

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: Application By: Dave Tennant Urban Concepts
1176, 1200 and 1230 Hyde Park Road
Public Participation Meeting on: March 19, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Dave Tennant Urban Concepts relating to the property located at 1176, 1200 and 1230 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 26, 2018 to amend the Official Plan by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas ;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future Council meeting, to amend The London Plan by changing the Place Type for a portion of the lands **FROM** Green Space, **TO** Neighbourhoods; by **ADDING** a policy to Specific Policies for the Neighbourhoods Place Type; by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan **AND** that three readings of the by-law enacting The London Plan amendments **BE WITHHELD** until such time as The London Plan is in force and effect.

Executive Summary

Summary of Request

The applicant requested an amendment to the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Areas) to permit the development of a low-rise to mid-rise mixed-use neighbourhood on the subject lands.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to amend the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Area), and to amend The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type and to add a policy to Specific Policies for the Neighbourhoods Place Type to permit the development of a mixed-use neighbourhood on the subject lands.

At this time it is not recommended that the Open Space designation in the 1989 Official Plan that applies to a portion of the subject lands be changed. The recommended specific area policy to be added to the 1989 Official Plan is sufficient to permit residential development on the Open Space lands until The London Plan comes into force and effect. Since The London Plan will be the 20-year plan going forward, it is recommend that for reasons of clarity the subject lands within the Green Space Place Type (formerly Open Space designation) be changed to the Neighbourhoods Place Type, as the Green Space Place Type is generally intended for parklands or lands intended to remain in a natural state, not where development is expected to occur.

Rationale of Recommended Action

1. The recommended amendments are consistent with the 2014 Provincial Policy Statement, which encourages a range and mix of land uses and densities to support intensification and achieve efficient development patterns.
2. The recommended amendment to the 1989 Official Plan meets one of the necessary criterion for a specific policy area, and would augment standard policies to permit the proposed development concept which more accurately

reflects Council's vision and intent for the subject lands as expressed in The London Plan.

3. The proposed development concept is generally consistent with the range of uses, intensity and form of development contemplated for the subject lands in The London Plan (prior to the construction of a new public street through the subject lands). The recommended amendment to The London Plan maintains the general intent of The London Plan.
4. The recommended amendment to The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type would continue to permit a Stormwater Management Facility as previously intended, but would also provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of the 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule 'B' Municipal Class Environmental Assessment.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the west side of Hyde Park Road between the CN and CP railway corridors, just north of the intersection of Hyde Park Road and Sarnia Road. The subject lands are comprised of three (3) separate parcels known municipally as 1176, 1200 and 1230 Hyde Park Road. 1176 Hyde Park Road is approximately 1.59 hectares (3.92 acres) in size and is the westerly-most portion of the subject lands; 1200 Hyde Park Road is approximately 2.29 hectares (5.65 acres) in size and is the central portion of the subject lands; and 1230 Hyde Park Road is approximately 5.79 hectares (14.3 acres) in size and is the easterly-most portion of the subject lands, located immediately adjacent to Hyde Park Road. In total, the subject lands comprise an area of approximately 9.67 hectares (23.9 acres).

A 15 m wide City-owned corridor bisects the subject lands, separating 1176 Hyde Park Road from 1200 and 1230 Hyde Park Road. 1200 and 1230 Hyde Park Road are contiguous parcels. The City-owned corridor connects to the London-Hyde Park Rotary Link (public pathway corridor) located to the north of the subject lands, and is generally orientated north-south (through the subject lands), before running east parallel to the CN railway corridor and the southerly limits of the subject lands to Hyde Park Road. A sanitary sewer trunk easement is located along the westerly limits of 1230 Hyde Park Road (formerly a CN branch line). The subject lands are currently used for agricultural crop production and contain no buildings.

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

- Official Plan Designation – Open Space (1176 Hyde Park Rd.) & Auto-Oriented Commercial Corridor (1200 & 1230 Hyde Park Rd.)
- The London Plan Place Type – Green Space (1176 Hyde Park Rd.), Neighbourhoods (1200 & 1230 Hyde Park Rd.) & Shopping Area (1230 Hyde Park Rd.)
- Existing Zoning – Open Space (OS1) Zone (1176 Hyde Park Road) & Holding Restricted Service Commercial Special Provision (h•RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(5)/RSC6(4)) Zones (1200 & 1230 Hyde Park Road)

1.3 Site Characteristics

- Current Land Use – Vacant, used for crop production
- Frontage – approximately 265 metres (along Hyde Park Road)
- Depth – approximately 475 metres (total depth all parcels)
- Area – approximately 9.67 hectares (total all parcels)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Building Supply Outlet & CP Railway Corridor

- East – Automobile Sales & Service Establishment, Automobile Rental Establishment, Restaurant, Retail, Commercial Recreational Establishment, & Day Care Center
- South – Builder's Yard & CN Railway Corridor
- West – Stanton Drain & Kelly Stanton Environmentally Significant Area – North

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The purpose of the requested amendments is to facilitate the development of a mixed-use neighbourhood on the subject lands based on a development concept provided by the applicant (See Figure 1 and 2). The development concept proposes to divide the subject lands into several development blocks, exchange the current City-owned corridor with other open space lands, and relocate and reconfigure open space lands which will provide for, and accommodate, a noise berm, SWM storage, and a realigned public pathway corridor. A new u-shaped public street is proposed to loop through the subject lands intersecting with Hyde Park Road at the northerly property limit shared with 1282 Hyde Park (Moffatt & Powell RONA) and mid-way along the Hyde Park Road frontage. The proposed buildings would have a low-rise to mid-rise profile, with the buildings generally increasing in height the closer the buildings are located to Hyde Park Road. The following buildings are proposed, but may be revised through future development approval applications:

- Two (2) mixed-use buildings up to 6-storeys in height, located adjacent to Hyde Park Road for a depth of no more than 100 metres from the widened Hyde Park Road right-of-way;
- Three (3) apartment buildings up to 4-storeys in height located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the proposed new public street and south of the southerly limit of the proposed new public street;
- Three (3) apartment buildings up to 3-storeys in height located west of the westerly limit of the proposed new public street; and
- Twenty-five (25) townhouses up to 2-storeys in height, located north of the northerly limit of the proposed new public street.

A total of 593 residential units and approximately 1,296 sq. m (13,950 sq. ft.) of commercial space is proposed, resulting in a gross density 63 uph calculated based on the total site area.



