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File: O-8799/Z-8798
Planner: B. Debbert

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: SMARTREIT 1235 – 1295 FANSHAWE PARK ROAD WEST PUBLIC PARTICIPATION MEETING ON DECEMBER 4, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of SmartREIT relating to the property located at 1235 – 1295 Fanshawe Park Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 12, 2017 to amend the Official Plan by **ADDING** a policy to Chapter 10 – “Policies for Specific Areas” to permit multiple-unit residential developments having a low-rise profile, and certain specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments and continuum-of-care facilities;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on December 12, 2017 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone, **TO** a Holding Residential R8 Special Provision (h-147-R8-4(*)) Zone and a Holding Residential R8 Special Provision/ Associated Shopping Area Commercial Special Provision (h-147-R8-4(**)/ASA3(_)/ ASA6(_)/ASA8(5) Zone;
- (c) the Site Plan Approval Authority **BE REQUESTED** to consider the following design and engineering issues through the site plan approval process:
 - i) create a grid or modified grid internal drive-aisle hierarchy including primary internal drive aisles aligning with the driveways for 2900 Tokala Trail and 2825 Dalmagarry Drive, to provide for short and direct connections through and within the site for vehicles, pedestrians and other active mobility modes;
 - ii) design primary drive aisles and driveways as local streets including parallel on-street parking where appropriate, sidewalks, pedestrian-scale lighting, and boulevard trees;
 - iii) ensure the east-west primary internal drive aisle extends to the west property line to provide for a possible future vehicular connection through the Lowe’s site to the public street network;
 - iv) encourage underground parking for commercial and mixed-use development. Where underground parking is not provided, direct large surface parking areas to the side and rear of buildings and the primary internal streets and strategically screen them from view with a combination of low landscape walls and planting;

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File: O-8799/Z-8798
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- v) encourage the siting of common amenity space(s) in centrally located areas that are highly visible and easily accessible from the primary internal drive aisles and form an integral part of the pedestrian mobility network on the site;
- vi) encourage more intensive building forms/heights to be directed to the south part of the site, providing for a transition in height and intensity toward the low density residential neighbourhood to the north;
- vii) to contribute to the character of the neighbourhood, establish active frontages, create a sense of enclosure and provide a comfortable, high quality pedestrian environment, place design emphasis for all development forms on the relationship of the buildings and landscape treatments to the public streets, prominent intersections, the primary internal drive aisles and the common amenity space(s), considering such elements as:
 - a) Orient buildings and main entrances to buildings to these features;
 - b) Design side elevations that are visible from the public realm to have a similar level of prominence and detail as front facades;
 - c) Explore opportunities to highlight prominent public street intersections or entrances into the development with enhanced building design;
 - d) Use building and roof line articulation, appropriately scaled and located windows, and variation in materials, colours and architectural treatments to create a human-scaled rhythm, add interest and break down large facades; and,
 - e) Provide high-quality landscaping in these areas.
- viii) in mixed-use and apartment buildings, residential units should be designed to:
 - a) Provide direct access from individual units to adjacent sidewalks;
 - b) Provide individual private outdoor amenity space that may be delineated from and provide a transition to the adjacent communal areas through the use of grade changes, landscaping, low walls or other vertical elements that maintain views for safety.
- ix) to support mixed-use development, encourage additional main floor height to facilitate the use or conversion of this space for non-residential uses;
- x) townhouses should be designed to:
 - a) Orient buildings (primary entrance, high level of vision glass and architectural detail) to public streets and primary internal drive aisles as a first and second priority, respectively.
 - b) Provide for direct pedestrian access from primary entrances to the sidewalk on the public street or primary internal drive aisle;
 - c) Discourage the use of fencing between the front of the unit and the public street, other than low, decorative fencing intended solely to delineate private from public space;
 - d) Provide sufficient useable amenity area behind buildings.
- xi) Provide enhanced landscaping/buffering for mixed-use or residential development adjacent to the existing commercial development to the west;

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**File: O-8799/Z-8798
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- xii) For units along the north property line west of Tokala Trail, consider opportunities to orient dwelling toward Tokala Trail, in conjunction with any future development proposals by others at 2975 Tokala Trail.
- xiii) Revise existing Sanitary Area plans and design sheets if required.
- (d) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as City staff gave notice of the possible additional consideration of other special regulation such as for building setbacks from property lines, and the recommended zones and special provisions reflect the same or fewer land use permissions, and the same or more restrictive regulations than advertised in the Notice of Application;
- (e) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ ASA8(5) Zone, **TO** a revised Associated Shopping Area Commercial Special provision (ASA3/ASA6/ASA8(5)) Zone to permit, in addition to the above-noted uses, apartment buildings, handicapped persons apartment buildings, senior citizen apartment buildings, townhouses and stacked townhouses, nursing homes, retirement lodges, lodging house class 2, emergency care establishments, and continuum-of-care facilities, with special regulations to allow all uses to develop either in a standalone building or as part of a mixed-use building, including a live-work format; and for residential uses, a maximum height of 4 storeys, a maximum lot coverage of 40%, and a minimum landscaped open space of 30%, **BE REFUSED** for the following reasons:
 - i) it is more appropriate to combine a Residential R8 Zone with the existing Associated Shopping Area Special Provision (ASA3/ASA6/ASA8(5)) Zones than to add residential uses as special provisions to the commercial zones, for this property;
 - ii) the recommended land uses for the north part of the property are restricted to residential or specialized residential facilities, omitting the existing commercial zones from this area;
 - iii) the recommended regulations include yard depth setbacks, density and height provisions and restrictions on parking, drive aisles and drive-through facilities for new residential or mixed-use development that were not requested by the applicant but which will help to implement desirable urban design features and ensure adequate servicing can be provided;
 - iv) a holding provision is recommended to ensure the design issues identified in clause (c) are considered at the site plan stage.

EXECUTIVE SUMMARY

Summary of Request

Proposal

The applicant has submitted a preliminary site concept to demonstrate how the site could be developed with apartment buildings and townhouses behind the existing four commercial pads located at the south end of the site. It is intended that the existing commercial pads remain in place at this time, but could be redeveloped in the future.

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**File: O-8799/Z-8798
Planner: B. Debbert**

The plan depicts four, four storey apartment buildings with 552 residential units in the central portion of the site, supported by both underground and surface parking facilities. It also depicts 130 townhouse units in the north portion of the site, which would be serviced by garages and parking spaces associated with each individual unit, and visitor parking. Where the proposed buildings are adjacent to the public streets, they are located close to, and are functionally oriented to the street. A central outdoor amenity area is provided for each of the apartment and townhouse areas delineated on the concept plan. The driveway access configuration currently present on the site would be modified to align the entrances to the site with the planned entrance to the seniors apartment/retirement residence complex to the east on Dalmagarry Road, and the proposed entrance to the townhouse complex to the north on Tokala Trail. The buildings and central outdoor amenity areas are organized within a modified grid created by the internal drive aisle arrangement.

Since the plan is in its conceptual stages and may change, elevations and renderings of the possible development were not provided. The Urban Design Brief submitted with the application included sample images to demonstrate the types of urban design solutions that may be applied in the future. The intent is to establish design principles and framework for future development.

Requested Amendment

The applicant has requested an amendment to the Zoning By-law to keep the existing Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zones and add permissions to the commercial zones for residential uses including:

- apartment buildings,
- handicapped persons apartment buildings,
- senior citizens apartment buildings,
- townhouses and stacked townhouses,
- nursing homes,
- retirement lodges,
- lodging house class 2,
- emergency care establishments, and
- continuum-of-care facilities.

The applicant also requested a special regulation to allow all of the permitted uses to develop either in a standalone building or as part of a mixed-use building, including a live-work format.

The applicant also requested additional regulations for residential uses in the commercial zones including:

- | | |
|--------------------------------|----------------|
| • Maximum height | 4 storeys |
| • Maximum density | not applicable |
| • Maximum lot coverage | 40% |
| • Minimum Landscape Open Space | 30% |

The City initiated an Official Plan amendment to consider a concurrent special policy in Chapter 10 – Policies for Specific Areas” of the 1989 Official Plan to permit a range of residential and institutional land uses within the New Format Regional Commercial Node designation to align with the policies of *The London Plan*.

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Summary of Recommended Action

Staff are recommending the following:

- Approval of an Official Plan amendment to permit multiple-unit residential developments having a low-rise profile, and certain specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments and continuum-of-care facilities, on the subject site;
- Approval of a Zoning By-law amendment that:
 - adds two Residential R8 Special Provision (R8-4(*) and R8-4(**)) Zones to permit the requested residential uses on the site. The special provisions address permitted built form, yard depths, height, density, and the placement of parking, drive aisles, and drive through facilities;
 - adds/modifies special provisions to the existing Associated Shopping Area Commercial (ASA3/ASA6/ASA8(5)) Zones to clarify that mixed-use residential/commercial buildings may include any of the permitted uses but must comply with the Residential R8 Special Provision (R8-4(**)) Zone, and that all uses may develop in standalone buildings, a shopping centre building, or a part of a mixed-use residential/commercial building, including a live-work format;
 - removes the existing Associated Shopping Area Commercial (ASA3/ASA6/ASA8(5)) Zones from the north part of the site; and,
 - includes a holding provision for urban design;
- Refusal of the requested Zoning By-law amendment due to the substantive and technical adjustments that were made to the requested amendment to satisfy concerns raised by staff, commenting agencies and the public.
- That the Site Plan Approval Authority be requested to consider design and engineering issues through the site plan process dealing with matters such as:
 - Creation of a grid or modified grid drive-aisle hierarchy, alignment of the main entrances to the site with entrances on the opposite sides of Dalmagarry Road and Tokala Trail, and the extension of the entrance from Dalmagarry Road across the entire site to provide for future connectivity;
 - Design of the primary private streets (driveways) to create the feel and functionality of a local public street;
 - Encourage underground parking for commercial and mixed-use development, and where underground parking is not provided, ensuring the parking area is appropriately designed and screened;
 - Encouraging centrally located common amenity spaces;
 - Providing a transition of intensity by encouraging more intensive built form and height to be located toward the south part of the site;
 - Contribute to neighbourhood character, establish active frontages, create a sense of enclosure and provide a comfortable, high quality pedestrian environment by placing design emphasis on the relationship of the buildings and landscape treatments to the public streets, prominent intersections, the primary drive aisles and the common amenity spaces;

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File: O-8799/Z-8798
Planner: B. Debbert

- Specific design considerations for mixed-use and apartment buildings, and for townhouses, to provide an appropriate relationship between spaces for personal and public use;
- Encouraging additional main floor height in mixed-use buildings to facilitate transition to commercial uses;
- Providing enhanced landscaping/buffering for mixed-use or residential development adjacent to the existing commercial uses to the west; and,
- Considering design opportunities along the north property line to provide for “street fronting” units where Tokala Trail curves north.

Rationale of Recommended Action

1. The recommended amendment to the 1989 Official Plan aligns the policy basis for the proposed development of the property with the Shopping Area policies of The London Plan which was adopted by Council;
2. The recommended amendments are consistent with the Provincial Policy Statement, 2014;
3. The recommended Zoning By-law amendment is consistent with the recommended amendment to the 1989 Official Plan;
4. The recommended Zoning By-law amendment is consistent with the Shopping Area and City Design policies of *The London Plan*;
5. The recommended Zoning By-law amendment provides for and distinguishes an appropriate range of permitted uses on the subject site;
6. The recommended zoning special provisions support development and urban design goals that are appropriate for the site and its context; and,
7. The matters requested to be considered by the site plan approval authority support development, urban design and engineering goals that are appropriate for the site and its context.

ANALYSIS

1.0 Site at a Glance

1.1 Property Description

The subject property is a 7.3 ha parcel located at the north-west corner of Fanshawe Park Road West and Dalmagarry Road, extending north to Tokala Trail and west to the Lowe’s property. Four existing commercial pads addressed as 1255 – 1285 Fanshawe Park Road West, are occupied by Tim Horton’s, the Royal Bank, Boston Pizza and the Bank of Montreal. The balance of the site to the rear of these commercial pads is currently vacant, although the curbs and traffic islands to support future additional commercial buildings (planned to be addressed as 1235, 1245 and 1295 Fanshawe Park Road West) have been constructed in accordance with the 2008 site plan approval and development agreement. The site is relatively flat.

