underground parking lot, be conducted at the developer's cost. This would of course include a review of the impact of the construction on Amica assets at the summation of the construction.
- That the CMP would include a flow of traffic as it relates to the site, and Fanshawe Road. That the CMP would specifically detail dump truck and large truck staging areas and traffic flow. That dates and times of significant traffic impact to the Amica community ability to make a right hand turn, be discussed in advance.

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- What recourse will the Amica community have with respect to sub contractors that may not respect the noise bylaws in place? Any exceptions to the noise bylaw sought by the developer, should be discussed through the Committee of the Whole with Amica community notification and involvement.
- That protections would be in place for Amica parking and the Amica right of way so that trades and sub contractors do not use the Amica egress or parking lot. Where will trade parking be located?
- That the CMP would indicate large crane usage and that appropriate insurance and notification is provided to the Amica community should the crane be swung and or used over Amica property lines.
- We would request that Amica London be copied on the Construction Management Plan prior to it's implementation. We would also request that revisions of the CMP be discussed with the community prior to implementation, when those revisions affect the community.

Sandra – I understand you and Father Blonde will be addressing the concerns around pedestrian traffic and general traffic related concerns. Please feel free to share this note with the resident council as well.

Eric & Brian - please ensure that I am copied on all future meeting notifications, whether they be with the community at large or with council. Would one of you be so kind as to share with me any public documentation with respect to the project?

It was a pleasure meeting you both the other day and I look forward to working with you and the city staff on this project. Please contact me if any of the foregoing is unclear.

Many Thanks,

Jason Post
Regional Director of Operations

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ATTACHMENT 3 – PUBLIC COMMENTS (September 13, 2016 email from A. Srivastava)

Hi Brian,

My main concerns with the proposal are as follows:
How does the developer intend to deal with significant amount of increased traffic flows that will be generated as a direct result of the new towers being introduced?, as currently there is only right in / right out access to the building as proposed?, will there be an additional signalled intersection introduced close to the intersection of wonderland and Fanshawe. I believe the west bound lanes of Fanshawe were increased to 2 left turning lanes at wonderland to accommodate the additional traffic pre -development of this building.

The second concern I have is with the building height all of the medium density building around the Masonville area are currently max heights of 12-14 stories, if the proposed higher density is allowed at this intersection it would be contrary to all of the existing precedence set for this area.

Thanks,
Anish

Anish Srivastava, CPA, CMA

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ATTACHMENT 4 – PUBLIC COMMENTS (July 12, 2016 email from H. Ketelars)

I attended the meeting at AMICA, today, to share my concerns about the transportation issue, as the result of this project.

Background as I discovered it.

Zoning approved by City Council in 2014, that cannot be changed.

The only access to this site is Fanshawe Park Rd, going west

Neighboring property is Amica (East) Shopping Plaza (West) Wetlands north of this property.

Currently a division strip on a four lane highway allowing only right hand turns out of Amica, and left hand turns from the road into Amica.

Traffic count at 33.000 cars, needing an upgrade by 40.000 cars to become a 6 lane highway. This will eliminate the center entrance and exit of this proposal.

New construction will create 282 rental units and 14 condo's = 296 units.

Creating a potential 250 trips out, and 250 trips back in **each day**. That is **500 crossings** on the sidewalks and bicycle paths.

Another concern is that only right hand turns are allowed on Exit, going west, while most traffic will want to go into the city, needing to turns around somewhere, creating a lot more congestion on the nearby Wonderland Rd intersection.

Cars exiting this property, to enter Wonderland Road South, will need to cross 2 lanes into a double turning lane, potentially needing to cross 3 lanes in a very short distance. More congestion.

Potential tenants wanting to use public transportation going east, (potentially students), will need to walk to the Wonderland intersection, cross 6 lanes of traffic, two lanes of cycle paths, to get to the bus stop.

Recommendations:

- Provide an extra wide sidewalk from Amica to the shopping Plaza.
- If at all possible, create a U-Turn opportunity nearby or from the left-most-turning-lane, from Fanshawe Park Road westerly direction to the Fanshawe Park easterly direction.
- A stop sign and a bike sign on the driveways exits at Amica and the new project, plus green asphalt (paint) indicating the bike lane crossings.
- Bus shelter on bus stop going east near Wonderland Rd.