Figure 1: Development Concept, Massing Model

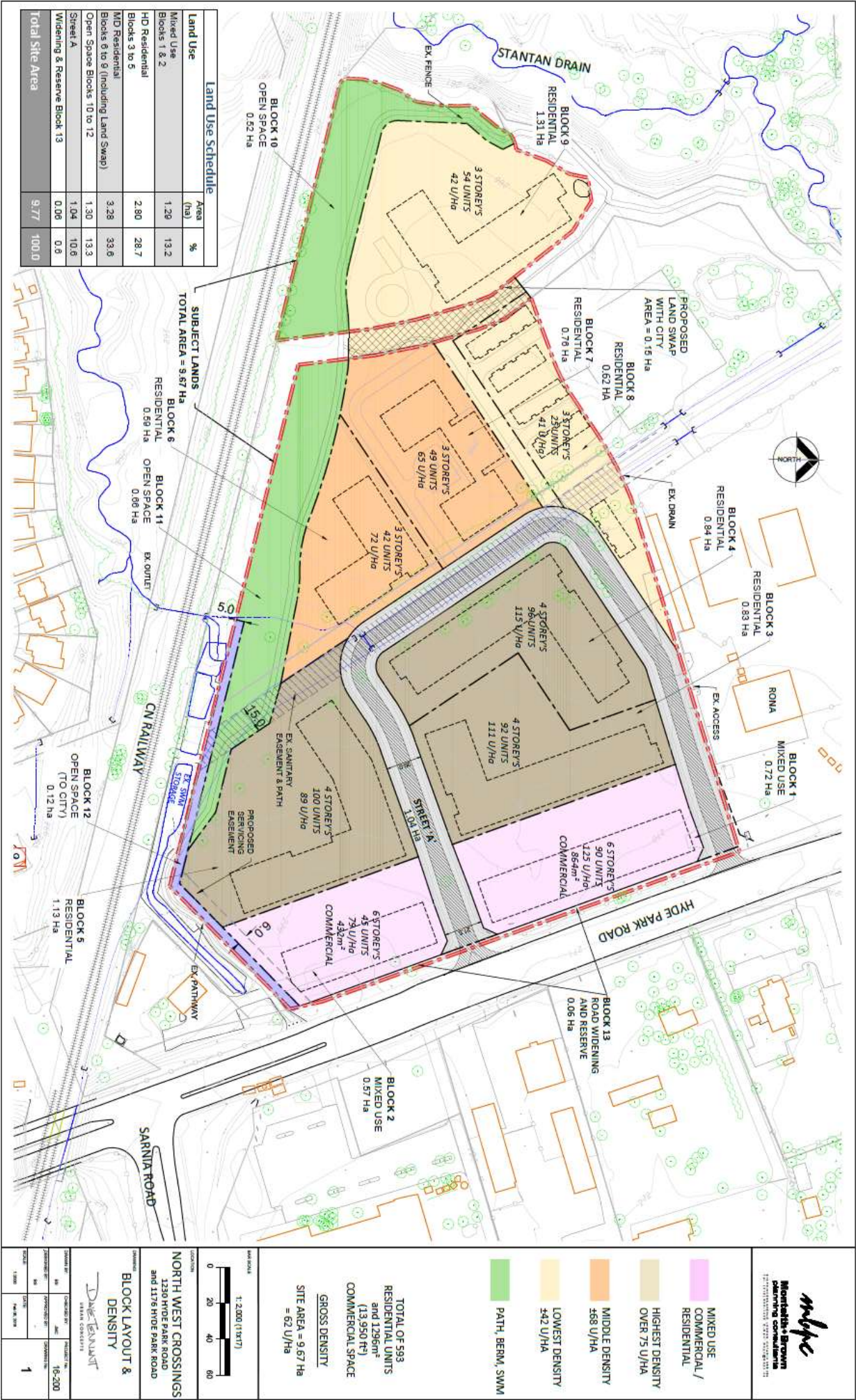


Figure 2: Development Concept

3.0 Relevant Background

3.1 Planning History

The subject lands are part of the former London Township that was annexed to the City of London in 1993. As recommended as part of "Vision London" the subject lands were designated Restricted Service Commercial east of the former CN branch line (presently the location of sanitary sewer easement through the property) and Light Industrial west of the former CN branch line. The former CN branch line was purchased by the City of London with the intent of being re-purposed for a north-south public pathway corridor and would be later be involved in a land exchange between Northwest Crossing (London) Limited (the owner of the subject lands), Nauvoo Investments Limited (the owner of 1282 Hyde Park Road) and the City of London.

In 2000 Council adopted the Hyde Park Community Plan and approved Official Plan Amendment No. 193. Through the Hyde Park Community Plan process it was recommended that the Restricted Service Commercial destination, a precursor to the current Auto-Oriented Commercial Corridor ("AOCC") designation, be maintained in the area between the CN and CP rail corridors to recognize the existing uses and provide for infill commercial development that would be similar in nature. The Light Industrial designation was also maintained for lands west of the CN branch line. Subsequently, the land use designations that applied to the subject lands did not change through the Hyde Park Community Plan process. The Hyde Park Community Plan was adopted subject to the acceptance of several background studies including a Stormwater Management Plan, Sanitary Sewer Servicing Report and completion of the Hyde Park Trunk Sanitary Sewer Municipal Class Environmental Assessment.

In 2003 Council accepted the Hyde Park Community Storm Drainage and Stormwater Management Municipal Class Environmental Assessment. The preferred servicing solution included Stormwater Management Facility No. 6 ("SWMF6") as the sixth component of an overall preferred servicing solution with the intent to improve water quality and minimize erosion and flooding conditions for the Hyde Park Community Plan. SWMF6 was proposed to be located on the western portion of the subject lands.

Also in 2003, as a possible basis for a resolution to an outstanding appeal before the Ontario Municipal Board regarding an earlier 2001 Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision application, Northwest Crossings (London) Limited and Nauvoo Investments Limited submitted an Official Plan Amendment, Zoning By-law Amendment and revised Plan of Subdivision for all lands west of Hyde Park Road bound by the CN and CP railway corridors. Council resolved to redesignate the subject lands west of the former CN branch line from Light Industrial (in place since Vision London) to Restricted Services Commercial; and rezoned the subejct lands Holding Restricted Service Commercial Special Provision (h•RSC1(13)/RSC2 (9)/RSC3(11)/RSC4 (8)/RSC5(5)/RSC6(4)) Zone and Open Space (OS1) Zone. The OS1 Zone was intended to provide for SWMF6. The draft approved Plan of Subdivision (File No. 39T-01507) proposed to divide the subject lands into seven (7) service commercial blocks, and various SWM blocks/open space blocks to be accessed by a public cul-de-sac.

As part of the revised draft Plan of Subdivision process, Northwest Crossings (London) Limited and Nauvoo Investments Limited acquired the former CN branch line from the City, and dedicated to the City the current 15-metre wide City-owned corridor that bisects the subject lands. Northwest Crossing (London) Limited also provided the City with the lands west of the Stanton Drain (between the CN railway corridor and CP railway corridor) as an ecological land donation (currently known as the Kelly Stanton Environmentally Sensitive Area ("ESA") - North). The approval of the draft Plan of Subdivision has since lapsed.

In 2009 Council approved Official Plan Amendment No. 438 implementing the recommendations of the 2006 Official Plan Review, which included a City-wide Commercial Policy Review. The Restricted Service Commercial designation that applied to the subject lands was replaced with the AOCC designation.

3.2 Requested Amendment

The applicant has requested an amendment to the 1989 Official Plan to add a policy to Chapter 10 (Policies for Specific Area) to permit the development of a low-rise to mid-rise mixed-use neighbourhood on the subject lands based on the development concept described in Section 2.1.

The applicant has chosen to submit the Official Plan Amendment application in advance of the Zoning By-law Amendment application and the Plan of Subdivision application, which are also required to permit the proposed development concept. The Zoning By-law Amendment and the Plan of Subdivision applications require the completion of several technical studies which may limit or restrict the extent to which certain portions of the subject lands can be developed. However, there is no risk in advancing the Official Plan Amendment application at this time since development cannot occur until such time as the technical studies are complete and the subject lands are successfully rezoned.

Through pre-application consultation with City staff, it was recommended that the subject lands develop through a Plan of Subdivision and that the development concept include a new public street for the purposes of improved pedestrian, cycling and vehicular connectivity through the subject lands. However, the creation of a new public street (based on its classification) has the potential to limit the range of uses and intensity of development that may be permitted within the Neighbourhoods Place Type that applies to the interior portion of the subject lands in The London Plan. The types of land uses and intensity of development contemplated in the Neighbourhoods Place Type is dependent on the street classification on which a property has frontage.

The proposed development concept would have been permitted had Hyde Park Road (classified as a major street) remained the only street-frontage. The creation of a new public street, expected to be classified as a minor street, provides benefits to the organization for the site, but results in a reduction in the range of land uses and intensity of development permitted in The London Plan. The intent of the recommended Specific Policy to the Neighbourhoods Place Type is to continue to permit the range of uses and intensity of development that would have been permitted fronting onto a Civic Boulevard prior to the creation of a new public street through the subject lands. In consultation with the applicant, Planning Services staff agreed to bring forward an amendment to The London Plan with the third reading of the amending by-law to be withheld until such time as The London Plan is in force and effect. For reasons of clarity, because the Green Space Place Type is generally intended for parkland or to remain in a natural state, Planning Services staff are also recommending the subject lands within the Green Space Place Type that had been previously anticipated to accommodate SWMF6 be changed to the Neighbourhoods Place Type.

3.3 Community Engagement (see more detail in Appendix B)

Notice of Application was sent to property owners in the surrounding area on October 4, 2017, and published in the Public Notices and Bidding Opportunities section of The Londoner on October 5, 2017. The notice advised of a possible amendment to the 1989 Official Plan to add a Specific Policy to Chapter 10 (Policies for Specific Areas) to permit the development of a low-rise to mid-rise mixed use neighbourhood on the subject lands. Notice of Revised Application was sent to property owners in the surrounding area on February 14, 2018, and published in the Public Notices and Bidding Opportunities section of The Londoner on February 15, 2018. The revised notice advised of an updated development concept with the greatest building heights proposed along Hyde Park Road, the potential amendment to the 1989 Official Plan, and a possible amendment to The London Plan to add a specific policy area to the Neighbourhoods Place Type. A possible change from the Green Space Place Type to the Neighbourhoods Place Type in The London Plan was advertised in the Notice of the Public Participation Meeting sent to property owners in the surrounding area on February 28, 2018, and published in the Public Notices and Bidding Opportunities section of The Londoner on February 29, 2018.

Two (2) replies were received from the public as part of the community engagement process. A landowner upstream of the subject lands expressed interest in the elimination of SWMF6 on the subject lands and how that may impact planned SWM facilities upstream. The elimination of SWMF6 is incidental, but not a direct result of this application. The operator of the building supply outlet (Moffatt & Powell RONA) located adjacent to the subject lands at 1282 Hyde Park expressed concerns about the

compatibility of the proposed development (particularly new residential development) in close proximity to their existing business. The issue of compatibility with regard to the existing building supply outlet is discussed in Section 4.4 of this report.

