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File No: Z-8018
Planner: N. Musicco

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: SPEYSIDE EAST CORPORATION 3535 SETTLEMENT TRAIL PUBLIC PARTICIPATION MEETING ON MAY 28, 2012

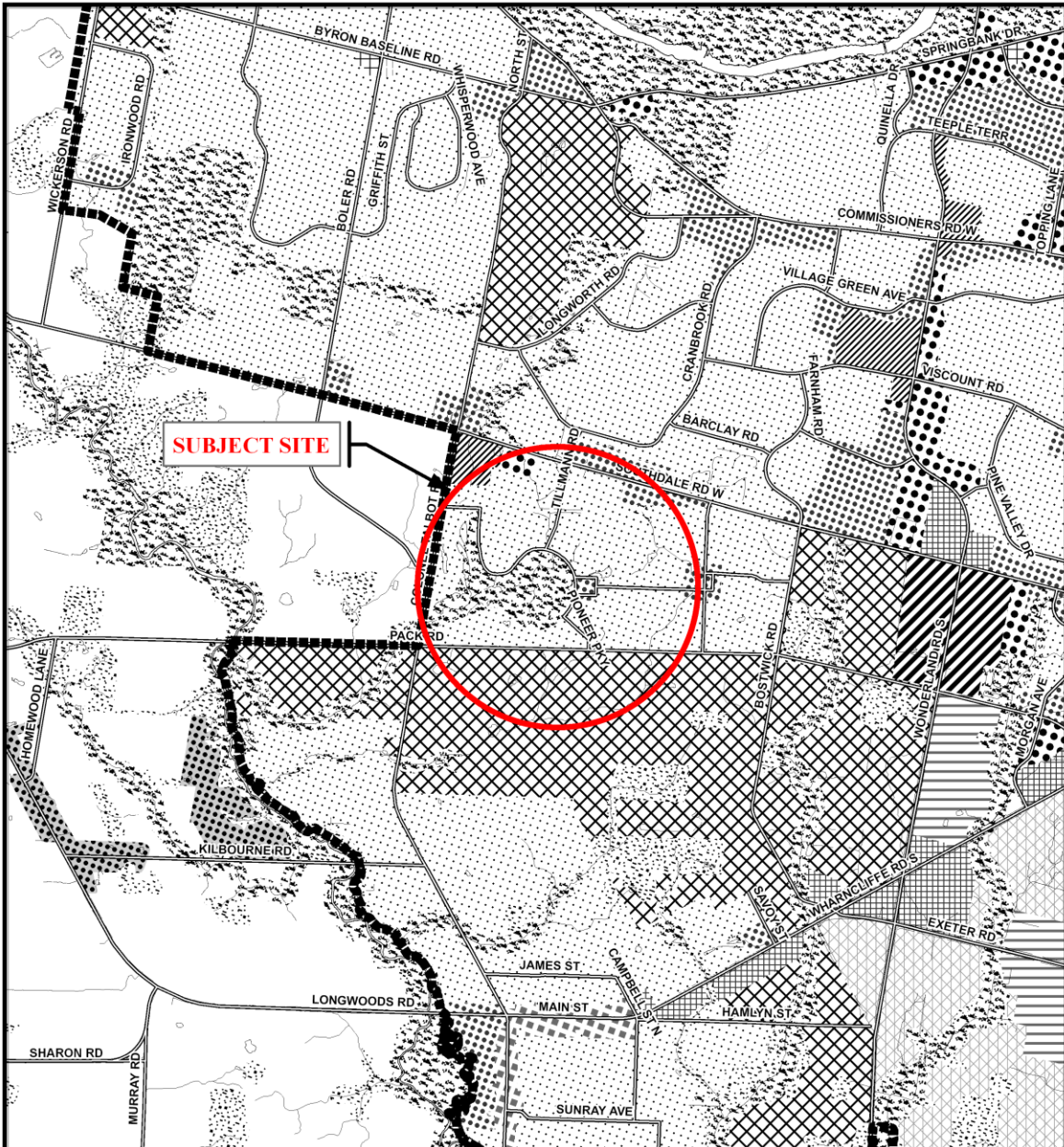
RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application relating to the property located at 3535 Settlement Trail:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 12, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R7 Special Provision/Community Facility (R7(5)*D100*H13/CF1/CF3) Zone which permits Senior citizen apartment buildings, Handicapped persons apartment buildings, Nursing homes, Retirement lodges, Continuum-of-care facilities, Emergency care establishments with a maximum density of 100 units per hectare and a maximum height of 13 meters and Churches, Community centres, Day care centres, Elementary schools, Group Home Type 2, Libraries, Post office depots, Private schools, Secondary schools, Police stations, Public recreational buildings, Public swimming pools and Studios **TO** a Holding Residential R8 Special Provision (h-103*R8-4 () *D100*H21) Zone to allow for Apartment buildings, Handicapped persons apartment buildings, Lodging house class 2, Stacked townhousing, Senior citizen apartment buildings, Emergency care establishments and Continuum-of-care facilities with a maximum density of 100 units per hectare, a maximum height of 21 meters and a front yard depth of 6.0 meters.
- (b) subject to Policy 19.1.1. of the Official Plan, the land use designation of the subject site **BE INTERPRETED** as "Multi-Family Medium Density Residential".
- (c) that the following design objectives **BE ACHIEVED** through the removal of the 'h-103' holding provision and **BE CONSIDERED** by the Site Plan Approval Authority:
 - i) A site plan and building elevations in general conformity with the illustrations attached as Appendix 'A' 'B' 'C', 'D' and 'E'.
 - ii) Step-back top two floors of the building facing Settlement Trail in order to achieve a massing that is compatible with adjacent residential development.
 - iii) Situate building and landscaping elements to maximize the enclosure along the Settlement Trail frontage of the Community Common.
 - iv) Provide an architectural element to mark the major entry into the site and terminate the view at the west end of Old Garrison Road.
 - v) Minimize the extent of the internal driveway in order to facilitate manoeuvrability and to reduce any potential traffic flow disruption and pedestrian vehicle conflicts.
 - vi) Maximize the advantages presented by existing grade changes to screen loading areas and vehicle entrances from street view and to locate parking underground.

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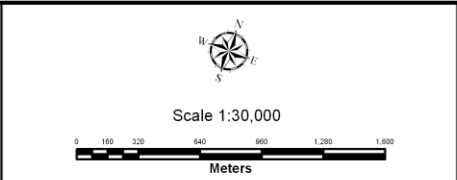
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Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density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