This traffic issue must have slipped by, for one reason or another, but should never have been allowed to be rezoned on this fast speed highway, with that density.

Henk Ketelaars

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-17_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 545
Fanshawe Park Road West.

WHEREAS 2403290 Ontario Limited has applied to rezone an area of land located
at 545 Fanshawe Park Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands
located at 545 Fanshawe Park Road West, as shown on the attached map compromising
part of Key Map No. A102, from a Holding Residential R9 Special Provision Bonus (h-11●h-
55●h-169●h-170●R9-7(22)●B-27) Zone and an Open Space (OS4) Zone to a Holding
Residential R9 Bonus (h-11●h-55●h-169●h-170●R9-7●B-(*)) Zone and an Open Space
(OS4) Zone.
- 2) Section Number 4 of the General Provisions of By-law No. Z.-1 is amended by adding the
following Site Specific Bonus Provision:

4.3_ B-(*) 545 Fanshawe Park Road West

The increase in height and density to the zoning of the subject lands shall be permitted in
return for enhanced urban design elements described below consisting of 2 residential
apartment buildings and a podium base which is generally in keeping with the Site Plan
attached as Schedule 1 to the amending by-law and Architectural Elevations attached as
Schedule 2 to the amending by-law, which shall be implemented through a development
agreement in return for the provision of the following services, facilities, and matters:

- i. Supporting the preservation of natural areas;
- ii. Supporting the provision of common open space that is functional for active or passive
recreational use;
- iii. Supporting the provision of, and improved access to, public open space supplementary to
any parkland dedication;
- iv. The inclusion of arbors/pergolas and seating areas along the planned pedestrian trail in
the large outdoor amenity area planned for the northwest quadrant of the site, with this
trail being connected to the existing trail located along the stormwater management pond
to the north of the site;
- v. The inclusion of green roof features in order to reduce the building's heating and cooling
requirements, and reduce the heat island effect;
- vi. The inclusion of "hardscape" forecourts on either side of the main driveway in front of the
entrances into the apartment buildings leading to one of the entrances of the planned
pedestrian trail in the Open Space lands on the north portion of the site;
- vii. The preservation of the view corridor to the Open Space lands on the north portion of the
site by way of the main driveway from Fanshawe Park Road West;
- viii. A building design that provides for a positive interface with Fanshawe Park Road West by
including:

• Extensive landscaping along the Fanshawe Park Road West frontage to create a more
pleasant and engaging experience for pedestrians;

• Definition to the base, middle and top of the buildings with the base consisting of an
articulated two storey brick section that extends beyond the main south elevation of
the tower acting as a partial podium for the tower above, the middle consisting of a 15

storey tower above the base for Tower “A” and a 14storey tower above the base for tower “B”, and a top consisting of architectural features that will create a dynamic skyline;

- Individual ground floor unit entrances with access to Fanshawe Park Road West by way of a landscaped court yard;
- Tower elevations that have been divided into a series of modulated components that are defined by complimentary changes in articulation. These components have been defined by the use of architectural walls that protrude beyond the main building wall and return at the top of the tower;
- The inclusion of a variety of window sizes and types in order to add visual interest and further break up the massing of the building; and,
- Underground parking for the majority of the required parking with a limited amount of at-grade parking spaces located behind the buildings away from the street edge.

a)	Regulations	
i)	Front Yard Depth (Minimum)	0.0 meters (0.0 feet)
ii)	Rear Yard Depth (Minimum)	4.48 metres (14.69 feet) to an OS4 Zone
iii)	Interior Side Yard Depth (East) (Minimum)	12.45 meters (40.8 feet)
iv)	Interior Side Yard Depth (West) (Minimum)	9.2 meters (30.18 feet)
v)	Landscaped Open Space (%) (Minimum)	29%
vi)	Lot Coverage (%) (Maximum)	64%
vii)	Height (Maximum)	Tower “A” 62 metres (203 ft.) Tower “B” 65 metres (213 ft.)
viii)	Density (units per hectare) (Maximum)	281
ix)	Number of Units (Maximum)	286
x)	Off-street Parking (Minimum)	327 parking spots