3.4 Policy Context (see more detail in Appendix D)

3.4.1 Provincial Policy Statement, 2014 (PPS)

The 2014 Provincial Policy Statement (“PPS”) provides broad policy direction on matters of Provincial interest related to land use planning and development. The PPS does not assign specific land use designations to properties.

The PPS directs settlement areas to be the focus of growth and development and encourages a diversity of land uses and densities within settlement areas to support intensification and efficient use of land and resources, planned or available infrastructure, and public service facilities. The PPS encourages development which supports active transportation and is transit supportive.

3.4.2 1989 Official Plan

The 1989 Official Plan contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS. The 1989 Official Plan assigns specific land use designations to properties, and the policies associated with those land use designation provide for a general range of uses, and form and intensity of development that may be permitted.

The easterly-most portion and the central portion of the subject lands (1230 and 1200 Hyde Park Road respectively) are designated AOCC on Schedule “A” – Land Use to the 1989 Official Plan. The westerly-most portion of the subject lands, west of the City-owned corridor (1176 Hyde Park Road) is designated Open Space on Schedule “A” – Land Use to the 1989 Official Plan.

Lands designated AOCC are typically found along major streets and are intended for a broad range of commercial uses, which because of their built form, access or exposure requirements, and/or nuisance impacts, have limited opportunity to locate elsewhere. Lands designated Open Space are intended to be maintained as park space or in a natural state. In the case of the westerly-most portion of the subject lands the Open Space designation was to provide for a SWM facility.

3.4.3 The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by Council and approved by the Ministry with modifications, but at the time of writing this report was not yet in force and effect due to appeals to the Ontario Municipal Board. The London Plan establishes a new policy direction for land use planning and development in London which emphasizes growing “inward and upward”.

The subject lands fronting onto Hyde Park Road for a depth of approximately 100 metres west of the Hyde Park Road right-of way (1230 Hyde Park Road) is located within the Shopping Area Place Type on Map 1 – Place Types to The London Plan. The central portion of the subject lands at a depth greater than 100 metres from the Hyde Park right-of-way to the City-owned corridor (1200 and 1230 Hyde Park Road) is within the Neighbourhoods Place Type. The westerly-most portion of the subject lands, west of the City-owned corridor (1176 Hyde Park Road) is within the Green Space Place Type.

Shopping Areas in The London Plan are intended for a wide range of retail, service, business, and other uses within walking distance of neighbourhoods. Over time Shopping Areas are to become less auto-oriented and become more pedestrian, cycling and transit-oriented and may re-format to become mixed-use areas which would also include residential uses. Neighbourhoods are intended to provide for a diversity of housing types and densities and provide housing opportunities for all residents of the City. Green Space is intended as a system of public parks, recreational areas, and private open spaces. The Green Space Place Type is a carry-over from the existing Official Plan which had intended to provide for a SWM facility on the subject lands.

4.0 Key Issues and Considerations

4.1 Specific Policy Areas

To permit the proposed development concept, the applicant has requested specific area policies be added to the 1989 Official Plan to augment the standard policies that would otherwise apply. Planning Services staff have considered the appropriateness of this request.

Chapter 10 – “Policies for Specific Areas” in the 1989 Official Plan allows Council to consider policies for specific areas when it is in the interest of Council to maintain the existing land use designation while allowing for a site specific change in land use (Policy 10.1.1 ii)). Although, the subject lands could develop according to the AOCC designation that currently applies to the subject lands, and notwithstanding the Open Space designation intended to accommodate a SWM facility on the subject lands, Planning Services staff are recommending specific area policies be added to the 1989 Official Plan and to The London Plan to augment the standard policy direction and allow for the proposed development of a mixed-use neighbourhood which better achieves Council’s contemporary vision or intent for the subject lands as expressed in The London Plan.

In The London Plan, the subject lands fronting onto Hyde Park Road for a depth of approximately 100 metres are located within the Shopping Area Place Type. This Place Type contemplates both the use and intensity of development proposed by the applicant for the subject lands. In particular, mixed-use buildings are encouraged in the Shopping Area Place Type, and the proposed building heights are within the maximum 6-storey height contemplated for the Shopping Area Place Type through bonus zoning (Policy 877_ 2. and Policy 878_ 2.).

The Neighbourhoods Place Type applied to the central portion of the subject lands contemplates residential land uses. The proposed low-rise to mid-rise apartment buildings and townhouses are compatible with the mid-rise, mixed-use, buildings planned along Hyde Park Road in The London Plan, and will provide a gradual transition in height down from Hyde Park Road generally in keeping with the policy framework for the Neighbourhoods Place Type. Within the Neighbourhoods Place Type the range of uses and the intensity of development that may be allowed on a property is dependent on the classification of the street on which the property has frontage. Properties fronting on a higher-order street may allow for a broader range of uses and more intense forms of development than properties fronting onto a lower-order street.

Land uses and intensities in the form of stacked townhouse, triplexes, fourplexes and low-rise apartments up to 4-storeys in height, are contemplated in Neighbourhoods Place Type by virtue of the site’s location fronting onto a Civic Boulevard. The creation of a new Neighbourhood Street through the subject lands necessitates the need for an amendment to The London Plan, by way of Specific Policies for the Neighbourhoods Place Type, to retain the potential for the above-noted uses. This is due to the policies which permit a narrower range of uses and lower heights for sites that front Neighbourhood Streets in the Neighbourhoods Place Type.

The recommended amendment to add to the Specific Policies for the Neighbourhoods Place Type will allow the subject lands to develop as would have been permitted prior to the creation of a new Neighbourhood Street through the subject lands, which maintains the general intent of The London Plan.

4.2 Use, Intensity, Form

The proposed change in land uses must be appropriate for the subject lands and surrounding context in terms of use, intensity and form.

4.2.1 Use

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 provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2). Consistent with the

PPS, the recommended amendments will permit a development concept which includes both commercial and residential uses contributing to the mix of land uses in the area. The proposed development concept will also provide for a range of housing options, including townhouse uses and apartment building uses, to meet a broad range of housing needs. The compatibility of the proposed residential uses with existing restricted service commercial uses in the area between the CN and CP railway corridors on either side of Hyde Park Road is discussed below in detail in Section 4.4.

1989 Official Plan

The AOCC designation that applies to the subject lands is primarily intend for commercial uses which cater to the needs of the traveling public; service commercial uses that generate significant amounts of traffic and draw customers from a wide area; and/or light industrial uses with associated retail, wholesale, or service functions that require large amounts of open or enclosed display or storage areas (Policy 4.4.2.4). However, the vision for the subject lands, and the broader area generally located on either side of Hyde Park Road between the CN and CP railway corridors, has evolved over time. The recommended amendments would allow for the propose development of a mixed-use neighbourhood which better achieves the land use vision for the subject lands as expressed in The London Plan.

The London Plan

Within the Shopping Area Place Type a broad range of retail, service commercial, office and residential uses are contemplated. Mixed-use buildings are encouraged. Uses with large amounts of open or enclosed display or storage areas and/or emitting noise, vibration or dust will not be permitted; and uses that are not compatible with residential and/or retail uses will also not be permitted (Policy 877_ 1.-3.). The policy direction in The London Plan is clearly transitioning away from some of the restricted service commercial land uses permitted by the current zoning of the subject lands and adjacent properties. Consistent with The London Plan the proposed development concept provides a mix of both commercial and residential land uses within mixed-use buildings.

Within the Neighbourhoods Place Type the broadest range of residential land uses are contemplated where there is frontage on a Civic Boulevard; this includes the potential for low-rise apartments and stacked townhouses. While the creation of a new public street through the subject lands is preferred for the purposes of pedestrian, cycling and vehicular connectivity, it will have the unintended effect of also reducing the potential range of primary permitted uses for the central portion of the subject lands within the Neighbourhoods Place Type as explained in Section 4.1. Within the Neighbourhoods Place Type where there is frontage on a Neighbourhood Street the potential range of primary permitted uses is limited to single-detached, semi-detached, and duplex dwellings, and townhouses. The purpose of the recommended Specific Policy to the Neighbourhoods Place Type is to continue to permit the range of primary permitted uses that would have be permitted fronting onto a Civic Boulevard prior to the creation of a new local street through the subject lands. The recommended amendments will therefore, maintain the general intent of The London Plan.

4.2.2 Intensity

Provincial Policy Statement, 2014 (PPS)

The PPS directs land use patterns within settlement areas to be based on densities and a mix of uses that efficiently use land and resources (Policy 1.1.3.2. a) 1.). Consistent with the PPS, the proposed development of a mixed-use neighbourhood will achieve land use densities and a mix of land uses that provide for a more compact urban form and more efficient use of land and resources.