Located in a developing portion of the Foxhollow Community, the property is surrounded on the north and east by primarily vacant lands in various stages of

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File: O-8799/Z-8798
Planner: B. Debbert

planning approval. When this area is built out it will include a mix of single detached dwellings, townhouses, and high rise apartments, and a seniors apartment and retirement residence complex. Linkages to the existing and planned open space network and park facilities to the north are available directly from the intersection of Dalmagarry Drive and Tokala Trail, and from a combination of surrounding public streets and walkways.

Other area land uses include Lowe's to the immediate west and the SmartREIT big-box commercial complex to the south across Fanshawe Park Road West. Several commercial pads located along the north side of Fanshawe Park Road West on either side of the subject property provide a mix of retail, restaurant, grocery, and service uses.

Fanshawe Park Road West is classified as an Arterial Road, while Dalmagarry Drive and Tokala Trail are Secondary Collector Roads.

Bike lanes are provided along Fanshawe Park Road West and Hyde Park Road. Bus stops for routes 31 and 39 run along Fanshawe Park Road West, providing access to connection points south along Hyde Park Road and Richmond Street, and through the White Hills and Masonville neighbourhoods.

1.2 Current Planning Information (see more detail in Appendix E)

- Official Plan Designation – New Format Regional Commercial Node
- The London Plan Place Type – Shopping Area
- Existing Zoning – Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone

1.3 Site Characteristics

- Current Land Use – 4 commercial pads, and vacant land
- Frontage – Fanshawe Park Road – 229 metres (751.3 feet)
- Depth – 310 metres (1,017 feet)
- Area – 7.3 ha (18.04 acres)
- Shape – rectangular

1.4 Surrounding Land Uses

- North – partially developed plan of subdivision, mostly vacant with some single detached dwellings, planned 1 – 2 storey townhouse complex, lands zoned for cluster housing townhouses, apartment buildings and neighbourhood facilities.
- East – planned 4 – 5 storey seniors apartment and retirement residence complex, existing new commercial development
- South – existing commercial development, townhouses and single detached dwellings
- West – commercial development

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File: O-8799/Z-8798
Planner: B. Debbert

Subject Property - Existing Buildings Fronting Fanshawe Park Road West



Bank of Montreal



Boston Pizza



Royal Bank



Tim Horton's

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Subject Property – Vacant Lands to Rear of Existing Development



Looking Northwest from driveway behind Tim Horton's



Looking Northeast from parking area behind Bank of Montreal



Interface between subject property and commercial development to the west

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Location Map



LOCATION MAP

Subject Site: 1235 - 1295 Fanshawe Park Rd W
 Applicant: SmartREIT
 File Number : O-8799/Z-8798

Planner : BD
 Created By : MB
 Date : 2017/11/02
 Scale : 1:3000

Legend

Subject Site

Prepared by : Graphics & Information Services , Planning Division
 Corporation of the City of London
 E:\planning\projects\g_info\locationmaps



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File: O-8799/Z-8798
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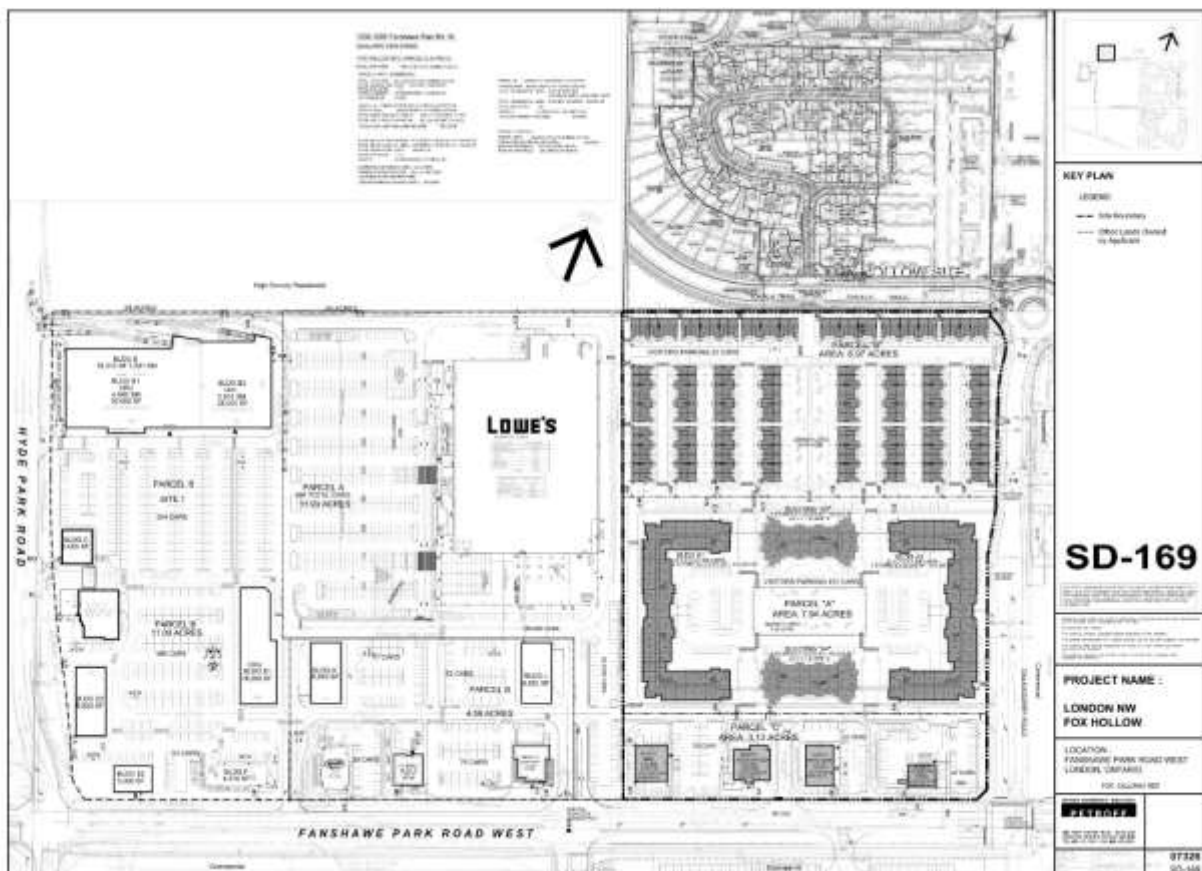
2.0 Description of Proposal

2.1 Development Proposal

The applicant has submitted a preliminary site concept to demonstrate how the site could be developed with apartment buildings and townhouses behind the existing four commercial pads located at the south end of the site. It is intended that the existing commercial pads remain in place at this time, but could be redeveloped in the future.

The plan depicts four, four storey apartment buildings with 552 residential units in the central portion of the site, supported by both underground and surface parking facilities. It also depicts 130 townhouse units in the north portion of the site, which would be serviced by garages and parking spaces associated with each individual unit, and visitor parking. Where the proposed buildings are adjacent to the public streets, they are located close to, and are functionally oriented to the street. A central outdoor amenity area is provided for each of the apartment and townhouse areas delineated on the concept plan. The driveway access configuration currently present on the site would be modified to align the entrances to the site with planned entrance to the seniors apartment/retirement residence complex to the east on Dalmagarry Road, and the proposed entrance to the townhouse complex to the north on Tokala Trail. The buildings and central outdoor amenity areas are organized within a modified grid created by the internal drive aisle arrangement.

Since the plan is in its conceptual stages and may change, elevations and renderings of the possible development were not provided. The Urban Design Brief submitted with the application included sample images to demonstrate the types of urban design solutions that may be applied in the future.



Submitted Conceptual Site Plan

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3.0 Relevant Background

3.1 Planning History

The Foxhollow Community Plan, adopted by Council in 1999, designated the site for Multi-family, Medium Density Residential and Low Density Residential uses.

In 2003 and 2004, a number of landowners at the Hyde Park Road/Fanshawe Park Road West intersection made separate planning applications to permit commercial uses/an expanded range of commercial uses on their properties. As a result of a City-initiated comprehensive planning review, Council decision and the dismissal of appeals to the Ontario Municipal Board, Official Plan Amendment No. 332 changed the land use designation on the subject property to the Commercial Policy Area. The related zoning by-law amendment (By-law Z.-1-041261) applied the Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone to the subject site, limiting the gross floor area for commercial uses to 18,580 square metres (200,000 square feet).

As part of the 5-year Official Plan review in 2006, Official Plan Amendment No. 438 replaced all of the existing commercial designation with new commercial designations and policies based on nodal and linear configurations, form, function and scale. The new designation applied to the commercial node at Hyde Park Road/Fanshawe Park Road West, including the subject property, was the New Format Regional Commercial Node designation. The zoning on the site did not change.

In 2008, the current landowner applied for and received site plan approval for a 7-pad commercial complex as illustrated on the following page. In addition to the existing 4 pads along Fanshawe Park Road West, it included two multi-tenant pads for small commercial units oriented in a north/south direction along the east and west property lines, and a large floorplate multi-tenant building along the north property line. These larger units were designed with loading docks adjacent to Tokala Trail. The registered development agreement requires “the construction of a minimum 3 metre high noise barrier behind all buildings backing onto the north property line in order to mitigate acceptable noise from the loading areas and lane affecting residential development to the immediate north.” The agreement also goes on to state that if a noise consultant’s report indicates a noise wall is not required, the owner is to construct a 1.8m board on board wood fence on the north property line.

3.2 Requested Amendment

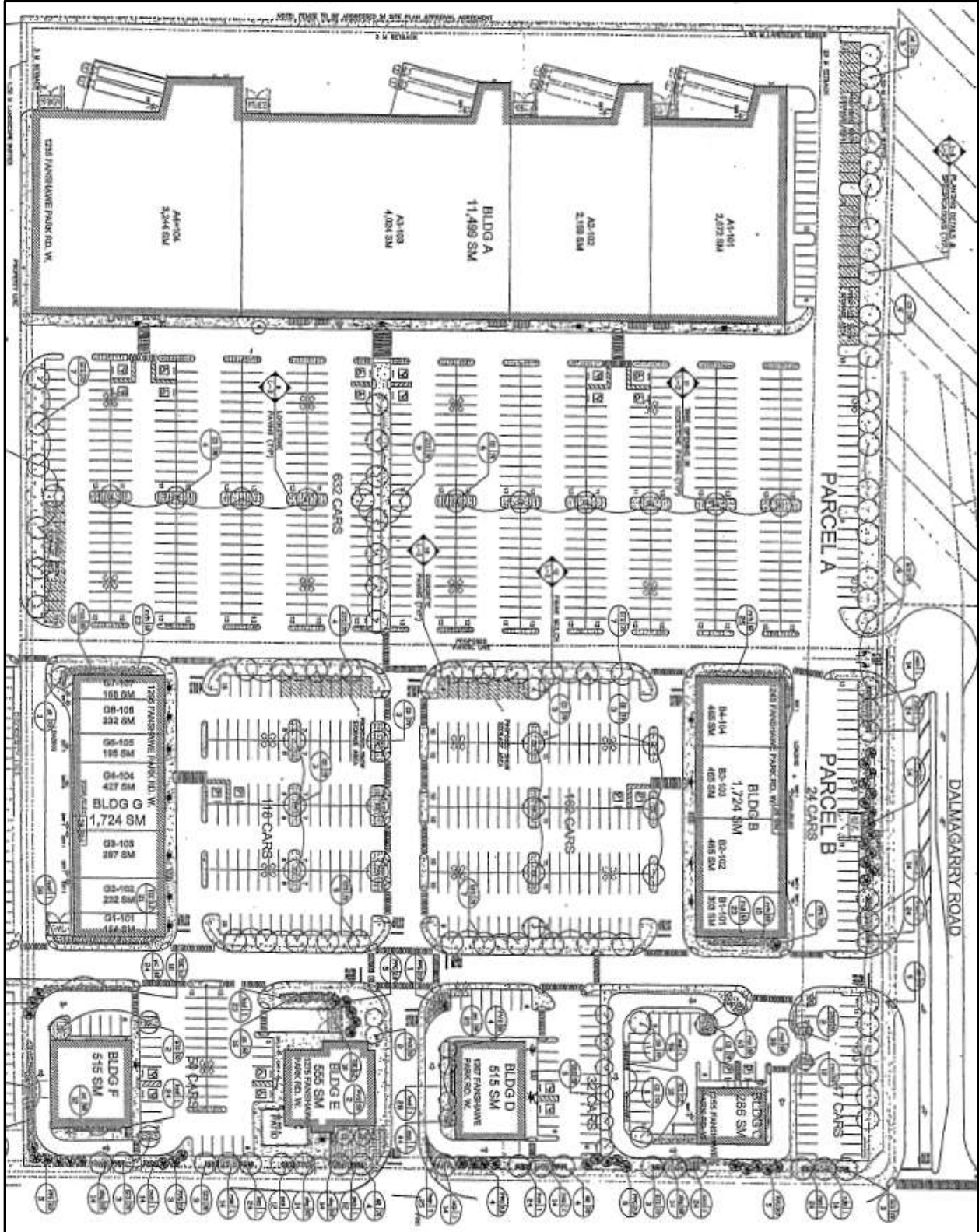
The applicant has requested an amendment to the Zoning By-law to keep the existing Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zones and add permissions to the commercial zones for residential uses including:

- apartment buildings,
- handicapped persons apartment buildings,
- senior citizens apartment buildings,
- townhouses and stacked townhouses,
- nursing homes,
- retirement lodges,
- lodging house class 2,
- emergency care establishments, and
- continuum-of-care facilities.