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

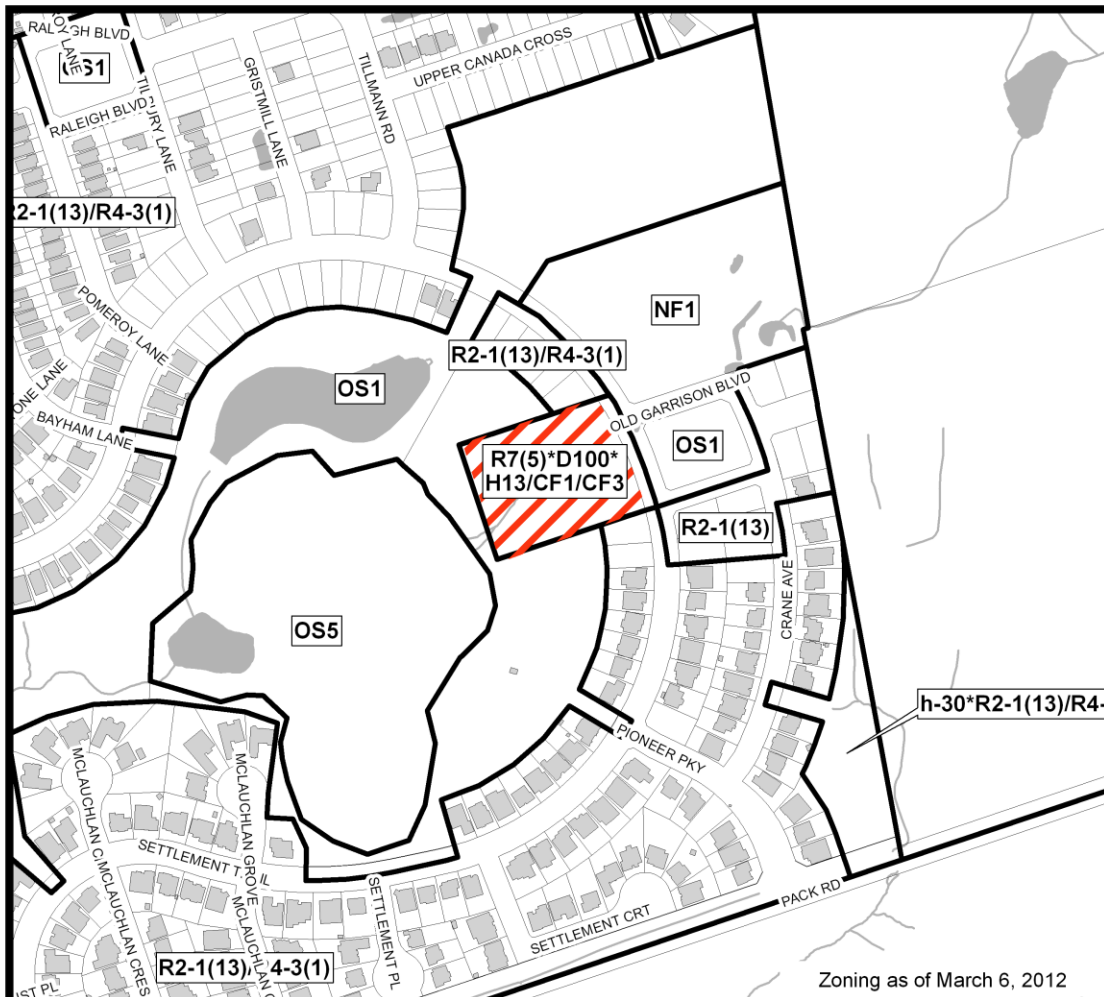
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8018
PLANNER: NM
TECHNICIAN: CK
DATE: 2012/05/02

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R7(5)*D100*H13/CF1/CF3

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:

Z-8018

NM

MAP PREPARED:

2012/05/02

CK

1:4,500

0 20 40 80 120 160

Meters

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

North Talbot Community Plan – November 1999
 39T-00514 – Residential Plan of Subdivision - Speyside East Corporation – 2000
 Talbot Community Urban Design Guidelines – September 2000

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The requested amendment would allow for the development of a five storey apartment building.

RATIONALE

- The recommended amendments are consistent with the polices of the Provincial Policy Statement (2005).
- The proposed zoning is compatible with the existing Official Plan designation.
- The North Talbot Community Plan identified the undeveloped subject lands for medium density residential or institutional use.
- The proposed development takes into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.
- The site is of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses.

BACKGROUND

Date Application Accepted: February 14, 2012	Agent: Zelinka Priamo Limited
<p>REQUESTED ACTION: Possible amendment to the Zoning By-law Z.-1 FROM a Residential R7 Special Provision/Community Facility (R7(5)*D100*H13/CF1/CF3) Zone which permits Senior citizen apartment buildings, Handicapped persons apartment buildings, Nursing homes, Retirement lodges, Continuum-of-care facilities, Emergency care establishments with a maximum density of 100 units per hectare and a maximum height of 13 meters and Churches, Community centres, Day care centres, Elementary schools, Group Home Type 2, Libraries, Post office depots, Private schools, Secondary schools, Police stations, Public recreational buildings Public swimming pools and Studios TO a Residential R8 Special Provision (R8-4()*D100*H21) Zone to allow for Apartment buildings, Handicapped persons apartment buildings, Lodging house class 2, Stacked townhousing, Senior citizen apartment buildings, Emergency care establishments and Continuum-of-care facilities with a maximum density of 100 units per hectare, a maximum height of 21 meters and a front yard depth of 6.0 meters.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Vacant block in a registered plan of subdivision. • Frontage – 95.0 meters • Depth – 118.0 meters • Area – 1.13 hectares • Shape - Irregular
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<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Low density single family detached lots • South - Low density single family detached lots • East - Open Space • West - Open Space

<p>OFFICIAL PLAN DESIGNATION: Multi-Family Medium Density Residential</p> <p>These lands are currently designated Multi-Family Medium Density Residential which includes multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged.</p>
<p>EXISTING ZONING: Residential R7 Special Provision/Community Facility (R7(5)*D100*H13/CF1/CF3)</p> <p>Permits Senior citizen apartment buildings, Handicapped persons apartment buildings, Nursing homes, Retirement lodges, Continuum-of-care facilities, Emergency care establishments with a maximum density of 100 units per hectare and a maximum height of 13 meters and Churches, Community centres, Day care centres, Elementary schools, Group Home Type 2, Libraries, Post office depots, Private schools, Secondary schools, Police stations, Public recreational buildings Public swimming pools and Studios.</p>

<p>PLANNING HISTORY</p>

North Talbot Community Plan – (Council adopted: December 19, 1999).

The overall goal of the Community Plan was to create a liveable community which enhanced the physical, social, environmental and economic well-being of those who live and work in the neighbourhood. The North Talbot Community Plan identified the undeveloped subject lands for an institutional or medium density residential use.

Municipal Council approved the North Talbot Community Plan for this area with the intent that alternative development standards and a comprehensive approach to urban design would be applied to help achieve the Community Vision. Alternative standards include narrower road allowances, larger porches located closer to the sidewalk, alternative garage treatments and different approaches to the provision of parkland.

39T-00514 – Residential Plan of Subdivision - Speyside East Corporation - 2000

The application for Draft Plan of Subdivision approval was accepted on August 14, 2000 (revised and resubmitted February 20, 2001) and a corresponding zoning by-law amendment to permit the development of a wide variety of housing forms ranging from single detached dwellings; semi-detached dwellings; duplex dwellings; multiple attached dwellings, such as street townhouses; and apartment buildings.

Major elements of the land use pattern proposed in the subdivision included 31 Residential blocks, 3 Mixed use (Residential/Commercial) blocks, 1 Commercial Shopping block, 5 Park blocks, 1 Open space/Stormwater Management block, 1 Stormwater Management, 1 Open Space block, 1 Open Space block, 2 Institutional blocks, 7 Future Residential blocks served by several new secondary collector roads and new local public roads.