1989 Official Plan

Planning Services staff have considered whether the intensity of the proposed development fits with the surrounding context. The surrounding context includes established and developing residential neighbourhoods located within the Low-Density Residential (“LDR”) designation or Multi-Family, Medium Density Residential (“MFMDR”). Residential intensification up to a maximum of 75 uph is contemplated in the LDR designation and development will not exceed 75 uph in the MFMDR designation (Policies 3.2.3.2 and 3.3.3 ii).

Based on the total site area the proposed development will have a gross maximum density of 63 uph, which achieves an intensity of development that is appropriate for the

suburban context and compatible with existing and developing residential neighbourhoods. However, density is not proposed to be uniformly distributed over the subject lands and the future division of the subject lands into smaller, separate development blocks through a Plan of Subdivision may result in certain blocks having more or less than 75 uph. Planning Services staff are however supportive the potential variation in density over the subject lands, which would provide for different types of residential uses and forms, provide for a transition in heights across the subject lands, and overall provide for a more dynamic and interesting neighbourhood in proximity to an evolving mainstreet north of the subject lands.

The London Plan

The London Plan places an emphasis on growing “inward and upward”. The London Plan encourages more intense and efficient use of the Shopping Area Place Type (Policy 878_1.). The proposed development provides a mix of both residential and commercial land uses that would increase the activity on site, particularly outside of traditional hours of business for commercial uses. The mixing of commercial and residential land uses is also a more intense and efficient use of land and resources.

The Shopping Area Place Type contemplates building heights up to 4-storeys in height, with the potential for 6-storeys in height through the approval of a Bonus Zone (Policy 878_2.) The proposed development conforms to the building heights contemplated for the Shopping Area Place Type.

The Neighbourhoods Place Type also contemplates building heights up to a maximum of 4-storeys, with the potential for a maximum of 6-storeys through the approval of a Bonus Zone, where there is frontage on a Civic Boulevard (Table 11). The creation of a new public street through the subject lands would have the effect of limiting the intensity of development to a maximum of 2.5-storeys in height where there is frontage on a Neighbourhood Street. The purpose of the recommended Specific Policy to the Neighbourhoods Place Type is to continue to permit the intensity of development that would have been permitted fronting onto a Civic Boulevard prior to the creation of a new public street through the subject lands. The proposed development generally conforms to the intensity of development contemplated for the subject lands in The London Plan.

4.2.3 Form

Provincial Policy Statement, 2014 (PPS)

Within Settlement Areas, which are intended to be the focus of growth and development, the PPS encourages development which has a compact urban form. The compact form will contribute to the efficient use of land, infrastructure and public service facilities (Policy 1.1.3.6). 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 (Policy 1.3.1).

The proposed development of a mixed-use neighbourhood on the subject lands is consistent with the PPS and is a more compact, transit-supportive form of development than what is likely to occur under the current Restricted Service Commercial zoning.

1989 Official Plan

The 1989 Official Plan encourages an urban form with more intensive residential and commercial development focused along sections of major transportation corridors, such as Hyde Park Road, and in designated nodes to support public transit (Policy 2.2.1 v)). The proposed development is consistent with the urban form described above and the mid-rise, mixed-use buildings, are an appropriate form adjacent to Hyde Park Road.

The London Plan

The London Plan supports compact forms of development in planning and managing for growth (Policy 7_, Policy 66_, and Policy 77_). The London Plan encourages transit oriented development forms (Policy 60_ 6.)

As contemplated in The London Plan, the proposed mixed-use neighbourhood is a more compact, transit-supportive form of development than the form of development likely to develop under the current Restricted Service Commercial zoning. The proposed development maintains a low-rise to mid-rise profile, which is appropriate within the suburban context and compatible with existing and developing residential

neighbourhoods in the area. The proposed mixed-use development adjacent to Hyde Park Road also provides a more desirable pedestrian friendly, transit-supportive connection between the existing residential neighbourhoods and mainstreet to the north and the existing residential neighbourhoods to the south than the auto-oriented uses permitted under the current Restricted Service Commercial zoning.

4.3 Protection of Natural Hazards & Natural Heritage Features

Planning Services staff have considered whether it would be appropriate to apply a change in land use that would contemplate and potentially provide for development on a portion of the subject lands adjacent to natural hazards and natural heritage features in the absence of technical studies.

Previously intended for SWMF6, the westerly-most parcel comprising the subject lands (1176 Hyde Park Road) was designated Open Space in the 1989 Official Plan (Green Space Place Type in The London Plan) and zoned Open Space (OS1) to implement the lapsed Plan of Subdivision and provide for a SWM facility. 1176 Hyde Park Road does not contain any natural hazards or natural heritage features, but is located adjacent to the Stanton Drain and lands west of the Stanton Drain that are recognized as being an Environmentally Significant Area. 1176 Hyde Park Road is within the Upper Thames River Conservation Authority ("UTRCA") regulated area, and the UTRCA was subsequently circulated on this application.

In a letter dated October 24, 2017 the UTRCA indicated that they have no objections to the Official Plan Amendment application with respect to 1200 & 1230 Hyde Park Road. However, with respect to 1176 Hyde Park Road, the UTRCA indicated a preference that certain technical studies (e.g. Geotechnical Study, Environmental Impact Study, and Hydrogeological Study) be completed in advance of a possible land use change and suggested that the matter be deferred for 1176 Hyde Park Road.

Notwithstanding this initial suggestion by the UTRCA that the matter be deferred for 1176 Hyde Park Road, Planning Services staff are of the opinion that there is no immediate impact associated with proceeding with the Official Plan Amendment application for the whole of the subject lands, including 1176 Hyde Park Road, since development cannot occur until such time as the lands are also rezoned to permit development. The current Open Space (OS1) Zone that applies to 1176 Hyde Park Road permits only parks, golf courses, conservation lands and conservation works for flood and erosion control. Additionally, it is not uncommon for lands zoned OS1 to be located within residentially designated areas especially when they are intended to provide for SWM facilities

Planning Services staff have included specific direction in the recommended amendments to the 1989 Official Plan and The London Plan to ensure that the concerns of the UTRCA are addressed and that through the subsequent Zoning By-law Amendment application, a Geotechnical Study, Environmental Impact Study, and Hydrogeological Study will demonstrate that the natural hazards and natural features and their functions will not be negatively impacted by the proposed land uses or form of development. Planning Services staff have also recommended that the Green Space Place Type (formerly Open Space designation) be changed to the Neighbourhoods Place Type in The London Plan for reasons of clarity since the Green Space Place Type is generally intended for parklands or where lands are to remain in a natural state, not where development is expected to occur. However, should the above-noted technical studies find that a portion of the lands provide an ecological function, Planning Service staff would undertake a City-initiated Official Plan Amendment to change the impacted lands back to the Green Space Place Type concurrently with a future Zoning By-law Amendment application.

Given the assurance provided by Planning Services staff that the existing zoning and the recommended specific area policies will continue to protect the natural hazard and natural heritage features and their functions, the UTRCA in a second letter dated February 28, 2018 has indicated the UTRCA will not object to the Official Plan Amendment application proceeding for 1176 Hyde Park Road.

4.4 Compatibility between Industrial Facilities & Sensitive Land Uses

The proposed development of residential land uses on the subject lands may result in compatibility issues with the light industrial land uses for which adjacent lands are

already zoned.

Through the community engagement process the operator of the building supply outlet (Moffatt & Powell RONA) located north of the subject lands at 1282 Hyde Park raised concerns about noise and dust impacts from their normal business operation and associated truck traffic, and the potential compatibility issue the proposed development for the subject land presents. The Moffatt & Powell RONA lands, and other lands in the immediate vicinity of the subject lands, are zoned Restricted Service Commercial (RSC5), which specifically permits light industrial land uses with associated retail, wholesale, or service functions.

D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Uses were released by the Ministry of the Environment and Climate Change (formerly the Ministry of the Environment) in 1995 in accordance with the Environmental Protection Act. These guidelines are intended to be applied in the land use planning process to prevent or minimize land use conflict due to the encroachment of sensitive land uses and/or industrial uses on one another.

Planning Services staff have included specific direction in the recommended amendments to the 1989 Official Plan and The London Plan to ensure that the *D-6 Guidelines* are addressed prior to sensitive residential land uses being developed on the subject lands. It should be noted that it is not atypical for sites located near to facilities producing nuisance impacts such as noise, odour, dust etc. that mitigative measures (eg. double glazing, air conditioning, air/ventilation carbon-based filters) are incorporated into the design of new sensitive land uses to address issues of compatibility. As the proposed residential development cannot actually occur until such time as the subject lands are rezoned to permit residential uses, Planning Services staff are of the opinion that there is no risk associated with considering the *D-6 Guidelines* at the time of the Zoning By-Law Amendment application along with other technical studies. It should also be noted that the uses proposed by the applicant are consistent with the intent of The London Plan which identifies the subject lands as well as the abutting Moffatt & Powell RONA site as Shopping Area Place Type abutting Hyde Park Road and Neighbourhoods Place Type in the interior.