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File: O-8799/Z-8798
Planner: B. Debbert

**Subject Property – Approved Site Plan for Commercial Development
(north at the top, Fanshawe Park Road at the bottom)**



Extract from Registered Development Agreement

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**File: O-8799/Z-8798
Planner: B. Debbert**

The applicant also requested a special regulation to allow all of the permitted uses to develop either in a standalone building or as part of a mixed-use building, including a live-work format.

The applicant also requested additional regulations for residential uses in the commercial zones including:

- Maximum height 4 storeys
- Maximum density not applicable
- Maximum lot coverage 40%
- Minimum Landscape Open Space 30%

The City initiated an Official Plan amendment to consider a concurrent special policy in Chapter 10 – Policies for Specific Areas” of the 1989 Official Plan to permit a range of residential and institutional land uses within the New Format Regional Commercial Node designation to align with the policies of *The London Plan*.

3.3 Community Engagement (see more detail in Appendix C)

There were two written replies from the public to the circulation of the Notice of Application.

Representatives of Lowe’s Canada noted the potential for conflict between existing activities on the commercial lands and potential future residential land uses. They do not oppose the proposed uses provided appropriate mitigation measures are put in place

One landowner from the residential neighbourhood to the north-east objected to the proposal, citing community expectations, loss of privacy and obstructed sightlines due to increased building height, and loss of property value. They expressed a concern that the proposed rezoning would help the applicant capitalize on the current housing market to the detriment of people who have already purchased homes in the area.

The planning concerns raised will be addressed further through this report.

3.4 Policy Context (see more detail in Appendix D)

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. Section 1.1 – *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

Official Plan

The subject property is located within a New Format Regional Commercial Node designation. This designation is intended to provide for a wide range of commercial uses which meet specialized service and comparison shopping needs. They are

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File: O-8799/Z-8798
Planner: B. Debbert

characterized by a high concentration of retail uses and are major activity centres that may have trade areas that extend beyond the municipal boundary. Permitted uses include a broad range of retail, service, restaurant, commercial recreation, limited automotive, office and community facility uses.

Residential uses and housing or care facilities for people with special needs are not listed as permitted uses in this designation, therefore an Official Plan amendment is required to rezone the uses requested by the applicant.

The London Plan

The subject site is in the Shopping Area Place Type in *The London Plan*. This place type provides for commercial centres with a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods. It is expected that over time, many of these centres will re-format to become mixed-use areas that include retail, service, office and residential uses. These centres will also become more pedestrian, cycling and transit-oriented, and less automobile dominated in their design. (TLP 871_)

4.0 Key Considerations

As a result of policy analysis, department and advisory body comments, and public comments, the following five key considerations were identified and are discussed below.

- Basis for the Proposed Official Plan Amendment
- Range and Distribution of Uses
- Commercial Compatibility/Residential Privacy and Aesthetics
- Site Design and Regulation
- Sanitary Servicing

4.1 Basis for the Proposed Official Plan Amendment

The recommended Official Plan amendment was initiated by City staff in response to the application to rezone the property to permit multiple-unit residential developments having a low-rise profile, and certain specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments and continuum-of-care facilities. The question is whether it is appropriate to adopt such an Official Plan amendment.

Chapter 10 of the Official Plan allows Council to consider policies for specific areas where one or more of four criteria apply. One of these criteria is “the change in land use is site-specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use.” (OP 10.1.1 ii).

There is not an alternative existing land use designation in the 1989 Official Plan that would be suitably applied to the subject property to allow for the mix of land uses requested by the applicant. The New Format Regional Commercial Node designation provides for the range of commercial uses permitted by the current zoning, and continues to be an appropriate land use designation for the site with respect to non-residential land uses.

Adding residential and specialized residential facilities as site-specific uses to the currently permitted range of commercial uses in the 1989 Official Plan is consistent with

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**File: O-8799/Z-8798
Planner: B. Debbert**

Council's vision as articulated in the Shopping Area Place Type in The London Plan. The recommended amendment will facilitate and encourage the development of the subject property into a mixed-use format.

4.2 Range and Distribution of Uses

Consideration is required as to whether the specific residential and specialized residential facilities are appropriate for this property. In addition, consideration was given to whether the existing permitted commercial uses should continue to be allowed on the north part of the property.

Provincial Policy Statement, 2014 (PPS)

The PPS directs settlement areas to be the focus of growth and development, and promotes land use patterns within settlement areas that efficiently use land and resources, efficiently use planned or available infrastructure, support active transportation, and are transit supportive. (PPS 1.1.3.1 and 1.1.3.2). It also states that "New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact urban form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities" (PPS 1.1.3.6).

With respect to employment, the PPS requires planning authorities to promote economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities. (PPS 1.3.1).

The subject site is located within the City's Urban Growth Boundary in an actively developing area. The requested zoning by-law amendment to expand the range and type of uses permitted on the site, combined with permission to see those uses develop in a variety of forms, promotes a greater intensity of development with a compact form. The explicit request to allow those uses within mixed-use buildings and in a live-work format, promotes community-building and supports the efficient use of land and infrastructure. The proposed zoning by-law amendment is in conformity with the PPS.

Official Plan

While the requested zoning by-law amendment is not within a Residential land use designation in the Official Plan, it is informative to refer to the criteria of the Multi-family, Medium Density residential designation for guidance respecting preferred locations for medium density residential uses. These include proximity to shopping areas or commercial districts, open space areas or regional facilities, and lands abutting higher-order streets. They also consider compatibility, servicing, traffic impacts, and the ability to buffer adjacent land uses. (OP 3.3.2).

Fanshawe Park Road West, an arterial road, forms the south boundary of the subject property. The site is bounded on the east and north by two secondary collector roads which form part of a network that, when completed, will provide ready access to both Fanshawe Park Road West and Hyde Park Road. The subject site is both adjacent to, and part of, a regional commercial node that is well-positioned to provide the daily and specialized shopping and service needs of residents. The undeveloped part of the site is located at the fringe of the commercial area, immediately adjacent to Lowe's on the west, predominantly north of the commercial plaza and McDonald's across Dalmagarry Road to the east, and north of the SmartCentres commercial complex south of

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**File: O-8799/Z-8798
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Fanshawe Park Road. The south part of the site is developed with four commercial pads which are intended to remain, at least in the short term. The site will have ready access to a future neighbourhood park located to the northwest at the future intersection of Tokala Trail and Dyer Crescent, and has/will have access to the Snake Creek Trail system via a future trail head and public neighbourhood streets. It is serviced by Foxwood District Park on Sunningdale Road. It is also located within a short walk of Saint Andre Bessette Catholic Secondary School. A vacant subdivision block north of the roundabout at Dalmagarry Road and Tokala Trail could potentially be developed as a school site.

Residential uses existing, under construction, under site plan consideration, and zoned in the area of the subject property include high-rise apartment buildings, 1 – 2 storey townhouses, a mid-rise seniors apartment building/retirement residence, and single detached dwellings that are typically two storeys in height. Most of the single detached lots are not located immediately adjacent to, or directly across the street, from the subject property. The recommended low-rise apartment buildings and townhouses are compatible with the surrounding land uses, provided appropriate design considerations (discussed later in this report) are applied to the development. The opportunity for low-rise apartments also fills a gap in housing options that is currently not available in the area. The subject site can be serviced for the requested density (discussed later in this report). No traffic impacts are anticipated, and the intensification of the site with residential land uses will support transit by increasing potential ridership.

The subject site meets the locational and contextual criteria for medium density residential uses and is a suitable location for a variety of medium density residential uses.

The London Plan

The requested addition of residential uses and specialized residential facilities is consistent with the overall vision of the Shopping Area Place Type to transition to mixed-use areas that include retail, service, office and residential uses (TLP871_). This property could be in the forefront of providing for a true mixed-use development, since it is largely vacant and does not need to be vacated of existing tenants and demolished as part of the (re)development process.

The Plan states that in order to achieve this vision, we will “allow for flexibility in use and the intensification of existing centres” (TLP 876_3.), and “encourage the ... infill and intensification of existing centres to take advantage of existing services, use land more efficiently, and reduce the need for outward expansion” (TLP 876_4.). These can be achieved by introducing mid-rise residential development into existing centres to intensify their use, promote activity outside of shopping hours, and strengthen their role as neighbourhood centres (TLP 876_5.).

The Plan permits a broad range of retail, service, office, entertainment, recreational, educational, institutional and residential uses in the Shopping Area Place Type, and encourages mixed-use buildings (TLP 877_1. and 2.)

Commercial Development Along Tokala Trail

The request to add residential and specialized residential facilities to the commercial uses currently permitted on the site provides an opportunity to revisit whether the full range of uses is appropriate for the entire site.

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While the entire site is within the Shopping Area Place Type, there is a case for limiting the Tokala Trail frontage to residential uses.

The existing site is deep and surrounded on three sides by streets that provide access to the interior of the neighbourhood which is residential in nature. The complete build-out of the site for commercial purposes employing today's urban design standards would result in commercial development fronting all three streets; Fanshawe Park Road West, Dalmagarry Road and Tokala Trail. Contemporary urban design criteria would require commercial pads at the back of the property to be oriented to Tokala Trail and introduce a commercial element behaving, in context, more like a separate convenience commercial site than as an integral part of the regional commercial node. No other existing or planned commercial properties in the area have frontage on this street. This would cause a commercial intrusion into the purely residential part of the neighbourhood.

It is noted that the approved site plan for the property would permit back-of-house operations directly adjacent to Tokala Trail, including large bay loading docks on a large floor-plate, multi-tenant building, screened by a noise wall or board-on-board fence. This type of development results in a poor interface with the residential properties on the north side of Tokala Trail and does not strengthen the role of the commercial node as part of a neighbourhood centre.

A preferred use of the northerly part of the site is for medium density residential uses. These can be appropriately oriented to the public street.

City staff have worked with SmartREIT to identify an area of suitable depth to accommodate multi-family, medium density residential development along the north part of the property. Sufficient space will remain available for commercial, mixed-use or residential development in the central part of the site to be developed on either side of an east-west driveway from Dalmagarry Drive, which will align with the existing driveway between the McDonald's and the retirement residence under construction on the east side of the street.

Zoning

Due to the range of residential uses requested and the ability to compound multiple zones on a site, City staff have recommended the addition of a Residential R8 Zone variation to the existing Associated Shopping Area Special Provision (ASA3/ASA6/ASA8(5)) Zones that currently apply to the site. This approach enabled staff to distinguish between the specific development regulations that will apply to residential or mixed-use development, and the standard Associated Shopping Area Zone regulations that still apply to purely commercial development.

In accordance with limiting the north part of the site to residential development, the Associated Shopping Area Commercial (ASA) Zone variations were removed from the zoning map in this area.

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4.3 Commercial Compatibility/Residential Privacy and Aesthetics

This section is intended to address the planning points raised by adjacent and nearby property owners.

Commercial Compatibility

If the subject site is developed for mixed-use or residential development, complaints may arise about the noise and activity generated in the commercial access/loading lane on the east side of the Lowe’s building. From an aesthetic perspective, the Lowe’s façade along the east side is a long, blank wall that provides no visual interest or relief.

The Urban Design policies of the Official Plan encourage the use of landscaping to “enhance the appearance of building setback and yard areas, contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets” (OP Section 11.1.1. x). The City Design policies of *The London Plan* states that “site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area” (TLP 252_) and should “minimize and mitigate impacts on adjacent properties” (TLP 253_).