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

PUBLIC LIAISON:	On March 20, 2012 the Notice of Application was sent to 20 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on March 3, 2012. A "Possible Land Use Change" sign was also posted on the site.	2 responses received.
Nature of Liaison:		
Possible amendment to the Zoning By-law Z.-1 FROM a Residential R7 Special Provision/Community Facility (R7(5)*D100*H13/CF1/CF3) Zone which permits Senior citizen apartment buildings, Handicapped persons apartment buildings, Nursing homes, Retirement lodges, Continuum-of-care facilities, Emergency care establishments with a maximum density of 100 units per hectare and a maximum height of 13 meters and Churches, Community centres, Day care centres, Elementary schools, Group Home Type 2, Libraries, Post office depots, Private schools, Secondary schools, Police stations, Public recreational buildings Public swimming pools and Studios TO a Residential R8 Special Provision (R8-4()*D100*H21) Zone to allow for Apartment buildings, Handicapped persons apartment buildings, Lodging house class 2, Stacked townhousing, Senior citizen apartment buildings, Emergency care establishments and Continuum-of-care facilities with a maximum density of 100 units per hectare, a maximum height of 21 meters and a front yard depth of 6.0 meters		
Responses:		
<p><i>Christine Richardson – 3587 Settlement Trail</i> Submitted email addressing the following concerns:</p> <ul style="list-style-type: none"> - Request for increase in height. - Privacy screening. - Increase in traffic volume. - Would like to see site developed as a long-term care facility. <p><i>Robert Prevette – 3569 Settlement Trail</i> Submitted email addressing the following concerns:</p> <ul style="list-style-type: none"> - Strongly opposed the application. - Preference for three storey building. 		

INTERNAL COMMENTS:

Sanitary Sewers (City of London)

"The Wastewater and Drainage Engineering Division has reviewed the drainage area for the Talbot Village PS and are aware that there were a number of changes in densities and design flows as the phases progressed.

The concern is that the sanitary flow from full build out of this area can't exceed 43 L/s (the flow allowed for in IBI's design of the downstream upgrades). Given that the proposed change will result in a minimal increase in flow, Planning is advised that the Wastewater and Drainage Engineering Division do not object to the proposed zoning change. Going forward, the applicant should be aware that any other plans you may have for this area which would increase the population over those used in IBI's sewer design, may trigger this same concern".

Transportation Division (City of London)

Contact: Andy Couvillon
No Comment.

Urban Forestry (City of London)

Contact: Rick Postma
Urban Forestry has no concerns with this application.

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Urban Design (City of London)

In order to secure the fundamental Urban Design considerations for the subject site, located within the Talbot Village, a 'h-103' holding provision and Site Plan Approval has been recommended for the subject lands to include a site plan and development agreement with the applicant will incorporate design objectives identified in the Council Resolution.

- The City of London Urban Design Section recommends that the proposed development is generally consistent with the Talbot Community Guidelines.
- The site is identified as a Priority Lot Location in Section 4 of the Talbot Community Urban Design Guidelines. The architectural and landscape design should receive additional attention in terms of building location, massing and fenestration as well as porch and roof design. Specifically, the Urban Design Guidelines require attention to rear/side lot yard development as well as treatment to address the Park and Open Space frontage.
- Referencing comment #8 provided by the Urban Design Peer Review Panel: "*The Panel requests that this project be submitted for Site Plan Pre-consultation review to the Panel as part of the applicant's formal Site Plan Approval submission*". The customary practice of submissions to the Panel would normally preclude a repeat review of a development on the same site at the site plan approval stage unless, in the opinion of the City Planner, the development submitted for site plan approval is substantially different from that which the Panel reviewed as part of an approved Zoning By-law amendment.

AGENCY COMMENTS:

Urban Design Peer Review Panel

The Panel has the following comments regarding the proposed development based on the Urban Design Brief dated 31 January 2012 pre-circulated to the Panel:

- 1. The Panel encourages the Applicant to develop the Urban Design Brief Architectural Drawings to a level of detail consistent with the nature of the application. The level of detail submitted by the Applicant's consultants is closer to the standard required for Site Plan Pre-Consultation. This level of detail is unnecessary for an Official Plan and Zoning Bylaw Amendment submission and wasteful of the Applicant's resources;*
- 2. The Panel finds that the proposed layout of the building does not produce a façade which provides the strong visual focal point sought in the Talbot Community Urban Design Guidelines. Re-plan the building layout to create a strong visual focal point to the 'community common' opposite the subject lands.
Mass the building to assist in the enclosure of the 'community common' and further reinforce the focal point by relocating the building's main entrance as a focal point within this massing. Align this main façade with the building plane of the proposed single family houses to either side of the subject site. Note that the focal point is created by extending the centre point of the 'community commons' westerly as opposed to the centerline of the streets that bound the 'community commons';*
- 3. Retain the proposed underground parking to reduce the negative impact of surface vehicular parking areas on the development generally and the ground floor apartments in particular;*
- 4. The Panel finds that the proposed internal roadway negatively impacts the majority of apartment units. Reduce the extent of the internal road network by relocating the underground parking area and loading area closer to Settlement Road.
Relocation of the loading area and underground parking area entrance from the west elevation will enhance the westerly view from the site to the open space wetland complex;*
- 5. Screen the at-grade terraces of the ground floor apartments with hedging;*
- 6. Incorporate a play area on site for families with children as the planned play areas within the school/park campus do not exist at this time; and*
- 7. Retain the stepping to the proposed building's top two floors to assist in transitioning to the adjacent single family residences.*
- 8. The Panel requests that this project be submitted for Site Plan Pre-consultation review to the Panel as part of the applicant's formal Site Plan Approval submission.*

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Upper Thames River Conservation Authority

We wish to advise you that there are no vulnerable areas associated with this property.

Bell Canada

An easement may be required to service the subject property, depending on a review of more detailed applications under the Planning Act. Bell Canada requests to be circulated on any future draft plan of subdivision, draft plan of condominium, site plan or any other development applications.

London Hydro

London Hydro has no objection to this application.

ANALYSIS

Subject Site

The subject lands are located in the City of London, in the North Talbot Community that has developed for low density residential, multi-family medium density residential, open space and community-scaled commercial uses. The subject lands are located on the west side of Settlement Trail opposite the Community Common, parklands bounded by Old Garrison Boulevard and Settlement Trail. Low-density residential in the form of single-family detached lots is located adjacent to the subject lands to the north and to the south; a potential school/park campus location and the community common is located to the east and open space and wetlands complex with a trail system is located to the west. The subject lands are rectangular in shape with a frontage of approximately 95 metres and a depth of approximately 118 metres, totalling approximately 1.13 hectares (2.80 acres) in size. Topographically, the subject lands slope gradually from the highest point in the east to the lowest point in the west. The subject lands are currently undeveloped and there are no features on the site, physical or otherwise, that would prevent the proposed development of the subject lands.

Proposal

Speyside East Corporation and Southside Group of Companies are proposing to develop the subject lands for a 5-storey apartment building without an age restriction at this focal point and central site within the North Talbot Community. The site and building design prepared by Phillip Agar Architect Inc. on behalf of Speyside East Corporation and Southside Group of Companies is for an 'L'- shaped building situated around a circular driveway and interior landscaped forecourt.

The proposed 5-storey apartment building will contain 84 units that include 1, 2 and 3- bedroom units for various sized households. The proposed underground parking will accommodate 174 parking spaces; and an additional 27 at grade parking spaces are proposed surrounding the landscaped forecourt. The density of the proposed development is 74 units per hectare. The main pedestrian entry to the proposed building is located at the connection of the two arms to the "L" shaped building positioned on a 45 degree angle and in alignment with the driveway entrance to the property. An arch emphasizing the importance of the entry to the site is proposed.