4.5 Nuisance Impacts from Railway Corridor

The proximity of railway operations to the subject lands may create nuisance impacts – primarily noise and vibration. There are potential compatibility issues associated with locating new development (particularly new residential development) in proximity to railway corridors.

The PPS directs that new development proposed adjacent to existing or planned transportation and infrastructure corridors be compatible with, and support, the long-term purpose of the corridor, and be designed to mitigate adverse impacts on and from the corridor (Policy 1.6.8.3). In particular with regards to rail facilities, the PPS directs that the long-term operation and economic role of rail facilities will be protected; and that rail facilities and sensitive land uses are to be appropriately design, buffered and/or separated from each other (Policy 1.2.6.1 and Policy 1.6.9.1 (a) and (b)).

Consistent with the PPS, the 1989 Official Plan directs that development of sensitive land uses in close proximity to rail corridors shall have regard for potential impacts from noise, vibration and/or safety concerns; and that development be controlled to reduce potential adverse impacts and appropriate attenuation measures provided through planning and development approval processes (Policy 18.2.15 iv) and Policy 19.9.5).

The London Plan values the importance of rail corridors in connecting London and the surrounding region (Policy 103_ and Policy 110_). The London Plan directs that freight and rail services, which are important to the growth of the industrial sector, are to be protected to achieve the vision of a prosperous London (Policy 1113_ 12.). Policy regarding sensitive land uses in close proximity to rail corridors have been carried-over from the 1989 Official Plan and included in The London Plan (Policy 1766_). The London Plan directs that where new sensitive land uses may be exposed to noise, and/or vibration and negatively impacted, and/or where there are safety concerns, attenuation measures will be incorporated into the development (Policies 1770_, 1771_ and 1772_).

Planning Services staff have included specific direction in the recommended amendments to the 1989 Official Plan and The London Plan to ensure that consistent with the PPS, and in conformity with the 1989 Official Plan and The London Plan, compatibility issues associated with the development of new sensitive land uses in proximity to railway corridors is addressed through subsequent Zoning By-law Amendment and Plan of Subdivision approval processes prior to development occurring.

Based on 2013 *Guidelines for New Development in Proximity to Railway Operations* prepared by the Railway Association of Canada and the Federation of Canadian Municipalities, the subject lands are within the potential noise area of influence for both the CP and the CN railway corridors, and within the potential vibration area of influence for the CN railway corridor (*the subject lands are outside the potential vibration area of influence for the CP railway corridor*).

To address compatibility issues and mitigate potential nuisance impacts associated with the CN railway corridor, the development concepts for the subject lands envisions reconfigured open space lands which are linear in shape and would be located immediately adjacent to the CN railway corridor. The reconfigured open space lands would consist of a noise berm, SWM storage, and the realignment of the City's public pathway corridor. 1282 Hyde Park Road (Moffatt & Powell RONA) separates the CP railway corridor from the subject lands. The development concept relies the separation distance provided by the Moffatt and Powell RONA lands to address compatibility issues and mitigate potential nuisance impacts associated with the CP railway corridor.

The proposed development will be required to comply with provincial guidelines for acceptable levels of noise and vibration as well as address concerns over safety and provide mitigation measures, as part of the subsequent Zoning By-law Amendment and Plan of Subdivision applications.

5.0 Conclusion

The recommended amendments to the 1989 Official Plan and to The London Plan to facilitate the development of a mixed-use neighbourhood on the subject lands are consistent with the 2014 Provincial Policy Statement. The 2014 Provincial Policy Statement encourages a diversity of land uses and densities, as is provided by the proposed development concept, to achieve efficient development patterns.

Chapter 10 - "*Policies for Specific Areas*" are intended to be applied where the application of existing policies would not accurately reflect the intent of Council. Notwithstanding the existing AOCC and Open Space designations, the recommended amendment to add a specific policy to Chapter 10 to permit the proposed development concept better achieves Council's vision, and intent for the subject lands as expressed in The London Plan. The proposed development concept is generally in keeping with the types of uses and intensity of development contemplated for the subject lands in The London Plan. The recommended amendment to add to the Specific Policies for the Neighbourhoods Place Type will allow the subject lands to develop as would have been permitted prior to the creation of a new local street through the subject lands, which maintains the general intent of The London Plan.

The recommended amendment to The London Plan to change a portion of the subject lands from the Green Space Place Type to the Neighbourhoods Place Type would continue to permit a Stormwater Management Facility as previously intended, but would also provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule 'B' Municipal Class Environmental Assessment.

Prepared by:	Melissa Campbell, MCIP, RPP Current Planning
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

March 12, 2018
MC/mc

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(MJC)\PEC\O-8822 - PEC-Report- (March 19-18).docx

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 1176,
1200, and 1230 Hyde Park Road.

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 March 26, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – March 26, 2018
Second Reading – March 26, 2018
Third Reading – March 26, 2018

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to Section 10.1.3 – “Policies for Specific Areas” to the Official Plan for the City of London to facilitate the development of a mixed-use neighbourhood on the subject lands.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1176, 1200, and 1230 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

Chapter 10 – “Policies for Specific Areas” of the Official Plan allows Council to consider policies for specific areas where one of four criteria apply. One of these criteria is “the change in land uses 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” (Section 10.1.1. ii).

The recommended amendment will permit mixed-use development having a low-rise to mid-rise profile. The mixed use development will consist of mixed-use buildings up to 6-storeys in height fronting onto Hyde Park Road that include commercial uses on the ground floor together with residential uses; and townhouses, stacked townhouses, triplexes, fourplexes, and apartment buildings up to 4-storeys in height fronting onto a new public street. The recommended amendment would augment the Auto-Oriented Commercial Corridor and Open Space policies that would otherwise apply to the subject lands, to permit land uses and an intensity of development that more accurately reflects Council’s vision and intent for the subject lands as expressed in The London Plan. The recommended amendment is generally consistent with the range of uses and intensity of development contemplated for the subject lands in The London Plan.

The subject lands located west of the City-owned corridor (that bisects the subject lands) are within the Open Space designation of the Official Plan for the City of London, 1989, and were intended to provide for a stormwater management facility (“SWMF6”) consistent with the recommendations contained within the 2002 Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment (“EA”). The recommended amendment would continue to permit SWMF6, as well as, provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

D. THE AMENDMENT

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

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

1176, 1200, 1230 Hyde Park Road

In the Open Space designation townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings up to 3-storeys in height may be permitted. Development shall not be permitted in the Open Space designation unless through a

Zoning By-law Amendment an Environmental Impact Study, Geotechnical Report and Hydrogeological Assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA

In the Auto-Orientated Commercial Corridor designation located no more than 100 metres west of the widened Hyde Park Road right-of-way, mixed-use buildings up to 6-storeys in height which consist of retail and service-oriented commercial use and small-scale office uses on the ground floor together with residential use may be permitted through the Bonus Zoning.