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

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

Agenda Item #	Page #

Z-8633
B. Turcotte

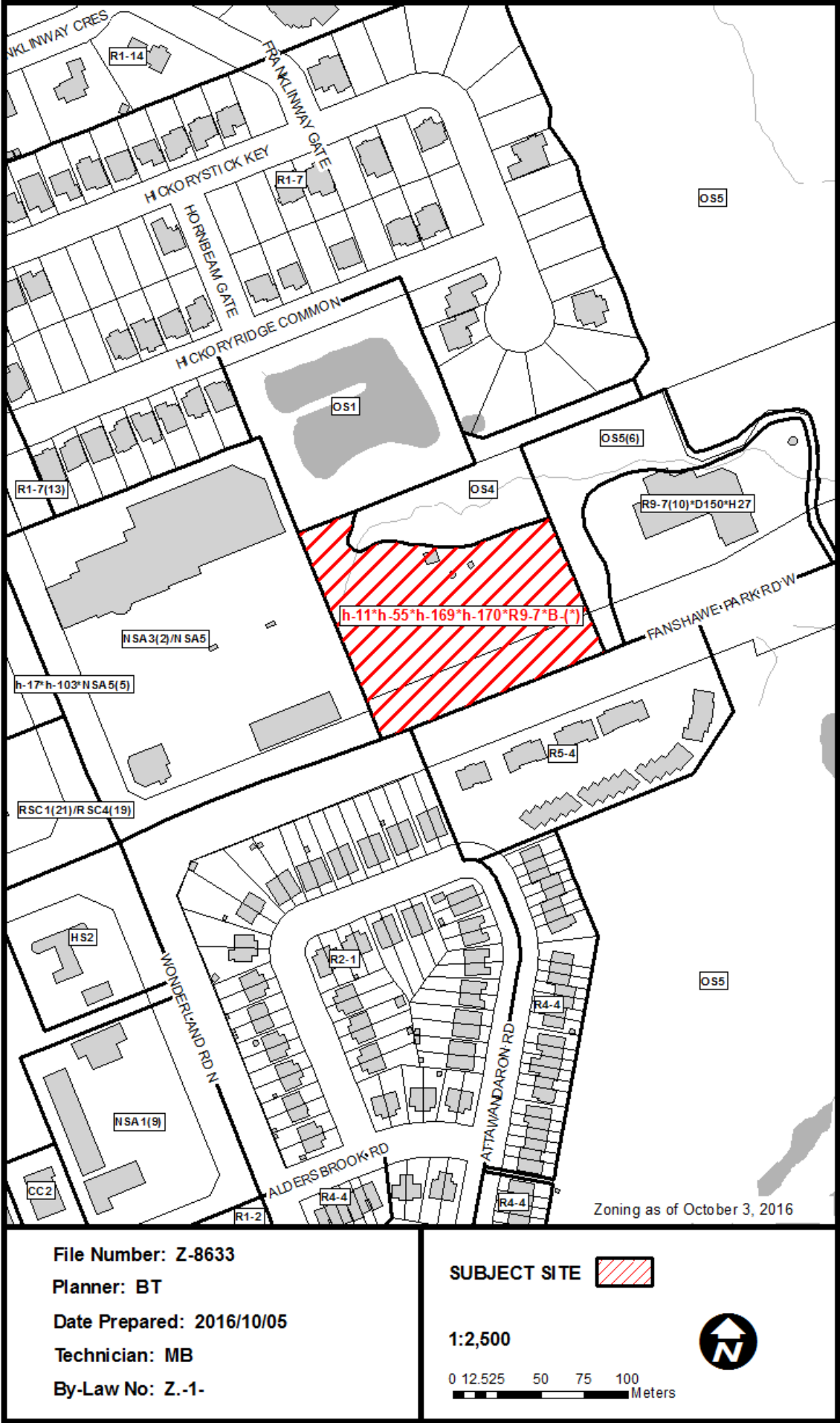
PASSED in Open Council on December 6, 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - December 6, 2016
Second Reading – December 6, 2016
Third Reading - December 6, 2016

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



Schedule 2b) – Architectural Elevations Building “B” – West Tower