Vehicular access to the subject lands is proposed through two driveways along Settlement Trail; a double driveway aligned with the northerly leg of Old Garrison Boulevard by which to enter and exit the subject lands and a single driveway aligned with the southerly portion of Old Garrison Boulevard by which to only exit the subject lands. Access to the underground parking, loading, and garbage area is located at the rear and tucked below street grade level into the proposed building. Pedestrian access to the subject lands from the street is by concrete sidewalks located on either side of the double driveway.

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Provincial Policy Statement

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is intended to be read in its entirety and the relevant policies are to be applied in each situation. As it relates to this application, the PPS provides some direction to this matter.

Section 1.1.1(2) of the Provincial Policy Statement provides that “*accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space to meet the long-term needs*” helps to sustain healthy, livable and safe communities.

Section 1.1.3.2 indicates that *Land use patterns within settlement areas shall be based on:*

a) *densities and a mix of land uses which:*

- (i)
 - 1. *Efficiently use land and resources;*
 - 2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and*
 - 3. *minimize negative impacts to air quality and climate change, and promote energy efficiency.*
- (ii) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

Section 1.1.3.2 states that “*Land use patterns within settlement areas shall be based on:*

a) *densities and a mix of land uses which:*

- 1. *Efficiently use land and resources;*
- 2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified use and/or uneconomical expansion”.*

Section 1.1.3.3 states that *Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs”.*

Section 1.1.3.7 states that “*New development taking place in designated growth areas should occur adjacent to the existing built-up are and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*”

Section 1.4.3 states that “*Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

b) *permitting and facilitating;*

- 1. *All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation nodes and public transit in areas where it exists or is to be developed”.*

The proposal subject to this application is consistent with these policies. The recommended amendment is consistent with the stated intent to “*Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area.*” The subject site is a vacant parcel of land within a registered plan of subdivision. The proposed medium density development is appropriate for the subject lands.

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Official Plan

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The polices promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

The subject lands are designated ‘Multi-Family, Medium Density Residential’ in the City of London Official Plan. The Schedule “A” graphics are generalized and appear to show part of the subject lands as affected by the ‘Open Space’ designation. However, the entire site has been zoned for development in conformity with the ‘Multi-Family, Medium-Density Residential’ designation.

The proposed five storey apartment building is compatible within the Multi-Family, Medium Density Residential designation.

3.3.3 Scale of Development

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development.

The portion of the proposed building that is oriented closest to the street is set back above the third storey to maintain a low-rise mass at the street that is compatible with the residential development planned adjacent to the subject lands.

Height

i) Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report as described in Section 3.7.3. to be appropriate subject to a site specific zoning by-law amendment.

The compatibility of the proposed development was addressed in the Urban Design Brief (January 31, 2012) which was submitted as part of the complete application. While the normal height limitation is 4 storeys, the proposed development of the subject lands for a 5-storey apartment building will maintain a low-rise form close to the street line with the upper two storeys stepped back to minimize the visual impact of the overall height and to be compatible with adjacent uses, while continuing to provide a visual landmark as intended for the Community at this location.

Density

ii) Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre). Exceptions to the density limit may be made without amendment to the Official Plan for developments which:

- (a) are designed and occupied for senior citizens' housing;*
- (b) qualify for density bonusing under the provisions of Section 19.4.4. of this Plan; or*
- (c) are within the boundaries of Central London, bounded by Oxford Street on the north, the Thames River on the south and west, and Adelaide Street on the east.*

The proposed development is 74 units per hectare which is less than the maximum permitted density in the Multi-Family Medium Density Residential designation.

19.1.1 Boundaries between landuse designations

The objectives and policies contained in the Plan are intended to assist in the achievement of the purposes of the Official Plan, as described in Chapter 1. It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

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i) The boundaries between land use designations as shown on Schedule "A" - the Land Use Map, are not intended to be rigid, except where they coincide with physical features (such as streets, railways, rivers or streams). The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council. Council may permit minor departures from such boundaries if it is of the opinion that the general intent of the Plan is maintained and that the departure is advisable and reasonable. Where boundaries between land use designations do coincide with physical features, any departure from the boundary will require an Official Plan amendment.

The front portion of the subject lands are designated as Multi-Family Medium Density Residential and the rear portion is designated Open Space in the City of London Official Plan. According to the North Talbot Community Plan, the lands were planned for a medium density or institution use. The applicant is seeking an interpretation from Council as designations on Schedule 'A' are not intended to be rigid. Planning Staff agrees with this interpretation and that the proposed use is suitable for this location.

Zoning By-law

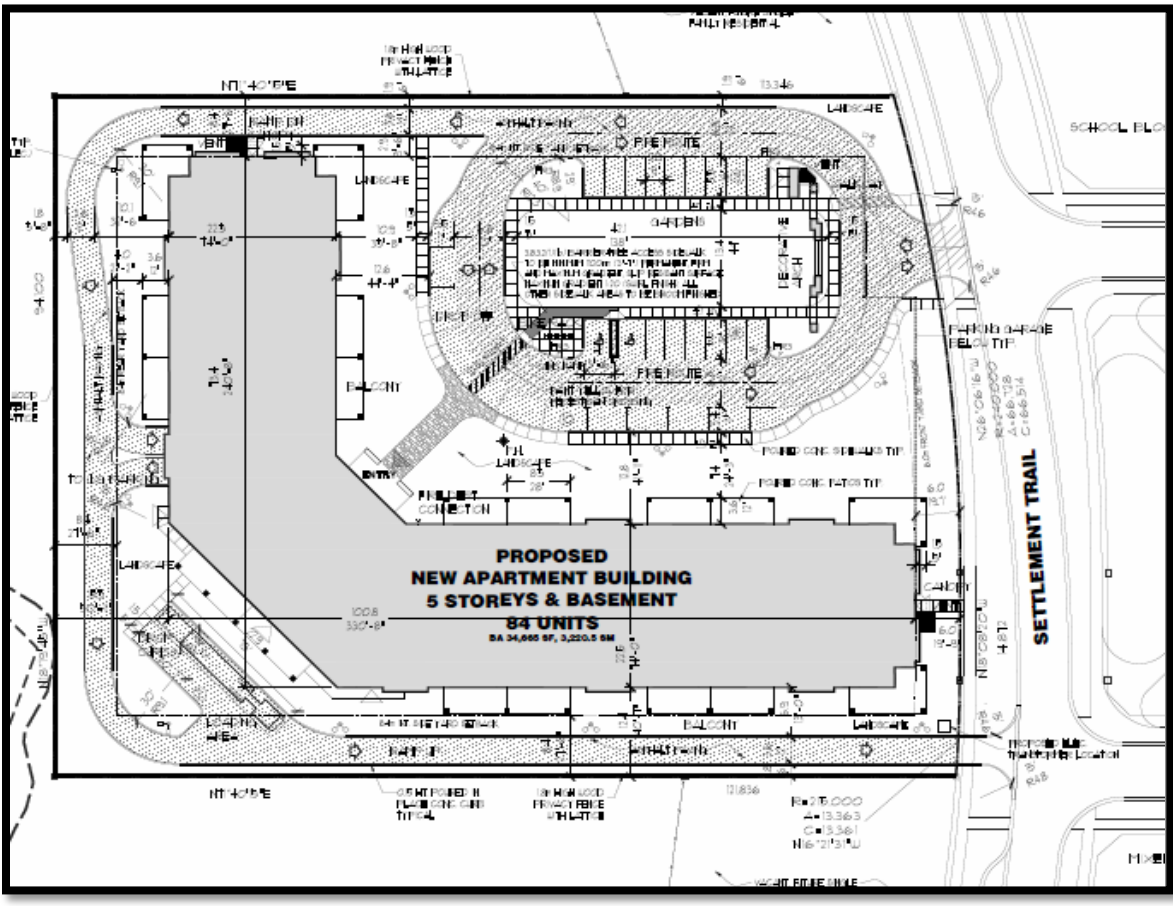
The current zoning is a Residential R7 Special Provision/Community Facility (R7(5)*D100*H13/CF1/CF3) Zone which permits Senior citizen apartment buildings, Handicapped persons apartment buildings, Nursing homes, Retirement lodges, Continuum-of-care facilities, Emergency care establishments with a maximum density of 100 units per hectare and a maximum height of 13 meters and Churches, Community centres, Day care centres, Elementary schools, Group Home Type 2, Libraries, Post office depots, Private schools, Secondary schools, Police stations, Public recreational buildings Public swimming pools and Studios