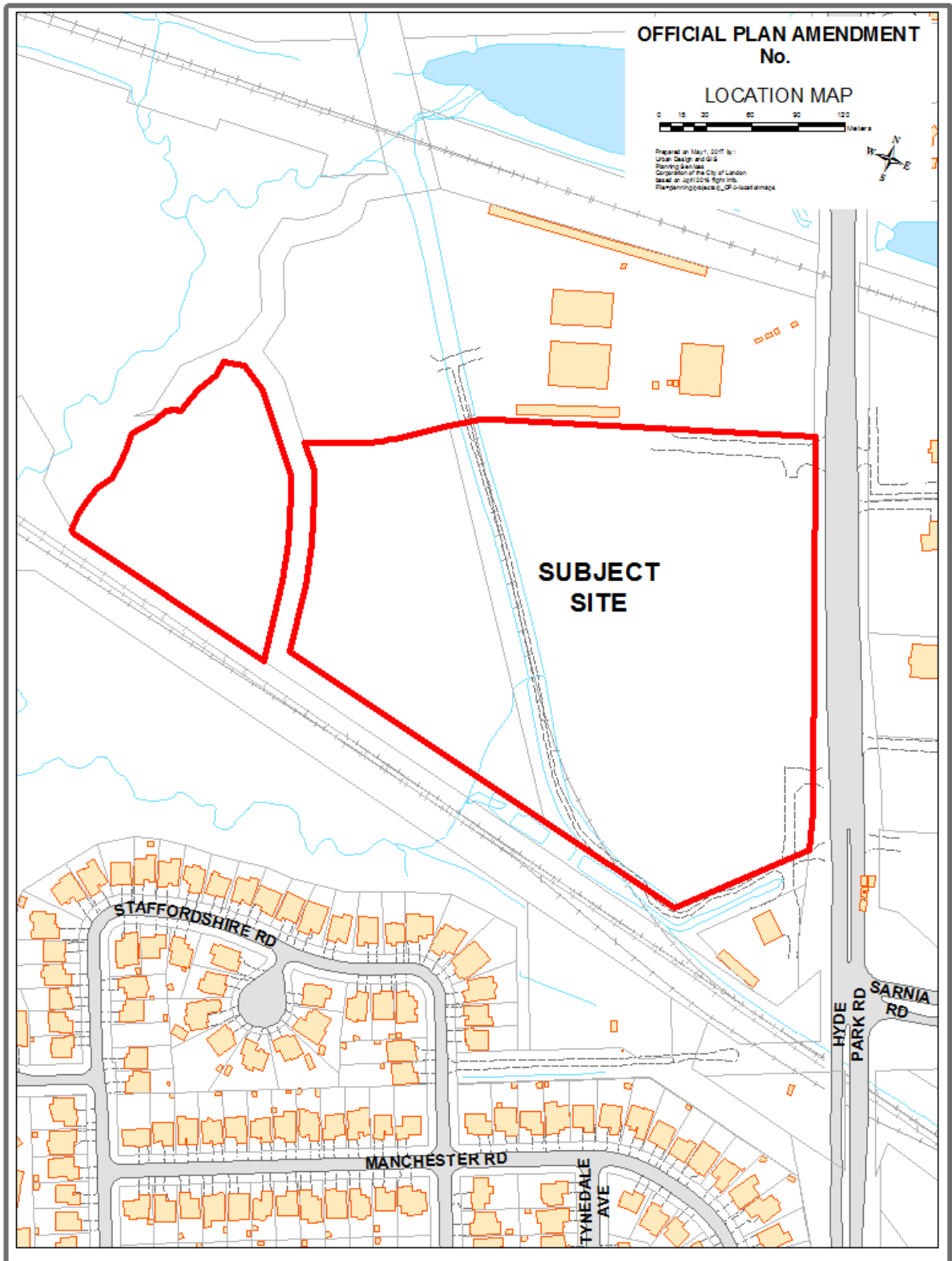
In the Auto-Oriented Commercial Corridor designation located greater than 100 metres west of the widened Hyde Park Road right-of-way, and east of the westerly limit of the new public street, and south of the southerly limit of the new public street, townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings may be permitted up to 4-storeys in height.

In the Auto-Oriented Commercial Corridor designation located west of the westerly limit of the new public street and north of the northerly limit of the new public street townhouses, stacked townhouses, triplexes, fourplexes and apartment buildings may be permitted up to 3-storeys in height.

Development in all designations shall not be permitted unless through a Zoning By-law Amendment and Plan of Subdivision:

- i) A Noise and Vibration Study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London;
- i) A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London; and
- ii) A new public street is created west of Hyde Park Road.

A gross maximum density of 75 unit per hectare will be permitted calculated using the total site area.



Appendix B

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-____

A by-law to amend The London Plan for
the City of London, 2016 relating to 1176,
1200, 1230 Hyde Park Road.

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 London Plan for
the City of London Planning Area – 2016, 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

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the Place Type of certain lands described herein from Green Space Place Type to Neighbourhoods Place Type on Schedule “A”, Map 1 – Place Type, to The London Plan for the City of London.
2. To add new policies to the Specific Policies for the Neighbourhoods Place Type and to add certain lands described herein to Map 7 – Specific Policy Areas, to The London Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1176, 1200, and 1230 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment will permit mixed-use development having a low-rise to mid-rise profile. The mixed use development will consist of mixed-use buildings with commercial at grade that may be up to 6-storeys in height fronting onto Hyde Park Road; and townhouses, stacked townhouses, triplexes, fourplexes, and apartment buildings that may be up to 4-storeys in height fronting onto a new public street constructed on the site west of Hyde Park Road.

Notwithstanding the Neighbourhoods Place Type policies to the contrary, stacked townhouses, triplexes, fourplexes and low-rise apartments up to 4-storeys in height will be permitted within the Neighbourhoods Place Type fronting onto a Neighbourhood Street. The above noted uses and building heights are consistent with the types of uses and intensity of development permitted in the Neighbourhoods Place Type where fronting onto a Civic Boulevard. The creation of a new street through the subject site is preferred for the purposes of pedestrian, cycling and vehicular connectivity, but would have the unintentional effect of limiting the range of uses and intensity of development that would otherwise be permitted; thereby, necessitating the need for a special policy to maintain the range of uses and intensity of development.

The Green Space Place Type was intended to provide for a stormwater management facility (“SWMF6”) consistent with the recommendations contained within the 2002 Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment (“EA”). The recommended amendment would continue to permit SWMF6, as well as, provide the flexibility to consider other land uses and potential development should stormwater management alternatives result from the final recommendations of 2017 addendum to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Schedule ‘B’ Municipal Class Environmental Assessment.

D. THE AMENDMENT

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

The London Plan is hereby amended as follows:

1. Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of lands located at 1176 Hyde Park Road in the City of London, as indicated on “Schedule 1” attached hereto from the Green Space Place Type to the Neighbourhoods Place Type.
2. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding the following:

1176, 1200 and 1230 Hyde Park Road

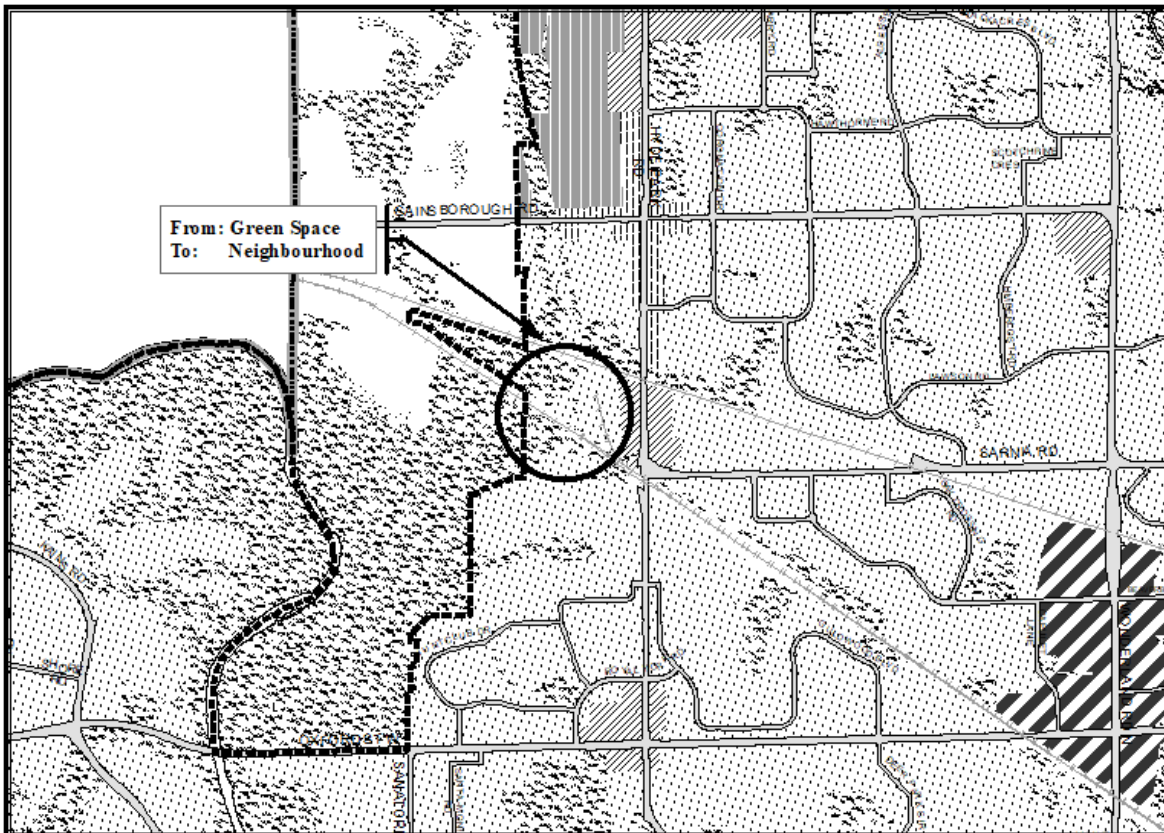
()_ In the Neighbourhoods Place Type located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the new public street and south of the southerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 4-storeys in height.

In the Neighbourhoods Place Type located west of the westerly limit of the new public street, and north of the northerly limit of the new public street, stacked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 3-storeys in height.