Normally mitigation between residential and commercial uses would be implemented on a new commercial site; however, the onus will fall on the developers of the subject property to mitigate impacts along the Lowe’s interface since residential or mixed-use development was not contemplated when the Lowe’s site was developed. The recommended regulations for the Residential R8 Special Provision zone require a 7.5 metre setback for mixed-use or residential development. It is the intent that this buffer area be used for enhanced landscaping/buffering inside any fencing that is required. This consideration is included in the matters requested to be considered at the site plan stage. At the site plan stage, the developers may also consider the arrangement of uses inside the buildings and the resultant window openings along the west property line in order to minimize and mitigate potential impacts.

Residential Privacy and Aesthetics

A local residential landowner, expressed concern that permitting residential development in the form of low-rise apartments will result in obstructed sight lines, a reduced aesthetic and a loss of privacy for the properties north of Tokala Trail.

The Urban Design policies of the Official Plan promote the use of a series of urban design principles in the preparation and review of development proposals. These principles state that “To the extent feasible, new development should minimize the obstruction of views of natural features and landmarks” (OP 11.1.1 iii), and “to the extent feasible, the design and positioning of new buildings should minimize the loss of privacy for adjacent residential properties” (OP 11.1.1 xiv).

The City Design policies of *The London Plan*, which will be applied to the detailed design of the site at the site plan approval stage, also provide direction in these matters. They state “The siting of buildings and layout of sites should create and preserve views of landmarks and natural features, including natural heritage and hazards, from public spaces” (TLP 257_). Respecting building design, “Buildings will be designed to achieve scale relationships that are comfortable for pedestrians” (TLP 286_), and “An appropriate transition of building height, scale and massing should be provided between developments of significantly different intensities...” (TLP 298_). Detailed building

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design focuses on improved aesthetics, stating “Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an attractive frontage, and provide for convenient pedestrian access” (TLP 291_).

With respect to sightlines or vistas, the Intensity policies for the Shopping Area Place Type allow buildings to be up to four (4) storeys in height (TLP 878_2.). While the approved commercial site plan depicts a two storey (approximately 7 metre) profile, the existing Associated Shopping Area Commercial Zone permits a maximum height of 12 metres that could be implemented through a new development approval. The recommended zoning to allow residential uses would allow a maximum height of 13 metres (3 storeys), scaling up to 15 metres for residential or mixed-use development on the south part of the site. The additional 1 metre in height for the north part of the site was included to accommodate the potential for three storey residential development with a pitched roof design. There is not a substantial effective increase in potential development height adjacent to Tokala Trail a result of the recommended rezoning, than what would be permitted by existing zoning. Furthermore, there are no specific view sheds to preserve in this area of the City in accordance with Urban Design and City Design policies. If the intent is to maintain a feeling of openness around shorter buildings, this is achieved by the separation created by the intervening public road.

In term of aesthetics, the approved site plan would yield either a 3 metre noise wall or a 1.8 metre board-on-board fence, with the back of a commercial building extending several metres above that barrier. In contrast, new residential development will be required to be oriented to the street and be well-designed in accordance with the City’s design principles. This will yield an improved overall aesthetic for the neighbours on the north side of Tokala Trail.

With respect to privacy, three storey residential buildings across Tokala Trail from future residential lots and townhouses to the north will not create an unwarranted breach of privacy. It should also be noted that the apartment site north of Lowe’s permits a maximum height of 45 metres, and the townhouse site north of the subject property, while planned for 1 – 2 storey townhouses permits a maximum height of 12 metres. The retirement residence will be 5 storeys tall adjacent to Tokala Trail upon completion. The recommended height of 13 metres is appropriate for the area and is not a privacy concern.

4.4 Site Design and Regulation

The plan submitted with the application was preliminary or conceptual only, to demonstrate how the site could be developed. The subject property is a site of significant size with public street frontage on three sides. It also has some unique features that need to be addressed, and requires special consideration within a possible mixed-use environment. Since we do not know the details of a final development proposal, staff have identified several design principles and considerations specific to the property that are included in clause c) of the staff recommendation for the Site Plan Approval Authority to consider at the site plan approval stage.

The City Design policies of *The London Plan* support planning the built form of our City to create positive relationships between streets, streetscapes, public spaces, landscapes and buildings (TLP 189_). This is to be achieved by designing for and fostering a well-designed built form, development that is designed to be a good fit and compatible within its context, supports a positive pedestrian environment, and supports

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all types of active mobility (TLP 193_1., 2., 4. & 5.). The City Design chapter includes detailed design policies related to character, the street network, streetscapes, public spaces, site layout including parking, and buildings. The Plan also includes specific design policies for the Shopping Area Place Type which relate to the onsite organizational structure created by the driveway grid on large commercial blocks that can facilitate future redevelopment, provide connectivity for pedestrians, transit users and cyclists, and allow for future neighbourhood connections to connect transit services, the street and the commercial block to the neighbourhood ((TLP 879_2.). They also address other specific site-layout and amenity provisions to provide a comfortable and inviting environment that enhance the centre’s function as a public meeting place (TLP 879_3., 4., 5., and 7.).

The submitted concept plan and the accompanying Urban Design Brief prepared on behalf of the applicant demonstrated how many of the principles set out in *The London Plan* could be achieved. Both Urban Design staff and the Urban Design Peer Review Panel were generally supportive of the submitted design and each provided additional input to bolster the design and establish site-specific zoning regulations to facilitate design goals.

Specific consideration was given to the more challenging parts of the site, including the interface with Lowe’s (discussed in Commercial Compatibility above), the interface of the north property line with the future apartment site where Tokala Trail curves north, and the “property line” interface created by the split zoning on the site.

Clause c) of the staff recommendation includes a number of design matters that the Site Plan Approval Authority is requested to consider at the site plan approval stage. They are meant to address matters particular to the subject site and are intended to be considered in conjunction with the design policies of *The London Plan* and any other applicable design guidelines in place at the time of development. They generally deal with:

- Creating a grid or modified grid drive-aisle hierarchy, alignment of the main entrances to the site with entrances on the opposite sides of Dalmagarry Road and Tokala Trail, and the extension of the entrance from Dalmagarry Road across the entire site to provide for future connectivity;
- Designing the primary drive aisles to create the feel and functionality of a local public street;
- Encouraging underground parking for commercial and mixed-use development, and where underground parking is not provided, ensuring the parking area is appropriately designed and screened;
- Encouraging centrally located common amenity spaces;
- Providing a transition of intensity by encouraging more intensive built form and height to be located toward the south part of the site;
- Contributing to neighbourhood character, establishing active frontages, creating a sense of enclosure and providing a comfortable, high quality pedestrian environment by placing design emphasis on the relationship of the buildings and landscape treatments to the public streets, prominent intersections, the primary drive aisles and the common amenity spaces;
- Specific design considerations for mixed-use and apartment buildings, and for townhouses, to provide an appropriate relationship between spaces for personal and public use;
- Encouraging additional main floor height in mixed-use buildings to encourage future transition to commercial uses;

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- Providing enhanced landscaping/buffering for mixed-use or residential development adjacent to Lowe's; and,
- Considering design opportunities along the north property line to provide for "street fronting" units where Tokala Trail curves north.

The proposal will be considered again at the UDPRP at the site plan stage. Because it is possible the development proposal could change before a site plan application is submitted, more detailed comments received from Urban Design staff and the UDPRP can be reconsidered at that time.

Zoning

Site specific zoning regulations were developed to support urban design goals, address specific site matters, and provide appropriate density and height limits. These are summarized as follows:

- For all residential and mixed-use development on the entire site:
 - Nursing homes, retirement lodges and townhouse dwellings added to the list of permitted residential units;
 - Minimum (2 metre) and maximum (5 metre) yard setbacks from Dalmagarry Road and Tokala Trail;
 - Minimum interior yard depth (6 metres) from the north property line west of where Tokala Trail curves to the north;
 - Zero yard depth across the zone line (which is treated as a property line) if the site is developed comprehensively;
 - Use-appropriate yard depths across the zone line if the areas north and south of the zone line are not developed a comprehensive;
 - Minimum interior yard depth (7.5 metres) from the west property line;
 - Maximum density (97 units per hectare) for the entire site; note since Section 3.4 1) a) of the Zoning By-law reduces the permitted number of residential units by 1 for every 100 square metres of commercial gross floor area constructed, the density has been adjusted to incorporate the commercial floorplates already existing on the site - any additional mixed-use or commercial development will be subject to the residential unit reduction formula.
- For residential uses on the north quarter of the property:
 - Prohibiting parking and drive aisles between the buildings and the public streets;
 - Note other standard regulations of the Residential R8 (R8-4) Zone apply including a maximum height of 13 metres, a maximum lot coverage of 40% and minimum landscaped open space of 30%.
- For residential and mixed-use development on the south three quarters of the property:
 - Minimum (2 metres) and maximum (6 metres) yard depths from Fanshawe Park Road West for new development or redevelopment;
 - Maximum height of 15 metres;
 - Prohibiting parking, drive aisles or drive-through facilities between the buildings and the public streets;
 - A maximum density of 114 units per hectare is specified to prevent the potential use of the entire density limit of 97 units per hectare on the south part of the site, which would effectively sterilize the north part of the site

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- for residential uses. This limitation on the south part of the site would allow for the minimum equivalent of 35 uph on the north part;
- Note other standard regulations of the Residential R8 (R8-4) Zone apply including a maximum lot coverage of 40% and minimum landscaped open space of 30%.
 - For strictly commercial development the existing Associated Shopping Area (ASA3/ASA6/ASA8(5)) Zones apply with special provisions:
 - All uses may develop in standalone buildings, a shopping centre building, or as part of a mixed-use residential/commercial building, including a live-work format;
 - Clarifying all listed residential and commercial uses are permitted for mixed-use buildings but that the regulations of the Residential R8 Special provision (R8-4(**)) Zone apply.

A holding provision (h-147) for urban design consideration is 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 incorporates the design objectives as identified in the Council resolution.

4.5 Sanitary Servicing

Early in the review process Wastewater and Drainage Engineering (WADE) identified three issues with the sanitary servicing proposal:

- The proposed sharing of the private sewer routing from the subject site through the Lowe's site to the Hyde Park Road municipal sanitary sewer is not typically an acceptable practice;
- The private sanitary sewer will not accommodate peak flows; and,
- The proposed density will constrain the capacity in the outletting Hyde Park municipal sanitary sewer.

Provincial Policy Statement, 2014 (PPS)

The PPS states that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning so that they are available to meet current and projected needs (PPS 1.6.1).

The Sanitary Area Plans and design sheets for this area were based on the expected build-out of this property for commercial uses. The proposed mixed-use or residential uses increase the required flow capacity and therefore impact the ability of the municipal system to accommodate the increased flows.

The London Plan

The London Plan states that "development proposals that will not have access to the necessary civic infrastructure within a three year period will be considered premature" (TLP 460_).

The issue in this case was not the availability of services but their planned capacity based on anticipated growth patterns and intensities. Additional analysis and

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File: O-8799/Z-8798
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discussions between SmartREIT’s representatives and WADE staff resulted in an alternative sanitary servicing strategy that:

- Split flow between the intended outlet on Hyde Park Road with a minor quantity directed to the local sanitary sewer on Tokala Trail, with flows to Hyde Park maximized;
- May permit shared private services may be permitted and will require private Environmental Compliance Approvals, easements and joint use and maintenance agreements;
- Address capacity issues in the private system through directing some of the flows (approximately 25% based on the density/number of people in the submitted proposal) to the Tokala Trail local sanitary system.

The details and reports of this servicing solution will be refined at the site plan approval stage and the existing Sanitary Area plans and design sheets will need to be updated at that time. Clause c) of the staff recommendations include a reminder of the need for these modifications.

The limitations of the sanitary capacity in this area speak to the necessity of an upper density limit in the Zoning By-law for these lands.

More information and detail is available in Appendices C and D of this report.

5.0 Conclusion

The requested zoning by-law amendment to add a range of uses including residential and specialized residential facilities is appropriate as it is consistent with the PPS 2014, and *The London Plan*. The application will also be consistent with the staff-initiated and recommended amendment to the 1989 Official Plan if it is approved and comes into force and effect. This amendment will permit multiple residential developments having a low-rise profile, and specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments and continuum-of-care facilities as permitted uses within the New Format Regional Commercial Node on the site, and is intended to align the 1989 Official Plan with the intent of *The London Plan* which has been adopted by Council.

The applicant requested the zoning amendment take the form of special provisions to the existing commercial zoning, with special provisions adding a range of residential uses, controlling building height, lot coverage and landscaped open space, and permitting all uses in a mixed-use format including live-work.