The requested R8-4 zone will permit the proposed apartment building use (without being restricted to senior citizen apartment buildings). The special provision is required to permit an increase in the maximum height from 13.0 meters to 21.0 metres in order to accommodate a more generous floor to ceiling height and a reduction in the minimum front yard depth to 6.0 metres as per the proposed site plan.

Holding Provision

A 'h-103' holding provision has been recommended to ensure that urban design is addressed at site plan. A site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manger of Planning and Development will incorporate the design objectives as identified in the Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved.

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North Talbot Community Plan

This site was designed to provide a mid-rise landmark at this focal point within the North Talbot Community. According to the North Talbot Area Plan the undeveloped subject lands were intended to develop for an institutional or residential use such as a church or a senior's apartment building as permitted by the current zoning. The lands were also designated as Multi-family Medium Density residential and Open Space.

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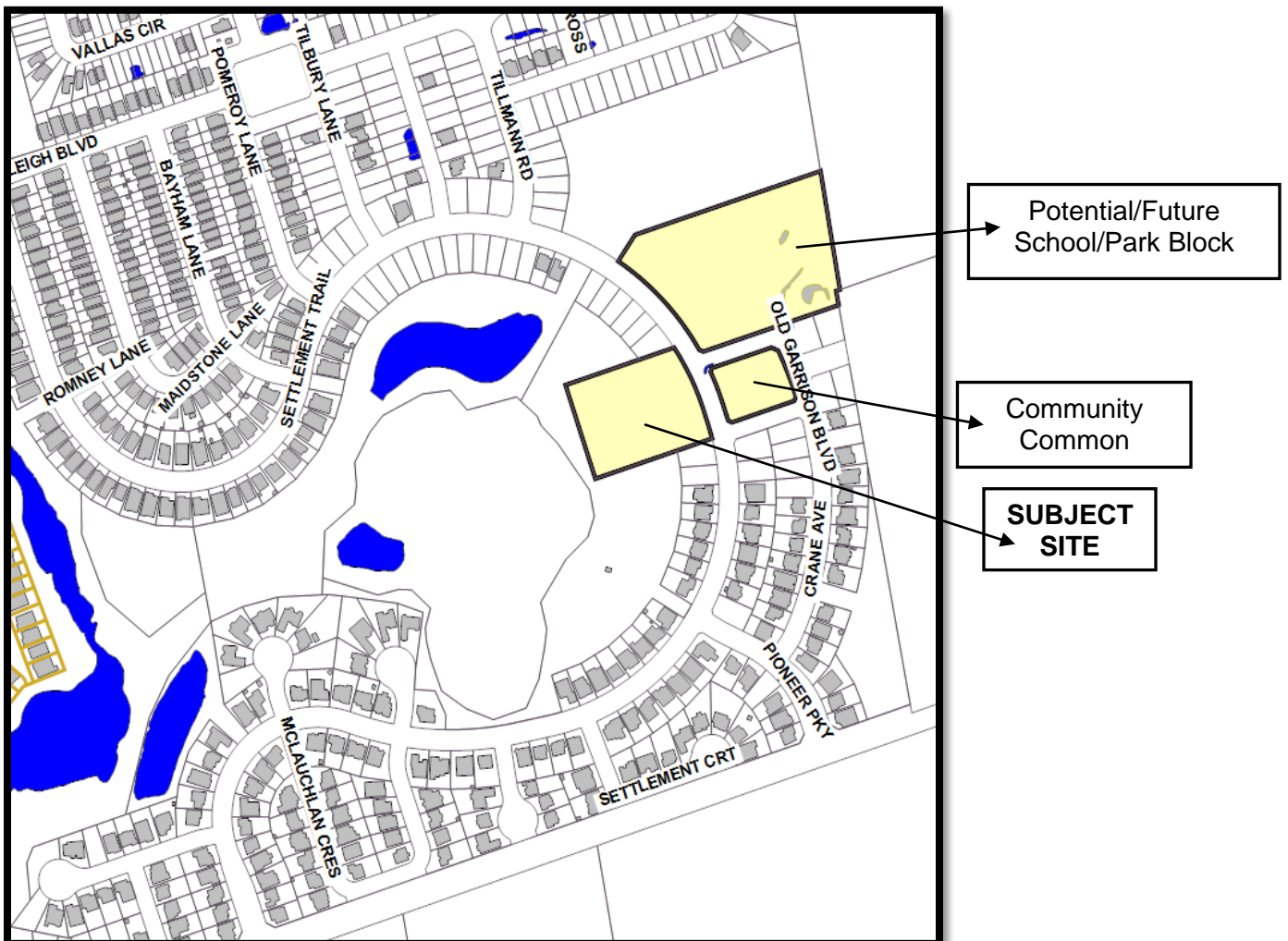
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North Talbot Community Urban Design Guidelines

Section 8.0 - Design Guidelines for Multi-family Residential Development of the Talbot Community Urban Design Guidelines, as amended April 2010, provides guidance for multi-family residential development on the subject lands. This section includes guidelines for: Site Planning, Building Placement, Vehicular Circulation and Parking, Landscaping and Buffering, Pedestrian Circulation and Open Space, Lighting Design Objectives for Multi-family Building Architecture, Building Massing, Facade Design and Materials and Colours. The site is identified as a Priority Lot Location in Section 4 of the Talbot Community Urban Design Guidelines. The term *priority lot* refers to all lots that are highly visible to the public and may form visual focal points within streetscapes. The architectural and landscape design should receive additional attention in terms of massing and fenestration as well as porch and roof design. Specifically, the Urban Design Guidelines require rear/side lot yard upgrades as well as treatment to address the Park and Open Space frontages.

Urban Design Guidelines

Consistent with the City of London Urban Design Guidelines, the desired building form is one that encloses the Community Common immediately to the east (3540 Settlement Trail) by constructing a buildings form that occupies a large portion of the frontage. The massing of the building (that borders the four street frontages surrounding the Community Common) is to support the visual containment of the Community Common.



Response to Public Concerns

According to the applicant, the proposed building has been designed and orientated spatially to minimize the loss of privacy for adjacent residential development. The proposed building is positioned on the subject lands such that the arms of the “L” shaped building are parallel to the southerly and westerly property lines.

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Planner: N. Musicco

Along the southerly property line the portion of the proposed building located closest to the street and adjacent to future residential development is stepped backed above the third story, such that the adjacent future residential development to the south. The sequencing of development also permits the adjacent dwellings to provide a design response to the presence of the apartment building. The open space and wetland complex is located to the west of the subject lands.