Development shall not be permitted in the Neighbourhoods Place Type unless through a Zoning By-law Amendment and/or Plan of Subdivision:

- i) An Environmental Impact Study, Geotechnical Report and Hydrogeological Assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA;
 - ii) A Noise and Vibration Study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London;
 - iii) A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility between Industrial facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London; and
 - iv) A new public street is created west of Hyde Park Road.
3. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1176, 1200 and 1230 Hyde Park Road in the City of London, as indicated on “Schedule 2”

AMENDMENT NO: _____



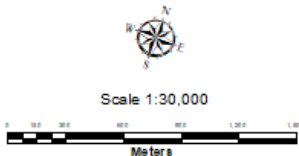
Legend

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.*

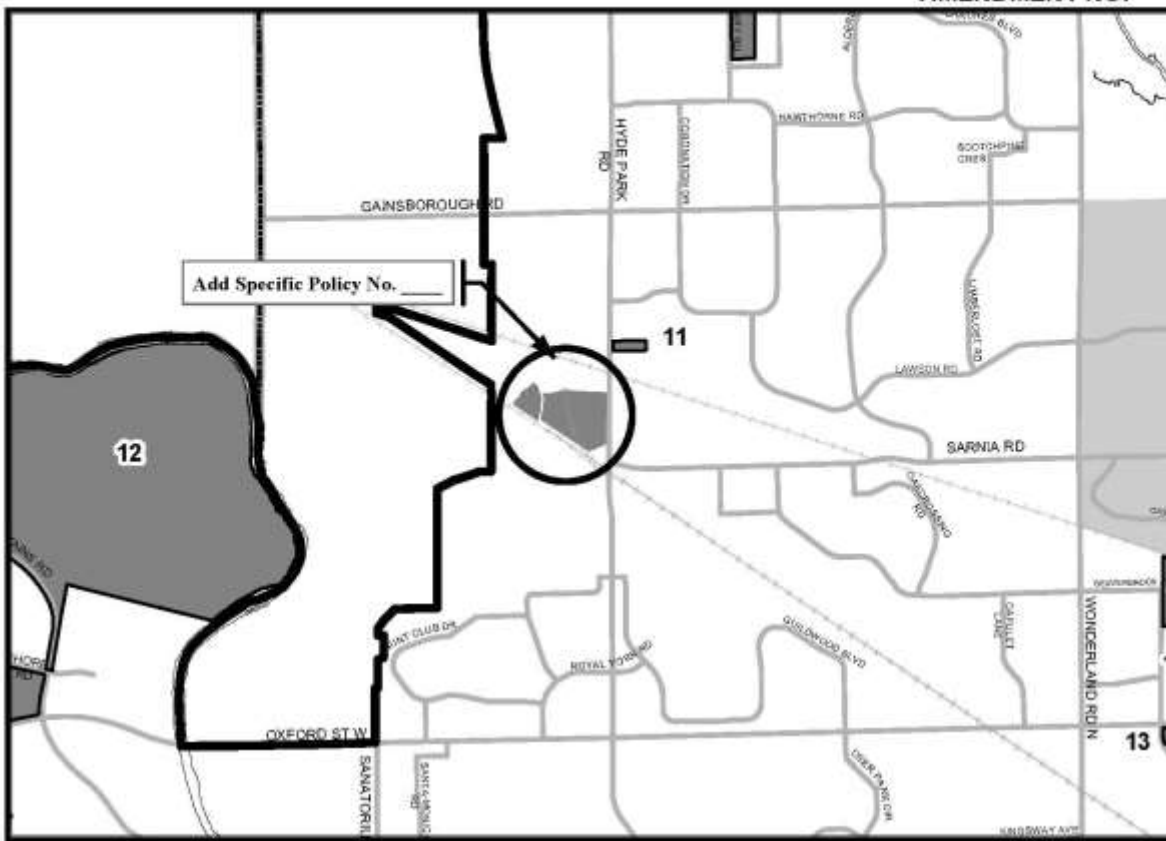
**SCHEDULE 1
 TO
 THE LONDON PLAN**
 AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: O-8822
 PLANNER: MC
 TECHNICIAN: MB
 DATE: 3/9/2018

AMENDMENT NO: _____



LEGEND

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

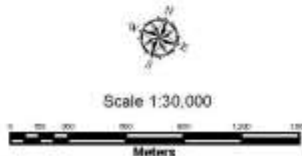
BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE 2
 TO
 THE LONDON PLAN**
 AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: O-8822
 PLANNER: MC
 TECHNICIAN: MB
 DATE: 10/31/2017

Appendix C – Public Engagement

Community Engagement

Public liaison: On October 4, 2017, Notice of Application was sent to 35 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 5, 2017. A “Planning Application” sign was also posted on the site. On February 14, 2018, Notice of Revised Application was sent to 35 property owners in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 15, 2018.

2 responses were received.

Nature of Liaison: The purpose and effect of this amendment is to permit the development of a low-rise to mid-rise mixed-use neighbourhood. Possible amendment to the Official Plan to add a Specific Policy to Chapter 10 (Policies for Specific Areas) and to The London Plan to change the Green Space Place Type that applies to a portion of the site to the Neighbourhoods Place Type and to add a Specific Policy to the Neighbourhoods Place Type to allow mixed-use buildings up to 6-storeys in height fronting onto Hyde Park Road and townhouses, stacked-townhouses and apartment buildings up to 4-storeys in height fronting onto a future local street to the west.

Responses: The concerns expressed about the requested amendments related to the potential change and/or elimination of the planned SWM facility on the subject lands and potential impact on planned upstream SWM facilities; the compatibility of the proposed development (particularly new residential development) in close proximity to existing business that may cause potential nuisance impacts for sensitive land uses; and that the proposed land uses and form of development will not negatively impact adjacent natural hazards and natural heritage features and their functions.

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

Telephone	Written
Janis Kempinski 1217 Gainsborough Road London, ON, N6H 5K7	Janis Kempinski 1217 Gainsborough Road London, ON, N6H 5K7
	Nancy Powel Quinn (Moffatt & Powell RONA) 1282 Hyde Park Road London, ON, N6H 5K5

File: O-8822
Planner: M. Campbell

From: Janis Kempinska [REDACTED]
Sent: Monday, November 06, 2017 9:51 AM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: O-8822 1176, 1200 & 1230 Hyde Park Road

Good Morning Ms. Campbell

O-8822 1176, 1200 & 1230 Hyde Park Road

Thank you for your information by phone on the above Planning Application.

We have concerns regarding the provisions for SWM management for this site and the potential changes for elimination or redesign of SWM # 6. This may impact our property at 1217 Gainsborough Road.

Although our property is located upstream from the subject property, with the revisions to the SWM system in the area currently taking place, suggesting the elimination of SWM #6, we wish to monitor how these changes and this planning application in particular may impact our property.

We would like to be kept informed of planning decisions regarding this file as it goes forward.

Regards

Janis & Adam Kempinski



Nancy Powell Quinn
President

25-Oct-17

To Melissa Campbell, Planner, City of London Planning Services

REFERENCE: Notice of Application – 1176, 1200 & 1230 Hyde Park Rd. (Ward 8) – O-8822

Dear Ms. Campbell,

In response to the application put forward to the Municipal Council for the City of London considering an amendment to the City's Official Plan to change the designated property type located at **1176, 1200 & 1230 Hyde Park Road in Ward 8** from Auto-Oriented Commercial Corridor and Open Space to add a special policy to allow for mixed-use and residential buildings.

Moffatt & Powell Ltd., is an operational lumber, building materials yard and retail business located at the neighboring property of 1282 Hyde Park Road and chose to locate here over 20 years ago due to the fact that the lands discussed in the application are planned for commercial and open space uses.

There are many elements involved in our business that makes us successful, the largest component being distribution of lumber and building materials (LBM) to contractors, home builders and do it yourselfers. To do this well, we are a seven day a week operation. We receive shipments of heavy trucks containing LBM products up to six days a week, many transports arriving and parking overnight until they can be unloaded the following day. We build our own loads for new house construction and renovation projects and ship out millions of board feet of material annually on our fleet of heavy trucks, which need safety checks and use of forklifts, including back up sensors in equipment. During peak construction season (March – November), the truck and forklift activities begin as early as 5am and continue as late as 11pm, with the use of exterior lighting. This work is accomplished using heavy equipment, such as forklifts and delivery vehicles, which creates a dusty and noisy environment.

We feel that by changing the Official Plan to include a special policy allowing residential lands, it will negatively impact our day to day business operations due to increased vehicular traffic making it more difficult to access Hyde Park Road safely, as well as create significant an uncomfortable environment for residents.

Serious considerations must be made if there is a change in the Official Plan to adopt a residential intensification special policy. Such as, i) widening the future local street to accommodate heavy transport traffic, ii) Sound attenuation fencing and landscaping, iii) A traffic study to consider impact on increased volume of vehicular traffic that will be accessing Hyde Park Road from future local street and how to move the increased volume of traffic safely on and off Hyde Park Road.

Given that we serve new home construction business in and around London, I understand the growing demand for new residential units within the City of London that are on an accessible to public transit and commercial services. In fact, we supply many of our customers' products and services required to construct residential units, such as those described in the above amendment request. To that end, the goal of this letter is that considerable effort be made in advance of any change to explore and understand the many variables at play that will impact the well-being, safety and productivity of London business and residents.