Staff support the request in general but preferred to compound a Residential R8 (R8-4) Zone with the existing commercial zones, and provide site-specific regulations to address urban design and other matters. Staff also recommend removing the permission for commercial uses from the north part of the site in order to encourage a more appropriate land use transition and interface to existing and planned residential development to the north.

Design considerations for the site plan approval stage and a holding provision for urban design are recommended to support the implementation of key design principles applicable to the site. Among other matters, this includes specific attention to be paid to the interface of residential or mixed-use development adjacent to Lowe’s, and to creating a compatible, positive and active interface with surrounding development.

Agenda Item # Page #

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**File: O-8799/Z-8798
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There are some sanitary servicing issue for which a solution has been found, and which will be further detailed at the site plan approval stage.

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

November 24, 2017

BD/

“Attach”

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APPENDIX "A"

Clerk's Office)

Bill No. (number to be inserted by
2018

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for
the City of London, 1989 relating to 1235
– 1295 Fanshawe Park Road West.

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

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

PASSED in Open Council on December 12, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - December 12, 2017
Second Reading - December 12, 2017
Third Reading - December 12, 2017

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File: O-8799/Z-8798
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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of certain lands described herein Plan by **ADDING** a policy to Chapter 10 – “Policies for Specific Areas” to permit multiple-unit residential developments having a low-rise profile, and certain specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments and continuum-of-care facilities.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1235 – 1295 Fanshawe Park Road West in the City of London.

C. BASIS OF THE AMENDMENT

Chapter 10 of the Official Plan allows Council to consider policies for specific areas where one or more of four criteria apply. One of these criteria is “the change in land use is site-specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use.” (OP 10.1.1 ii)).

There is not an alternative existing land use designation in the 1989 Official Plan that would be suitably applied to the subject property to allow for the mix of land uses requested by the applicant. The New Format Regional Commercial Node designation provides for the range of commercial uses permitted by the current zoning, and continues to be an appropriate land use designation for the site with respect to non-residential land uses.

Adding residential and specialized residential facilities as site-specific uses to the currently permitted range of commercial uses in the 1989 Official Plan is consistent with Council’s vision as articulated in the Shopping Area Place Type in *The London Plan*. The recommended amendment will facilitate and encourage the development of the subject property into a mixed-use format.

D. THE AMENDMENT

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

Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

1235 – 1295 Fanshawe Park Road West

In the New Format Regional Commercial Node designation at 1235 – 1295 Fanshawe Park Road West, multiple-unit residential developments having a low-rise profile, and certain specialized residential facilities such as small-scale nursing homes, retirement lodges, emergency care establishments

Agenda Item # Page #

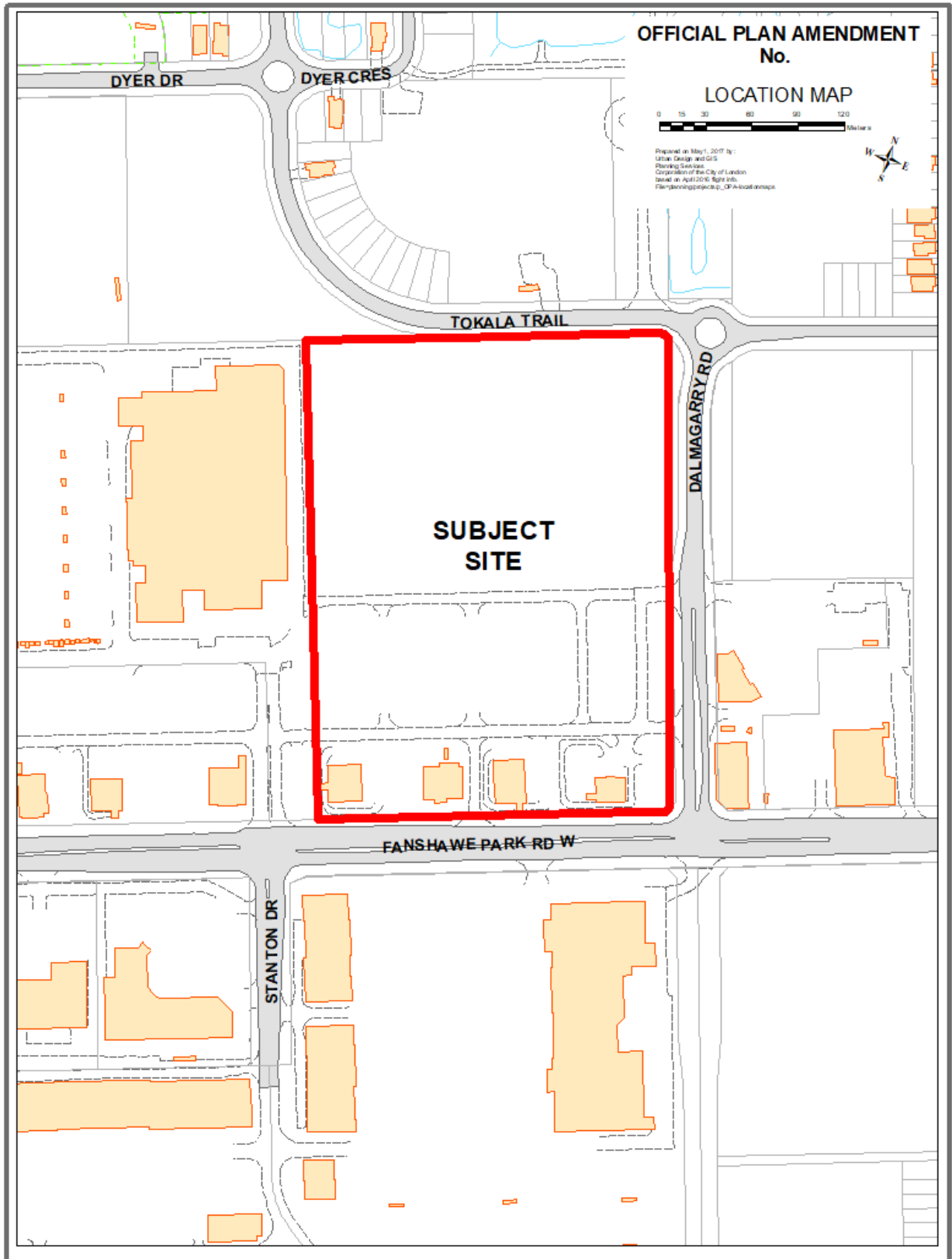
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and continuum-of-care facilities, in addition to the uses permitted by existing policies.

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APPENDIX “B”

Office)

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

2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1235 – 1295 Fanshawe Park Road West.

WHEREAS SmartREIT has applied to rezone an area of land located at 1235 – 1295 Fanshawe Park Road West, as shown on the map attached to this by-law, as set out below;

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

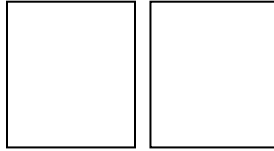
THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1235 – 1295 Fanshawe Park Road West, as shown on the attached map comprising part of Key Map No. A101, **FROM** an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone, **TO** a Holding Residential R8 Special Provision (h-147·R8-4(*)) Zone and a Holding Residential R8 Special Provision/ Associated Shopping Area Commercial Special Provision (h-147·R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5)) Zone.
- 2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:
 -) R8-4(*) 1235 – 1295 Fanshawe Park Road West
 - a) Additional Permitted Uses
 - i) Nursing Homes
 - ii) Retirement Lodges
 - iii) Townhouse dwellings
 - b) Regulations
 - i) Yard depths from Dalmagarry Road and Tokala Trail (Minimum) 2 metres (6.56 feet)
 - ii) Yard depths from Dalmagarry Road and Tokala Trail (Maximum) 5 metres (16.4 feet)
 - iii) Interior yard depth from north property line (Minimum) 6 metres (19.69 feet)
 - iv) Interior yard depth from west property line (Minimum) 7.5 metres (24.61 feet)

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| v) | Yard depth from zone line between the R8-4(*) Zone and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone for a comprehensive development plan for all lands located within the R8-4(*) and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone (Minimum) | 0 metres
(0 feet) |
| vi) | Yard depth from zone line between the R8-4(*) Zone and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone for development of lands located within the R8-4(*) Zone only (Minimum) | Rear yard depth per Table 12.3 -Residential R8 Zone |
| vii) | Density (Maximum for all lands at 1235 - 1295 Fanshawe Park Road West in the R8-4(*) and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone) | 97 units/ha.
(39.3 units/acre) |
| viii) | Parking and Drive Aisles | No parking or drive aisles between the buildings and the public streets |
- 3) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:
- | | | |
|------|--|-------------------------|
|) | R8-4(**) 1235 – 1295 Fanshawe Park Road West | |
| a) | Additional Permitted Uses | |
| i) | Nursing Homes | |
| ii) | Retirement Lodges | |
| iii) | Townhouse dwellings | |
| b) | Regulations | |
| i) | Building Form - All uses may develop in standalone buildings, a shopping centre building, or as part of a mixed-use residential/commercial building, including a live-work format | |
| ii) | Yard depth from Dalmagarry Road (Minimum) | 2 metres
(6.56 feet) |
| iii) | Yard depth from Dalmagarry Road (Maximum) | 5 metres
(16.4 feet) |
| iv) | Yard depth from zone line between the R8-4(*) Zone and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone for a comprehensive development plan for all lands located within the R8-4(*) and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone (Minimum) | 0 metres
(0 feet) |



**File: O-8799/Z-8798
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| v) | Yard depth from zone line between the R8-4(*) Zone and the R8-4(**)/ASA3/ASA6/ASA8(5) Zone for residential development, on lands located within the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone only (Minimum) | Rear yard depth per Table 12.3 - Residential R8 |
| vi) | Yard depth from zone line between the R8-4(*) Zone and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone for mixed-use or commercial development, on lands located within the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone only (Minimum) | 8 metres (26.25 feet) |
| vii) | Interior yard depth from west property line (Minimum) | 7.5 metres (24.61 feet) |
| viii) | Yard depth from Fanshawe Park Road West for new development or redevelopment (Minimum) | 2 metres (6.56 feet) |
| ix) | Yard depth from Fanshawe Park Road West for new development or redevelopment (Maximum) | 6 metres (19.69 feet) |
| x) | Height (Maximum) | 15 metres (49.21 feet) |
| xi) | Density (Maximum for all lands at 1235 - 1295 Fanshawe Park Road West in the R8-4(*) and the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone) | 97 units/ha. (39.3 units/acre) |
| xii) | Density (Maximum for lands in the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zone only) | 114 units/ha. (46.2 units/acre) |
| xiii) | Parking and Drive Aisles for new development or redevelopment | No parking, drive aisles, or drive-through facilities between the buildings and the public streets |
| xiv) | Mixed-use residential/commercial buildings may include any of the uses permitted in the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zones but shall comply with the regulations of the R8-4(**) Zone. | |

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4) Section Number 24.4 of the Associated Shopping Area Commercial (ASA3) Zone is amended by adding the following Special Provision:

) ASA3(_)

b) Regulations

- i) Mixed-use residential/commercial buildings may include any of the uses permitted in the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zones but shall comply with the regulations of the R8-4(**) Zone.
- ii) All uses may develop in standalone buildings, a shopping centre building, or as part of a mixed-use residential/commercial building, including a live-work format.

5) Section Number 24.4 of the Associated Shopping Area Commercial (ASA6) Zone is amended by adding the following Special Provision:

) ASA6(_)

b) Regulations

- i) Mixed-use residential/commercial buildings may include any of the uses permitted in the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zones but shall comply with the regulations of the R8-4(**) Zone.
- ii) All uses may develop in standalone buildings, a shopping centre building, or as part of a mixed-use residential/commercial building, including a live-work format.

6) Section Number 24.4 h) 5) of the Associated Shopping Area Commercial Special Provision (ASA8(5)) Zone is amended by adding the following to the existing regulations:

) ASA8(5)

b) Regulations

- ii) Mixed-use residential/commercial buildings may include any of the uses permitted in the R8-4(**)/ASA3(_)/ASA6(_)/ASA8(5) Zones but shall comply with the regulations of the R8-4(**) Zone.
- iii) All uses may develop in standalone buildings, a shopping centre building, or as part of a mixed-use residential/commercial building, including a live-work format.

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.

Agenda Item # Page #

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File: O-8799/Z-8798
Planner: B. Debbert

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 December 12, 2017.