PLANNING IMPACT ANALYSIS

Planning Impact Analysis will be used to evaluate applications for an Official Plan amendment and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. Planning Impact Analysis is intended to document the criteria reviewed by municipal staff through the application review process to assess an application for change. Depending upon the situation, other criteria may also be considered.

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change and identify ways of reducing any adverse impacts on surrounding land uses Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change. The criteria considered include the following:

- i) the policies contained in the Section relating to the requested designation;*

The boundaries between land use designations as shown on Schedule "A" - the Land Use Map, are not intended to be rigid, except where they coincide with physical features (such as streets, railways, rivers or streams). The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council. Council may permit minor departures from such boundaries if it is of the opinion that the general intent of the Plan is maintained and that the departure is advisable and reasonable.

- ii) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;*

According to the applicant, the site plan places the proposed building on the subject lands such that the arms of the "L" shaped building are parallel to the southerly and westerly property lines. The site design engages its context by providing landscaping and strong built form features to help define an attractive streetscape. The proposed "L" shaped building is oriented to and adequately addresses Settlement Trail in a way that is consistent with the residential development planned adjacent to the subject lands.

The portion of the proposed building oriented closest to the street has a front yard setback of 6.0 metres to maintain a consistent setback with single family-detached dwellings in the surrounding neighbourhood. Moreover, the portion of the proposed building oriented closest to the street is terraced above the third storey to maintain a low-rise mass at the street that is compatible with adjacent residential development. The gateway feature located at the easterly edge of the landscaped forecourt also reinforces the built form presence at the street.

- iii) 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 proposed uses;*

The subject lands are of a size and shape to accommodate the proposal. The applicant will be required to go through the Site Plan Approval process. The City of London utilizes site plan control to ensure high quality site design, engineering efficiency, building architecture and landscape design. Site plan control is intended to improve efficiency of land use and servicing, and to encourage attractive and compatible forms of development.

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Planner: N. Musicco**

- iv) *the potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties;*

The City of London Environmental Engineering Review Division does not have any traffic concerns with the proposed amendment.

- v) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The subject lands are of a size and shape to accommodate the proposal.

- vi) *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 streets, on pedestrian and vehicular safety, and on surrounding properties;*

The City of London Transportation Department has no concerns with the proposed amendment.

- ix) *the exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City's urban design guidelines;*

Planning Staff is recommending that the Site Plan Approval Authority be requested to consider the following design issues through the site plan process:

- Step-back top two floors of the built form facing Settlement Trail in order to achieve a massing that is compatible with adjacent residential development.
- Mass building to maximize the enclosure of the 'community common' (3540 Settlement Trail) along the Settlement Trail frontage.
- Provide an architectural element which frames the west end of the Old Garrison Road terminus.
- Minimize the extent of the internal road network in order to facilitate manoeuvrability and to reduce any potential traffic flow disruption.
- Maximize the advantages presented by existing grade changes to screen entrances and to locate underground parking.

- x) *the potential impact of the proposed development on surrounding natural features and heritage resources;*

According to the applicant the proposed development will have regard for and complement, surrounding natural features, particularly open space and wetland complex to the west. There are no existing trees on the subject lands, but the proposed development will add new trees and vegetation to the site. Landscaping will be used to enhance the appearance of building setbacks and yard areas, and particularly to complement the planned community common to the east. It will also screen parking, and loading areas from adjacent lands, particularly the open space to the west.

CONCLUSION

The development proposal is compatible with the surrounding neighbourhood character of the North Talbot Community and respects the pattern of development along completed sections of Settlement Trail. Since the lands east of Speyside's plan of subdivision have not fully developed, there is less demand for the mixed use blocks, school and other institutional uses. The proposed apartment building would maintain and enhance the sense of residential amenity being created in the area.

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**File No: Z-8018
Planner: N. Musicco**

PREPARED BY:	SUBMITTED BY:
NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING AND URBAN DESIGN	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR OF LAND USE PLANNING & CITY PLANNER	

April 26, 2012

/nm

Y://Shared/Implem/DEVELOPMENT APPS/2012 – 3535 Settlement Trail_Z-8018_PEC Report.

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Planner: Nicole Musicco

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

Written Response:

Christine Richardson – 3587 Settlement Trail, London Ontario

Robert Prevette – 3569 Settlement Trail, London Ontario, 519-652-6107

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File: Z-8018
Planner: Nicole Musicco

Bibliography of Information and Materials (Z-8018)

Request for Approval:

Zoning By-law Amendment Application Form, completed by Michelle Doornbosch, February 3, 2012.

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

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

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 01, 2005.

City of London, Notice of Application, February 17, 2012

City of London, Living in the City – February 18, 2012

City of London, Revised Notice of Application, March 2, 2012

City of London, Revised Living in the City – March 2, 2012

City of London, Notice of Public Meeting – May 11, 2012

City of London, Living in the City - Saturday May 12, 2012

Correspondence: (all located in City of London File No. Z-8018 unless otherwise stated)

City of London

Andy Couvillon, (AMANADA response) Transportation, March 1, 2012

Blair Masschelein, (AMANADA response) Sanitary Sewers, January 9, 2012.

Various emails between Maureen Ricciuto and Blair Masschelein N. Musicco – January 2012-May 2012.

External Responses

D. Dalrymple, London Hydro, Memo to N. Musicco, February 17, 2012 and March 2, 2012

L. Raffoul, Bell Canada, Memo to N. Musicco, March 1, 2012

S. Ries, Urban Design Peer Review Panel Memo, March 21, 2012

C. Creighton, UTRCA, Letter to N. Musicco, March 7, 2012

Various emails between N. Musicco and M. Doornbosch, Vito Frijia, Richard Zelinka - January 2012-May 2012.

Submitted Studies

Planning Justification Report, Zelinka Priamo Limited, January 27, 2012

Urban Design Brief, Zelinka Priamo Limited, January 31, 2012

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File: Z-8018
Planner: Nicole Musicco

Appendix "A"

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3535 Settlement Trail.

WHEREAS Speyside East Corporation have applied to rezone an area of land located at 3535 Settlement Trail, 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:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 3535 Settlement Trail as shown on the attached map compromising part of Key Map No. 141 **FROM** a Residential R7 Special Provision/Community Facility (R7(5)*D100*H13/CF1/CF3) Zone **TO** a Holding Residential R8 Special Provision (h-103*R8-4()*D100*H21) .

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

12.4 R8-4 () 3535 Settlement Trail

a) Regulations

Building Height 21 meters (maximum)

Front yard depth 6.0 meters (minimum)