Matt Brown
Mayor

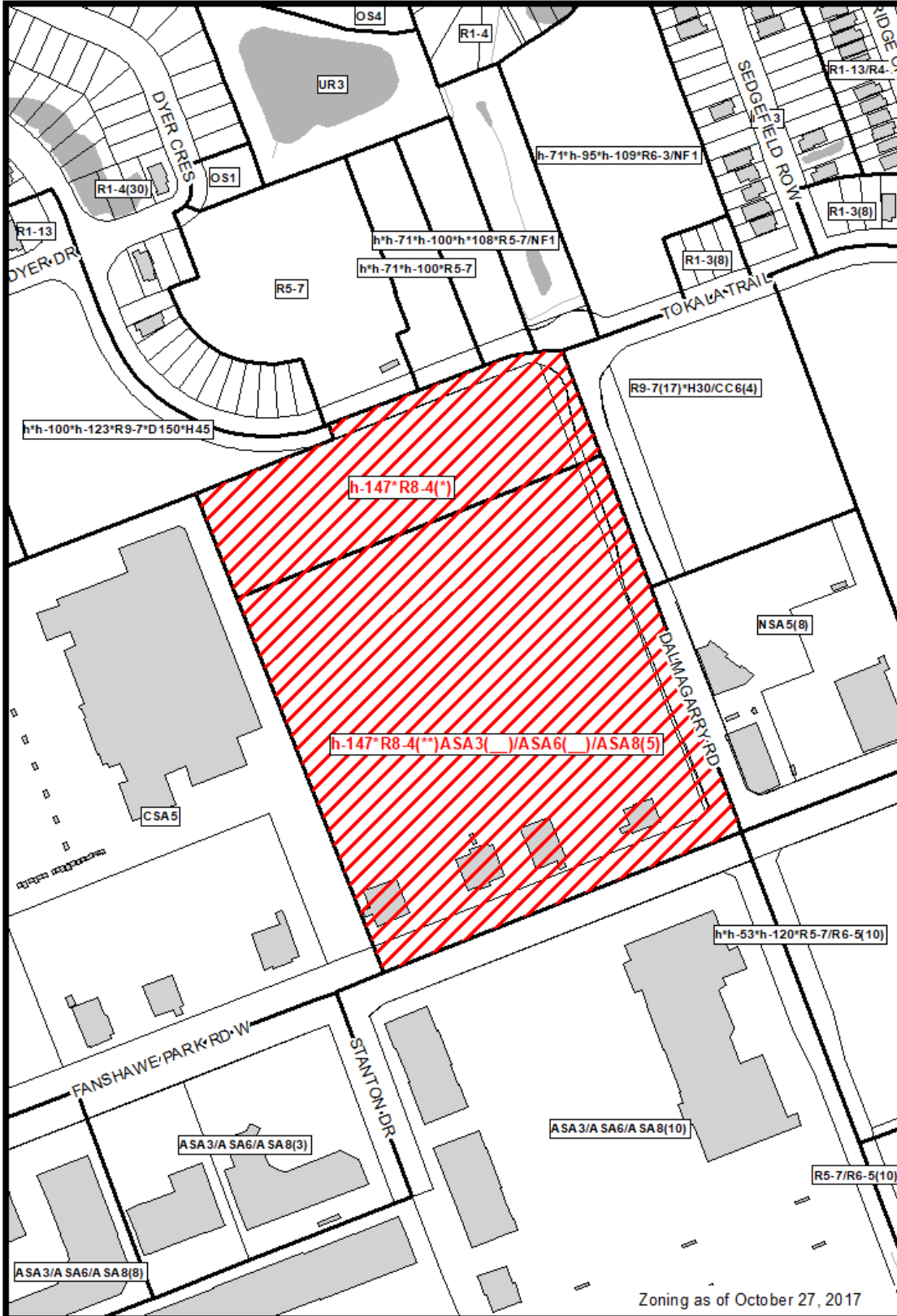
Catharine Saunders
City Clerk

First Reading - December 12, 2017
Second Reading - December 12, 2017
Third Reading - December 12, 2017

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File: O-8799/Z-8798
Planner: B. Debbert

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

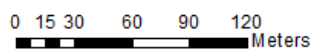


Zoning as of October 27, 2017

File Number: O-8799/Z-8798
 Planner: BD
 Date Prepared: 2017/11/02
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE

1:3,000



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File: O-8799/Z-8798
Planner: B. Debbert

APPENDIX “C” – PUBLIC ENGAGEMENT

Community Engagement

Public liaison: On July 12, 2017, Notice of Application was sent to 21 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 13, 2017. A “Planning Application” sign was also posted on the site.

2 replies were received

Nature of Liaison:

The purpose and effect of the requested Official Plan amendment and Zoning By-law amendment is to expand the range of permitted uses on the property to include apartment buildings, handicapped persons apartment buildings, senior citizen apartment buildings, townhouses and stacked townhouses, nursing homes, retirement lodges, lodging house class 2, emergency care establishments, and continuum-of-care facilities.

Possible change to the Official Plan to add a Specific Area Policy to Chapter 10 to permit a range of residential and institutional land uses.

Possible change Zoning By-law Z.-1 from an Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone which permits a broad range of retail stores, convenience and personal service uses, and offices; animal hospitals; brewing on premises establishments; clinics; commercial recreation establishments; day care centres; financial institutions; laboratories; restaurants and taverns; and studios, to a revised Associated Shopping Area Commercial Special Provision (ASA3/ASA6/ASA8(5)) Zone which permits, in addition to the above-noted uses, apartment buildings, handicapped persons apartment buildings, senior citizen apartment buildings, townhouses and stacked townhouses, nursing homes, retirement lodges, lodging house class 2, emergency care establishments, and continuum-of-care facilities. The applicant has also requested the following special regulations: all uses may develop either in a standalone building or as part of a mixed-use building, including a live-work format; for residential uses, a maximum height of 4 storeys, a maximum lot coverage of 40%, and a minimum landscaped open space of 30%. The City may also consider other special regulations such as for buildings setbacks from property lines.

The Notice of Public Meeting dated November 15, 2017 included an additional statement that the City may consider the use of a Residential R8 Zone variation to implement all or some of the above mentioned uses and regulations.

Responses: A summary of the various comments received include the following:

Concern for:

Regarding adjacent existing commercial development

- Adequate screening and buffering on the proposed residential lands to allow the Lowe’s Home Improvement to continue to operate as it does today;
- Consideration of the type and form of residential development abutting existing commercial development, ensuring adequate setbacks, height of buildings, site lines, buffering, etc.;
- That the developer be made aware that they are buying/renting lands adjacent to commercial development and that they can expect noises such as trucks loading/unloading, back-up beepers and tow motors associated with the use;

Regarding existing and future residential development in the surrounding area:

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File: O-8799/Z-8798
Planner: B. Debbert

- Expectations on the part of recent purchasers that the land would be developed for commercial purposes, would typically not exceed 2 storey development, preserving privacy and an unobstructed (pleasant) sight line.
 - Decreased property value due to increased residential intensity
 - Request to Council to listen to the community instead of allowing business to capitalize on existing market conditions
- Lowe's representative also asked to be able to provide further comments as further details of the proposed development proposal become available.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Rob Walker, MCIP, RPP KWA Site Development Consulting Inc. on behalf of Lowe's Canada ULC rob.walker@kwasitedev.com
	Doug MacRae 2129 Watroak Drive London ON N6G 0P9

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**File: O-8799/Z-8798
Planner: B. Debbert**



July 19, 2017

Barb Debbert
Planning Services
City of London
300 Dufferin Ave.,
P.O. Box 5035 London ON
N6A 4L9

Re: Preliminary Comments on Behalf of Lowe's Canada ULC
Smart/REIT Application O-8799/Z-8798
1235-1295 Fanshawe Park Road West
City of London, Ontario

We are the planning consultants for Lowe's Canada ULC, the owner of the lands at 1335 Fanshawe Park Road West in London, Ontario.

On July 19, 2017, our client received a Notice of Application to amend the Official Plan and Zoning Bylaw to permit a range of residential and institutional uses on the lands located at 1235-1295 Fanshawe Park Road West on behalf of Smart/REIT.

Lowe's Canada currently operates a fully operational Lowe's Home Improvement Store on the lands located at 1335 Fanshawe Park Road West, which directly abuts the proposed residential development to the west at the corner of Fanshawe and Hyde Park Road. A truck and fire route are located between the existing store and the proposed residential lands with a 4.75m landscape strip between the properties. In addition, there are some loading/unloading activities associated with the day to day operation of the store that take place at the rear of the store.

During the site plan approval of the conversion of the former Sam's Club building to the present Lowe's Home Improvement, items such as proposed vehicular connections, landscaping, grading/servicing etc. were taken into consideration with the intention that the existing retail development would be compatible and integrated with the future retail development of the subject lands.

Lowe's Canada ULC does not oppose the development of the subject lands for residential development subject to the following considerations:

- Adequate screening/buffering is provided on the proposed residential lands to allow the Lowe's Home Improvement to continue to operate as it currently does today;
- That the developer considers the type and form of residential development that would abut the existing commercial development, ensuring adequate setbacks, height of buildings, site lines, buffering etc.;
- That the developer of the subject lands ensures that the purchasers of the residential units be made aware that they are buying/renting lands abutting an existing home improvement store and they can expect noises such as trucks loading/unloading, back-up beepers and tow motors associated with the typical operation of such a use.
- In addition, Lowe's would like to reserve the right to provide further comments as further details of the proposed development proposal become available.

Agenda Item # Page #

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File: O-8799/Z-8798
Planner: B. Debbert

We wish to be notified of any future consideration or Planning and Environment Committee meeting(s) and with notice of any decisions related to the above noted applications.

Yours very truly,
KWA Site Development Consulting Inc.
Per:



Rob Walker, MCIP, RPP

Cc: Sylvain Rivet, Lowe's Canada ULC

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**File: O-8799/Z-8798
Planner: B. Debbert**

Debbert, Barb

From:
Sent: Monday, July 31, 2017 9:23 AM
To: Debbert, Barb
Cc: Morgan, Josh
Subject: O-8799/Z-8798

Good Morning Barbara & Josh,

Please accept the following as opposition to the proposed amendment to the zoning bylaw pertaining to 1235-1295 Fanshawe Park Road West (file number O-8799/Z-8798).

My concerns pertain to the current homeowners of the Foxfield Community that purchased their homes with the understanding that this area is zoned for commercial use. Typically, commercial areas are maximum 2-story structures, which allows abutting residents privacy on their property and an unobstructed (pleasant) sightline. The proposal for 4-story dwellings not only reduces privacy in area backyards (and windows for that matter) but also negatively affects sightlines from these homes.

Many of these properties have been purchased and built within the last two years with an expectation that these aesthetic features would be a part of their home – a selling feature if you will. The proposal for apartment buildings is contrary to what was sold to the current residents of Foxfield.

Another concern has to do with property value. Like many, my home serves two purposes: a home, and an investment. When researching my investment, I found that there was a strong retail presence, new schools, and a certain composition of residential dwellings in the immediate area – a perfect combination. Historically, the type of dwelling proposed in this amendment increases the population in a smaller area which devalues surrounding properties. This combined with infringed privacy is not in the best interests of the current property owners – your current constituents.

As a side note, I have read the London Free Press article that pertains to this area. The tone appears that this is a foregone conclusion with the flexibility of the London Plan. I would make a plea to you, the committee and Council to truly listen to your current communities instead of a company from Toronto looking to capitalize on the market. Their capitalization is to our detriment.

Through the years, I have seen and been a part of many public input sessions and the track record of following public input is weak – I can list many examples and many of them recent. Please surprise us all and do what is best for the current residents. Many are yet to move into their homes; many are still settling. Please do good for us, not them.

Please feel free to contact me if you have any questions or would like any further insight.

Sincerely,

Doug MacRae

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**File: O-8799/Z-8798
Planner: B. Debbert**

Agency/Departmental Comments

Engineering (August 2, 2017):

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

Verbatim comments as per the Transportation Division:

- Application to lift the 1ft reserve along Tokala Trail
- Close and restore existing access to Dalmagarry Road
- Construction of a left turn lane on Dalmagarry road at new proposed access
- Construction of left turn lane on Tokala Trail at new proposed access
- Ensure the access proposed on Tokala Trail aligns opposite 2900 Tokala Trail
- Ensure the access proposed on Dalmagarry Road aligns opposite 2825 Dalmagarry Road
- Road widening dedication of 21.0m from centre line required along Fanshawe Park Road West
- Revised 6mx6m daylight triangle required at Fanshawe Park Road and Dalmagarry Road
- Road widening dedication of 10.75m from centre line required on Dalmagarry Road
- Road widening dedication of 10.75m from centre line required on Tokala Trail
- Access design and location will be discussed in greater detail through the site plan process

Verbatim comments as per the Water Engineering Division.