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

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

PASSED in Open Council on June 12, 2012

Joe Fontana
Mayor

Catharine Saunders
City Clerk

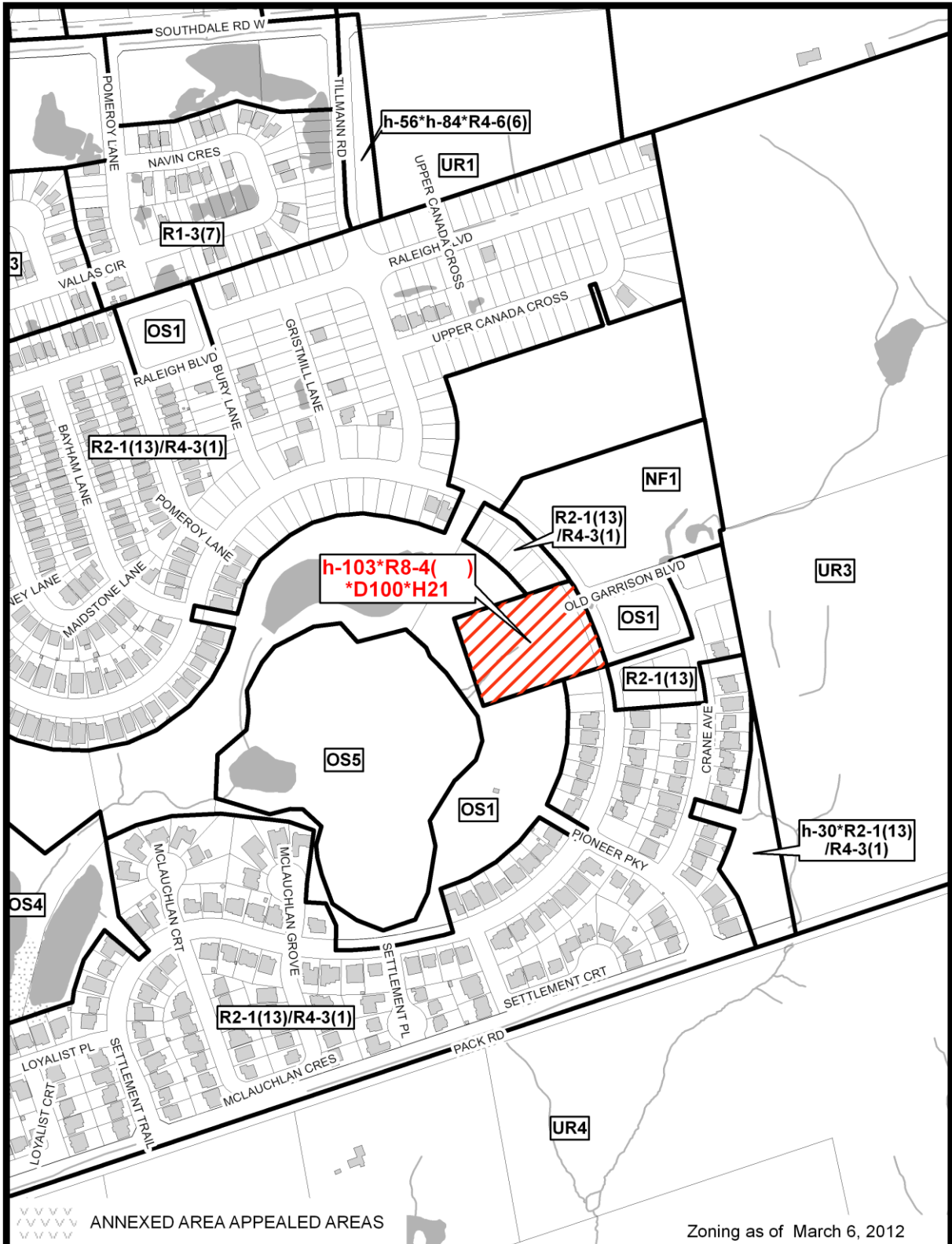
First Reading - June 12, 2012
Second Reading - June 12, 2012
Third Reading - June 12, 201

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



File Number: Z-8018
 Planner: NM
 Date Prepared: 2012/05/03
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE



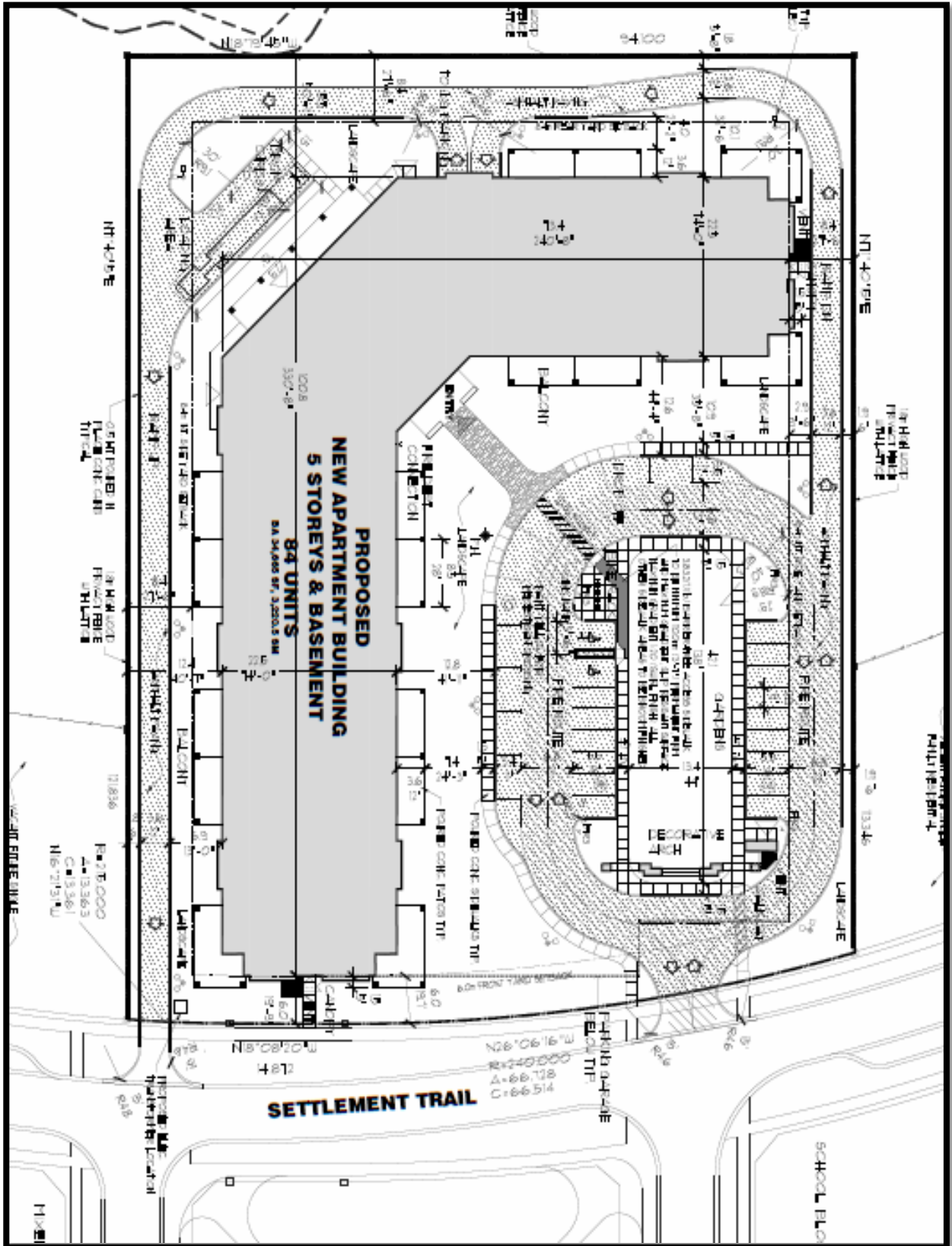
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APPENDIX 'A'
Site Plan