The applicant is requested to advise if the existing and any future buildings on the site will remain under one ownership. If there is the potential that there will be multiple different ownerships at any point in the future, there will be a need to have separated servicing connected to the municipal water distribution system for that property in order to avoid the potential of creating a regulated drinking water system under O.Reg 170. There is existing water servicing surrounding the site on Tokala Drive, Dalmagarry Road and Fanshawe Park Road W. There does seem to be an intention to service the lands internally through existing private watermain installed previously. However it is noted that this would raise the concerns identified above.

Verbatim comments as per the SWM Division:

The SWED staff have no new or additional comments of those provided as part of the pre-application consultation (see attached e-mail)

Attached e-mail:

The Stormwater Engineering staff have no objection to this pre-application. The following SWM issues/requirements are to be consider by the applicant when preparing the storm servicing strategy for this land:

- The Owner shall submit a storm/drainage servicing report prepared by a Professional Engineer, licensed in the Province of Ontario, for the subject site. The report is to be in accordance with City of London and MOECC standards and guidelines, all to the satisfaction of the City Engineer. The report shall take into

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**File: O-8799/Z-8798
Planner: B. Debbert**

account any drawings, reports, and previously prepared development agreements.

- The subject lands are located in the Stanton Drain Subwatershed. The Owner shall be required to comply with the SWM criteria and environmental targets identified in the Medway Creek Stanton Drain and Mud Creek Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.
- The subject lands are tributary to the existing Fox Hollow SWM facility #1 South Cell, and therefore the SWM strategy is to be in accordance with the accepted Fox Hollow Community Stormwater Management System.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- As per as-cons 26380 and 26389 (attached), the outlet for the subject lands is the 1050mm storm sewer on Tokala Trail. Connection between the existing storm maintenance hole 8S585 (STMH R5 in as-con 26389) and the upstream end of the 1050mm storm sewer on Tokala Trail is to be done as part of the site plan, including the decommissioning of the existing 1050mm storm pipe downstream of 8S585, headwall and temporary SWM pond as per the associated development agreement.
- As per as-con 26388 (attached), ultimate OLF route from the site is to be convey internally toward the low point on the south side of Tokala Trail. Any OLF route associated with the temporary drainage toward the temporary SWM pond is to be removed and grading/drainage restored to the satisfaction of the City and UTRCA.
- The Owner is required to provide a lot grading plan for stormwater flows and address major overland flow paths to safely convey the 250 year storm event.
 - For sites containing PPS, the grading plan is to detail ponding extents and depths for the 2-year and 100-year storm events and details the major overland flow route for the 250-year storm event.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- The Owner may be required to install an Oil/Grit Separator to the standards of the Ministry of the Environment and Climate Change and to the satisfaction of the City Engineer. Existing OGS upstream of 8S586 as shown on as-con 26389 may be acceptable, proving it is adequate to service any proposed commercial or high density area.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MOECC standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Functional Storm/Drainage Servicing Report

Please note that as-constructed drawings 26380, 26388 and 26389 have not been attached.

Please note that this response has been made without input from the WADE Division.

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**File: O-8799/Z-8798
Planner: B. Debbert**

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

Wastewater and Drainage Engineering (August 4, 2017)

There is no municipal sanitary sewer fronting the subject lands that is being proposed as a multifamily residential a change from the current commercial zone. According to the sanitary area plan the municipal sanitary sewer available is the 300mm diameter on Hyde Park Road.

As part of the pre-consultation WADE requested a servicing study. The report submitted with this application shows that the sanitary is being designed under a surcharge condition based on the current densities being sought. This is not an acceptable practice.

The sewer routing as proposed will result in private residential lands, with multiple lands owners, that would be discharging through existing sewers within private commercial development lands. These are dissimilar land uses with multiple owners and is not typically an acceptable practice. The report did not consider MOE guidelines and OBC requirements or address whether easements, joint use and maintenance, access agreements, private ECA's.

The density being sought appears will also constrain the capacity in out letting Hyde Park municipal sanitary sewer even as calculated using a lower per capita rate. The unit count and population will need to be clarified. It is WADE's position that the residential lands have not demonstrated it can be adequately serviced to the municipal sanitary system.

Wastewater and Drainage Engineering (September 18, 2017)

According to sanitary area plans the municipal sanitary sewer available is the 300mm diameter on Hyde Park Road. This would mean that the sewer routing as proposed will result in private residential lands, with multiple lands owners, would discharge through existing private sewers within private commercial development lands. These are dissimilar land uses with multiple owners and is not typically an acceptable practice. The higher mixed use would result in a higher density and the private sanitary system would be under a surcharged condition.

LDS on behalf of their client approached WADE to propose an alternate sanitary strategy. WADE is willing to consider the possibility of flow splitting between their intended outlet on Hyde Park Rd with a minor quantity to the local sanitary sewer on Tokala Trail located at the north limit of the subject lands. WADE indicated they are to maximize their flows directed to their intended outlet to the Hyde Park Rd sanitary system; understanding this will require private ECA's, easements and joint use and maintenance agreements for all shared private servicing that will be crossing adjacent lands, namely the existing commercial property.

As for the Tokala sanitary system this was never the intended outlet for the subject lands, but WADE is willing to consider say 3 l/s, or (25% / 75% split), directed to Tokala to aid in removing the surcharge condition in their existing private system. The details and reports will need to be worked out. In addition the Owner' Professional Engineer will be required to revise existing Sanitary Area plans and design sheets to reflect the proposed new external areas proposed will outlet to the Tokala sanitary system.

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File: O-8799/Z-8798
Planner: B. Debbert

Parks Planning (October 17, 2017):

The Environmental and Parks Planning Section has reviewed the request for the proposed official plan and zoning by-law amendment and note no concerns with the application as proposed.

It is of note that parkland dedication for the development will be required. Based on the current and proposed parks and open space lands within the area, staff are suggesting the cash-in-lieu of parkland option be utilized to satisfy the parkland dedication requirement.

The payment will be collected at the time site plan approval. The calculated value for the dedication will be based on the predominant use. That is, if the majority of the building is residential, the required fee would be calculated from By-law CP-9. If the majority of the building is commercial, the calculated value would equal 2% of the appraised value of the land. If the building is a mix, the calculated value would be a blend of the above.

Urban Design Peer Review Panel (August 19, 2017):

- The proposal represents a good transition to the adjacent land uses. The Panel is supportive of including residential uses at the density and height proposed.
- The concept plan included in the Urban Design Brief demonstrates that the site layout benefits significantly from incorporating a significant amount of required parking underground and within private garages. The Panel strongly recommends incorporating a maximum percentage of parking at the surface through the zoning amendment.
- The Panel recommends that the City consider a both a minimum and maximum setback to both private roads and public streets to support active streetscape. This includes main doors to residential and commercial units and vision glass. The streetscape should support boulevard trees and parallel parking on the private roadways. Parallel parking on private roads helps to support the potential active commercial frontages within the development.
- For apartment-style multiple dwellings, the Panel recommends a minimum first floor height of approximately 4.5m to support potential market driven commercial development over time. (The panel notes that Image “14” presented as an example was not exemplary)
- The panel recommends that the rear yards of individual townhouse units behind Lowe’s have deeper setbacks than those shown in the concept plan, with a minimum of approximately 7.5 m to accommodate a treed buffer and amenity space.
- This project presents a perfect opportunity to have a greenway on the internal roads. It is strongly recommended to combine greenways at the road and provide low shrub planting and blvd trees between greenway and sidewalk.
- The panel strongly recommend extending an axial pedestrian linkage south to Fanshawe Park Road.
- Strongly recommend adding east- west pedestrian linkage through taller buildings. Provide breezeways through lower level at the middle of buildings to connect pedestrian way and central park. These breezeway offer good exterior lobby space by providing benches, bike racks, and trash cans etc.

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**File: O-8799/Z-8798
Planner: B. Debbert**

- Interior corners of buildings should also have entries to allow easy access; these entries could punctuate the corners of building with some seating and soft landscape.
- This developments offers only public spaces. The panel recommends providing more semi private spaces with amenities such as picnic areas, BBQ areas, playgrounds, etc. It is essential to have these amenity spaces for residents.
- Consider combining two central parks and creating bigger central park in the middle for more powerful park system.
- “Bump out” planting areas are already shown where on-street parking is suggested. Consider adding more “bump out” planting at the entry intersections to contribute welcoming gesture and pedestrian oriented atmosphere.

The Panel looks forward to seeing this project at the Site Plan Stage.

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. Subject to the comments and recommendations above, the proposed development represents an appropriate solution for the site.

Forestry (September 21, 2017):

No comment

Conseil scolaire Viamonde (French public school board) (July 21, 2017):

No comments

Fire Department (July 13, 2017):

Depending on the size of the buildings, <600m² or >600m², the fire department access is to comply with either 3.2.5 OR 9.10.20. of the OBC.

London Hydro (November 21, 2017)

No Objection. Any new or relocation of the existing service will be at the expense of the owner.

Upper Thames River Conservation Authority (August 1, 2017):

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

CONSERVATION AUTHORITIES ACT

These lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

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**File: O-8799/Z-8798
Planner: B. Debbert**

DRINKING WATER SOURCE PROTECTION

Clean Water Act

The *Clean Water Act* (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. We wish to advise that the subject lands are identified as being within a vulnerable area. Mapping which shows these areas is available at: http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

Provincial Policy Statement (PPS, 2014)

Section 2.2.1 requires that: *“Planning authorities shall protect, improve or restore the quality and quantity of water by:*

- e) implementing necessary restrictions on development and site alteration to:*
 - 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
 - 2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions.”*

Section 2.2.2 requires that *“Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.”*

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

Policies in the *Approved Source Protection Plan* may prohibit or restrict activities identified as posing a *significant threat* to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The *Approved Source Protection Plan* is available at: <http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/>

RECOMMENDATION

The UTRCA has no objections to this application.

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APPENDIX “D” – POLICY CONTEXT

The following policy and regulatory documents were considered in their entirety as part of the evaluation of the requested land use change. The most relevant policies, by-laws and legislation are identified as follows:

Provincial Policy Statement, 2014

- 1.0 Building Strong and Healthy Communities
- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1a), b), e), f), g)
- 1.1.3 Settlement Areas
 - 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.6
- 1.3 Employment
 - 1.3.1 c), 1.3.2.1
- 1.4 Housing
 - 1.4.3 b)
- 1.6 Infrastructure and Public Service Facilities
 - 1.6.1 b)

1989 Official Plan

- Chapter 3 – Residential Land Use Designations
 - 3.1.1 General Objectives for all Residential Designations
 - 3.3 Multi-family, Medium Density Residential
 - 3.3.2 Location
 - 3.7. Planning Impact Analysis
 - 3.7.1. Purpose
 - 3.7.2. Scope of Planning Impact Analysis

Chapter 4 – Commercial Land Use Designations

- 4.3.6 New Format Regional Commercial Node

Chapter 10 – Policies for Specific Areas

- 10.1 Purpose
 - 10.1.1 Criteria
 - 10.1.2 Planning Impact Analysis

Chapter 11 – Urban Design

- 11.1 Urban Design Policies
 - 11.1.1 Design Principles

Chapter 17 – Servicing

- 17.1.1 General Objectives
- 17.2.7 Servicing Requirements

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**File: O-8799/Z-8798
Planner: B. Debbert**

The London Plan

- 59_ Our Strategy – Key Directions - Direction #5 – Build a Mixed-Use Compact City Direction #5
- 189_ City Design – What is City Design?
- 193_ City Design – What are We Trying to Achieve?
- 194_ - 306_ City Design – How are We Going to Achieve This?
- 460_ Civic Infrastructure – How are We Going to Achieve This? – Policies for all Infrastructure
- 871_ Shopping Area – Our Vision for the Shopping Area Place Type
- 873_ - 875_ - Shopping Area – Role Within the City Structure
- 876_ Shopping Area - How Will we Realize Our Vision?
- 877_ Shopping Area – Permitted Uses
- 878_ Shopping Area - Intensity
- 879_ Shopping Area - Form
- 1577_ - 1579_ Our Tools – Planning and Development Applications – Evaluation Criteria for Planning and Development Applications

Fox Hollow Community Plan

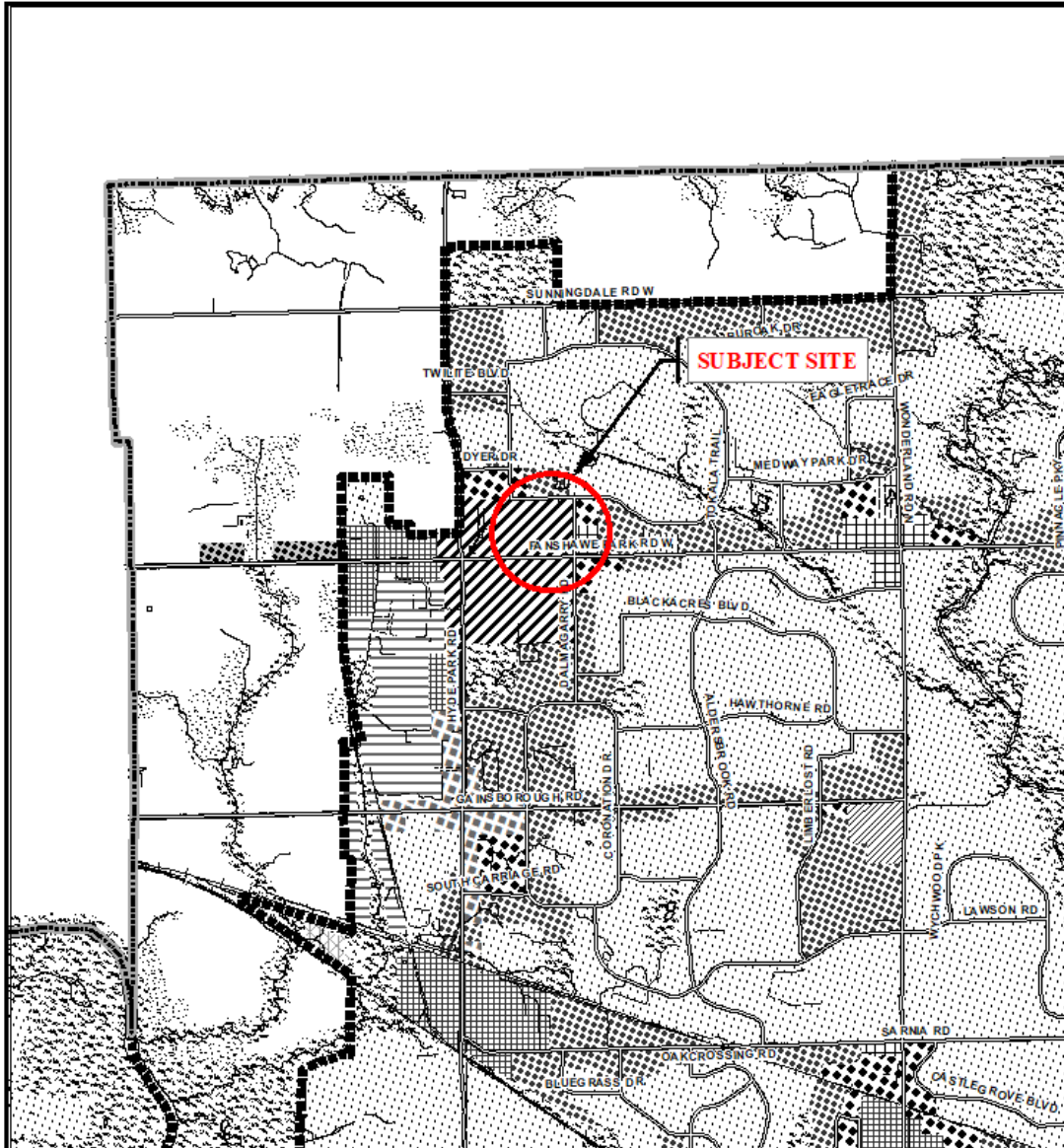
Z.-1 Zoning By-law

- Section 3 – Zones and Symbols
- Section 4 – General Provisions
- Section 12 – Residential R8 Zone
- Section 24 – Associated Shopping Area Commercial

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File: O-8799/Z-8798
 Planner: B. Debbert

APPENDIX "E" – RELEVANT BACKGROUND



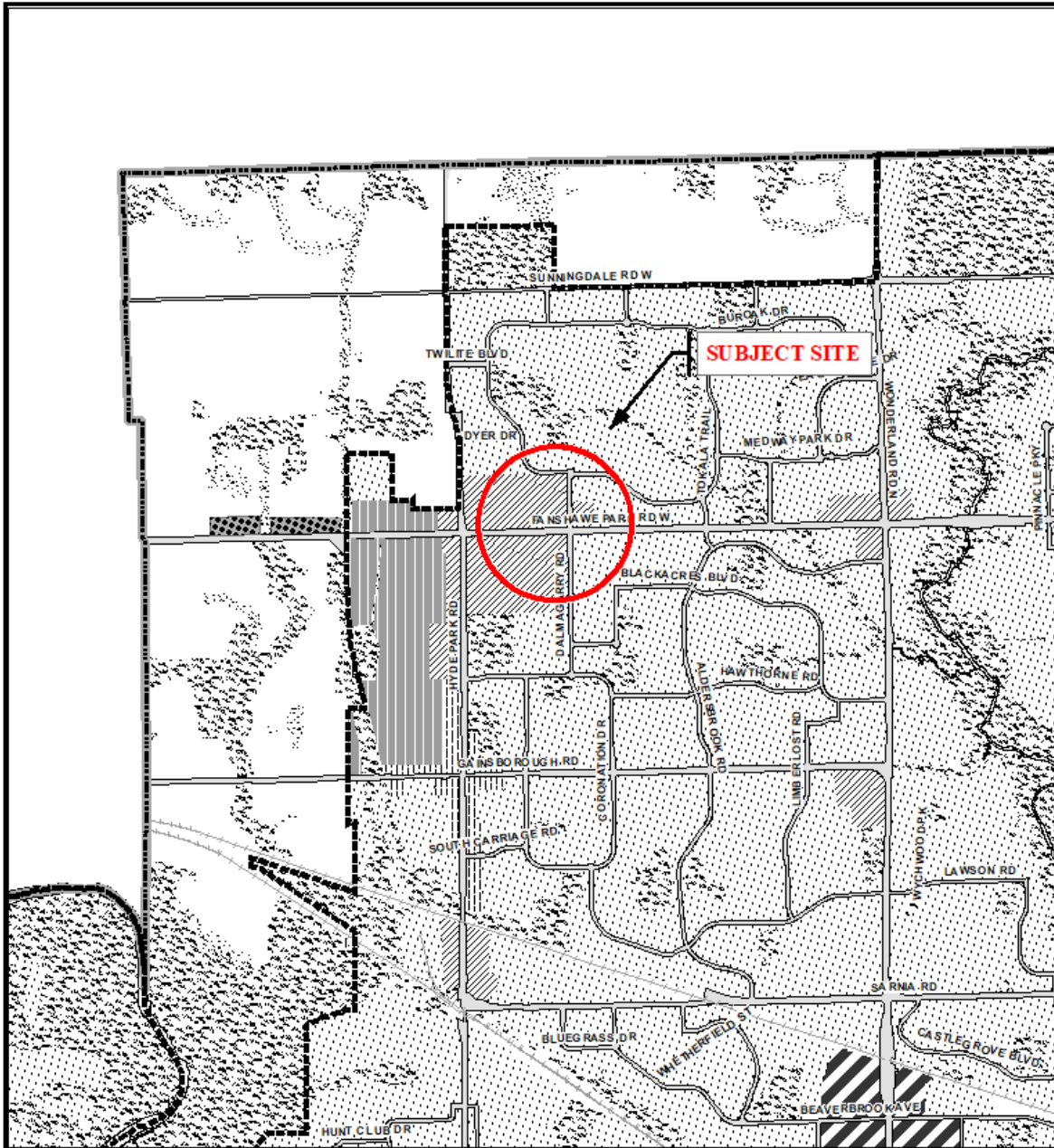
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p>CITY OF LONDON Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: O-8799/Z-8798</p> <p>PLANNER: BD</p> <p>TECHNICIAN: MB</p> <p>DATE: 2017/11/13</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\exco\p\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

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File: O-8799/Z-8798
 Planner: B. Debbert



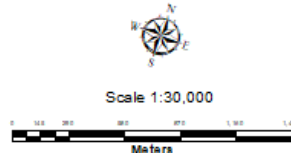
Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

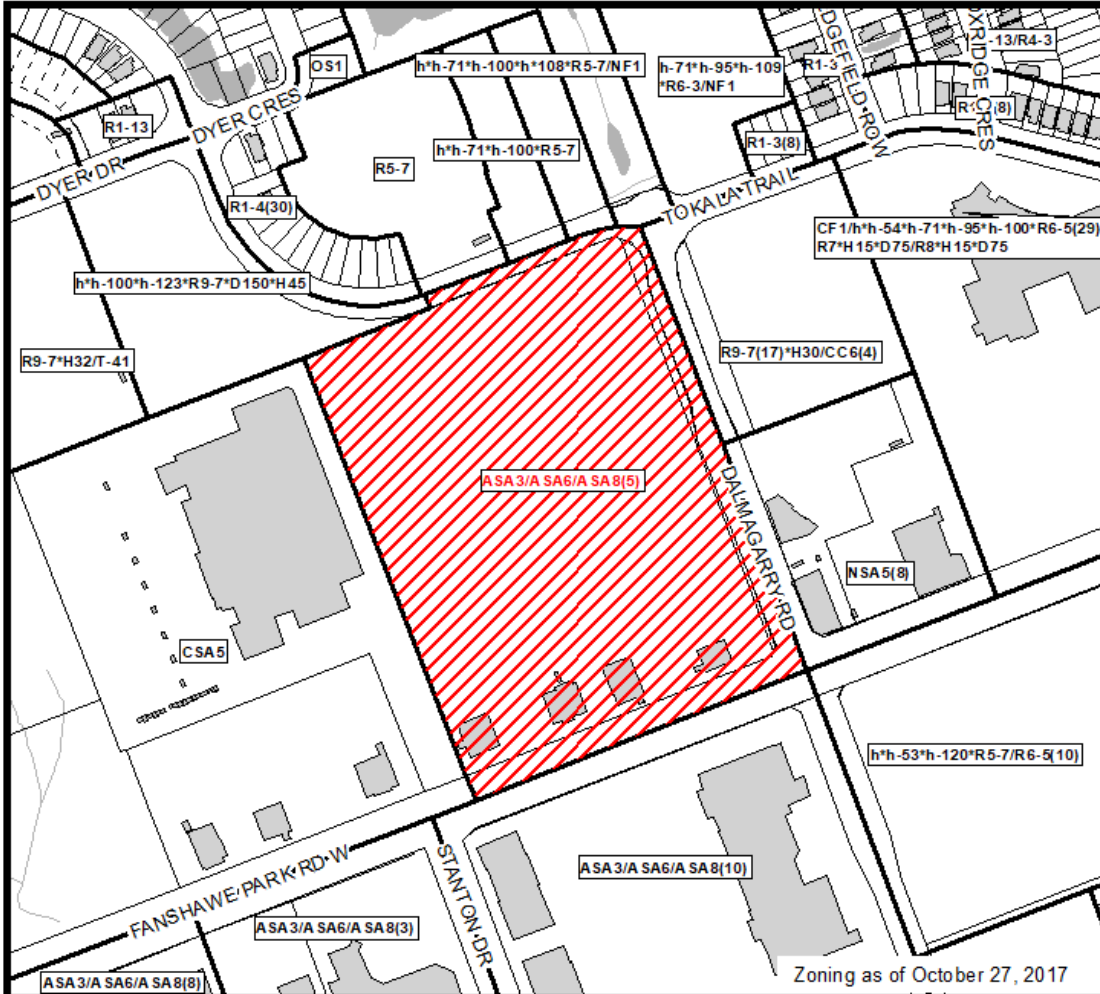
CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: O-8799/Z-8798
Planner: BD
Technician: MB
Date: November 13, 2017

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File: O-8799/Z-8798
 Planner: B. Debbert



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: ASA3/ASA6/ASA8(5)

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "d" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
 O-8799/Z-8798 BD

MAP PREPARED:
 2017/11/02 MB

1:4,000
 0 20 40 80 120 160
 Meters