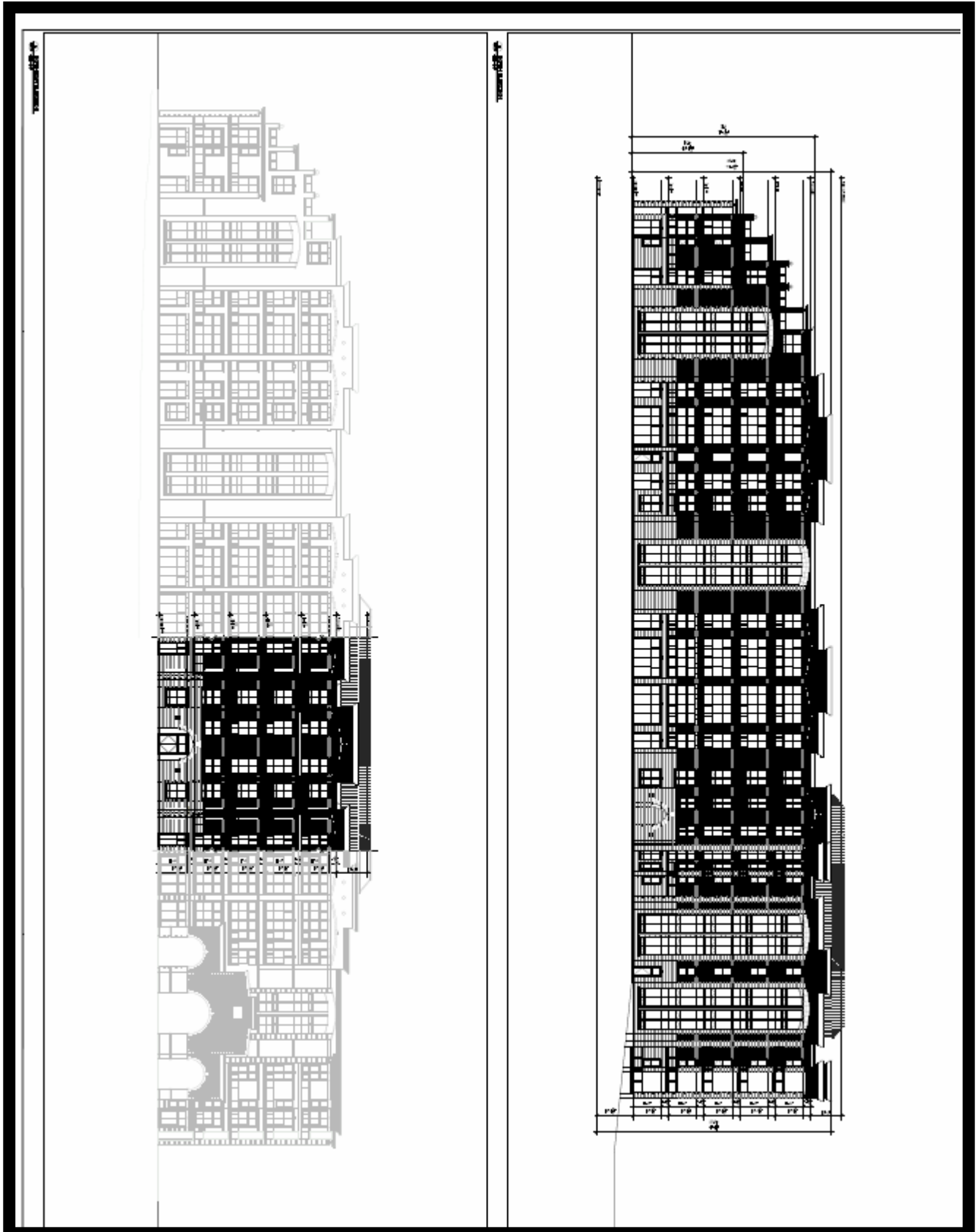
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APPENDIX 'B'



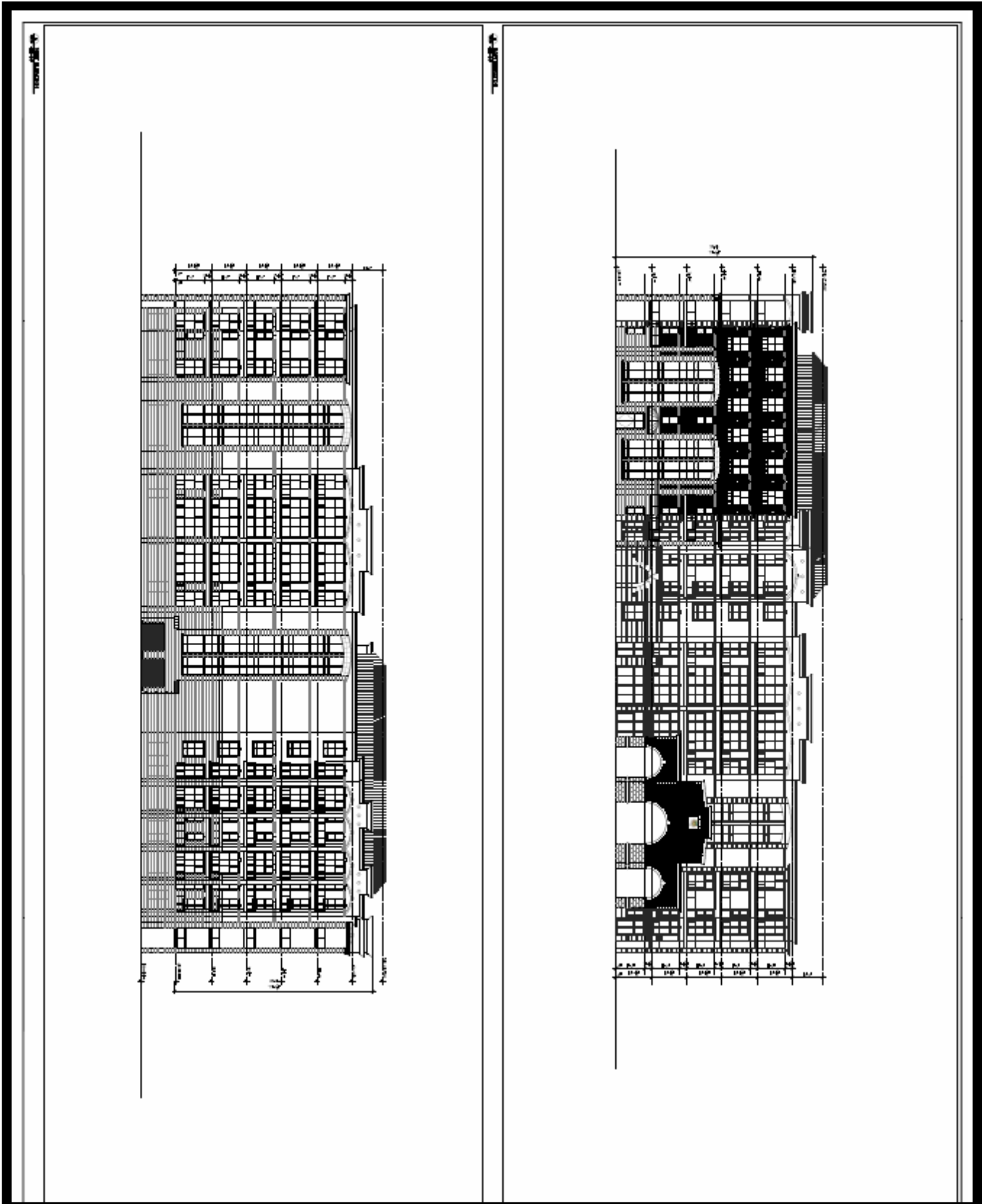
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APPENDIX 'C'
North and Northeast Elevation



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APPENDIX 'D'
East and West Elevations



Agenda Item # Page #

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File: Z-8018
Planner: Nicole Musicco

APPENDIX 'E'
South Elevation