Respectfully,

Nancy Powell Quinn
President
Moffatt & Powell RONA
1282 Hyde Park Road
London, ON N6H 5K5

cc: Councillor Paul Hubert – Ward 8



Agency/Departmental Comments



"Inspiring a Healthy Environment"



February 28, 2018

City of London – Planning Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: **Melissa Campbell** (sent via e-mail)

Dear Ms. Campbell:

Re: File No. O-8822 – REVISED Application to Amend the Official Plan
Applicant: Dave Tennant Urban Concepts
1176, 1200 & 1230 Hyde Park Road, London, Ontario

Further to our comments dated October 24, 2017, the Upper Thames River Conservation Authority (UTRCA) has reviewed this revised 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.

PROPOSAL

The applicant is proposing mixed-use buildings as well as townhouses, stacked-townhouses and apartment buildings on the subject lands. As indicated in the notice, this application is considered to be residential intensification for lands which were previously intended to be used for a stormwater management facility.

Under the existing Official Plan, City planning staff have advised that the lands would continue to be designated Open Space with special provisions to permit residential development subject to satisfying various provisions including a zoning by-law amendment and the satisfactory completion of supporting studies (geotechnical study, environmental impact study, hydrogeological study).

Under the London Plan, the Green Space Place Type lands are to be re-designated to the Neighbourhoods Place Type again subject to various provisions.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, 1176 Hyde Park Road is regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Regulation Limit is comprised of a riverine erosion hazard associated with the Stanton Drain. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written

UTRCA Comments
File No. O-8822 - REVISED

approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

The policies which are applicable to the subject lands include:

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. Any development which is permitted in hazard lands must provide appropriate floodproofing measures, protection works and safe or dry access during times of flooding, erosion and other emergencies. Furthermore, no new hazards are to be created and existing hazards should not be aggravated.

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

At a pre-consultation meeting held on February 8, 2017, the UTRCA advised City planning staff and the applicant regarding the technical studies that would be required to establish the development limit for 1176 Hyde Park Road. They include a geotechnical study, an environmental impact study and a hydrogeological study. The purpose of these studies would be to establish the limits of the natural hazard and natural heritage lands and to determine appropriate buffers to protect the features and their functions. These lands would be protected with the appropriate open space designation and open space zoning – either OS4 or OS5. To date these studies have not been received by the Conservation Authority.

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:*

UTRCA Comments
File No. O-8822 - REVISED

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 with respect to 1200 & 1230 Hyde Park Road.

With respect to 1176 Hyde Park Road which is regulated by the UTRCA, our preference would be that the necessary technical studies (geotechnical study, environmental impact study, hydrogeological study) be completed in advance of the lands being redesignated from the Green Space Place Type to the Neighbourhoods Place Type such that the natural hazard and natural heritage features are identified and their functions are protected. We had previously commented that in our opinion, the application was premature and had requested a deferral of the matter.

City planning staff have advised that specific policies will be included in the proposed Open Space and Neighbourhoods Place Type designation whereby development will not be allowed to occur on the subject lands unless through a zoning by-law amendment and a plan of subdivision. This approval process will be subject to the completion of the necessary technical studies to the satisfaction of the City and the UTRCA.

The UTRCA has reviewed the Draft Official Amendments that were provided by City planning staff and we request the following changes to the text.

With respect to the amendment under the existing Official Plan whereby special policies would be added to the Open Space designation, please revise Section D. The Amendment as follows:

*In the Open Space designation townhouses, stacked townhouse, triplexes, fourplexes and apartment buildings may be permitted. Development shall not be permitted in the Open Space designation unless through a Zoning By-law Amendment an Environmental Impact Study, Geotechnical Report **and Hydrogeological Assessment** have demonstrated that the permitted land uses and form of development **will not have a negative impact on the adjacent natural heritage and natural hazard features and their functions** to the satisfaction of the City of London and the UTRCA.*

With respect to the amendment under the London Plan whereby the Green Space Place Type lands are to be re-designated to the Neighbourhoods Place Type subject to various provisions, please revise Section D. - The Amendment as follows:

UTRCA Comments
File No. O-8822 - REVISED

In Neighbourhoods Place Type, stacked townhouse, triplexes, fourplexes and low-rise apartments up to 4-storeys in height will be permitted fronting onto a Neighbourhood Street. Development shall not be permitted in the Neighbourhoods Place Type unless through a Zoning By-law Amendment and Plan of Subdivision:

- i) *an Environmental Impact Study, Geotechnical Report **and Hydrogeological Assessment** have demonstrated that the permitted land uses and form of development **will not have a negative impact on the adjacent natural heritage and natural hazard features and their functions** to the satisfaction of the City of London and the UTRCA.*

Furthermore, if the technical studies demonstrate that the lands which are going to be designated to the Neighbourhoods Place Type should have remained Green Space Place Type, planning staff have advised that they would undertake a City initiated Official Plan Amendment to redesignate the impacted lands back to the Green Space Place Type. Accordingly, these lands would also be zoned with the appropriate Open Space zone either OS4 and OS5 rather than OS1.

Lastly, at the pre-consultation meeting for the subject lands, it was indicated that a City pathway is proposed to be located on/in vicinity of the subject lands. In accordance with UTRCA policy, any proposed pathway shall be located outside of the natural hazard lands which includes the 6 metre erosion access allowance.

Given the assurances provided by City Planning Staff that the special provisions in the proposed Official Plan Amendments for the subject lands will continue to protect the natural hazard and natural heritage features and their functions, the Conservation Authority will not object to this application.

We respectfully request that a copy of the Planning Report be forwarded to the UTRCA once it has been finalized.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

- c.c. Sent via email -
Applicant – Dave Tennant Urban Concepts
UTRCA – Tracy Annett, Manager of Environmental Planning & Regulations, Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



"Inspiring a Healthy Environment"



October 24, 2017

City of London – Planning Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Melissa Campbell (sent via e-mail)

Dear Ms. Campbell:

Re: **File No. O-8822 – Application to Amend the Official Plan**
Applicant: Dave Tennant Urban Concepts
1176, 1200 & 1230 Hyde Park Road, London, Ontario

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.

PROPOSAL

The applicant is proposing a low to mid-rise, mixed use development on the subject lands.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, 1176 Hyde Park Road is regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The Regulation Limit is comprised of a riverine erosion hazard associated with the Stanton Drain. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

The policies which are applicable to the subject lands include:

UTRCA Comments
File No. O-8822

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. Any development which is permitted in hazard lands must provide appropriate floodproofing measures, protection works and safe or dry access during times of flooding, erosion and other emergencies. Furthermore, no new hazards are to be created and existing hazards should not be aggravated.

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

On February 8, 2017, the UTRCA participated in a pre-consultation meeting for a development proposed on the subject lands. In our comments to the City on the Initial Proposal Report (dated February 10, 2017), we noted that the westerly portion of the site 1176 Hyde Park Road (block 7) was proposed to be re-designated from OS to medium density residential. The Conservation Authority had requested that it be clarified in the IPR that the natural hazard lands, the natural heritage lands and the associated buffer would be confirmed through a geotechnical study and an Environmental Impact Study (EIS) and would continue to be designated (and zoned) Open Space. To date the Conservation Authority has not received the necessary studies to support this request to amend the Official Plan as it relates to 1176 Hyde Park Road.

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."*

UTRCA Comments
File No. O-8822

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 with respect to 1200 & 1230 Hyde Park Road. However, as indicated, 1176 Hyde Park Road is regulated by the UTRCA and we are awaiting a geotechnical study and an EIS including a water balance analysis to confirm the limits of the natural hazard and natural heritage lands, the appropriate buffers and thereby the Open Space lands. Given that the necessary studies have yet to be submitted, reviewed and accepted by the UTRCA, we are of the opinion that redesignating the lands known municipally as 1176 Hyde Park Road is premature and we recommend that the application be deferred.

MUNICIPAL PLAN REVIEW FEE

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of Planning Act applications. Our fee for this review is \$200.00 and will be invoiced under separate cover.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 293.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY



Christine Creighton
Land Use Planner
CC/cc

Enclosure – Regulations Mapping (please print on legal size paper to ensure that the scales are accurate)

c.c. Sent via email
Applicant – Dave Tennant Urban Concepts
UTRCA – Mark Snowsell - Land Use Regulations Officer

File: O-8822
Planner: M. Campbell

From: Raymond Beshro <Raymond.Beshro@cn.ca>
Sent: Friday, December 01, 2017 11:21 AM
To: Campbell, Melissa
Subject: O-8822 1176 - 1230 Hyde Park Road OP amendment to mixed use
Attachments: PML.pdf

Hi Melissa,

Thank you for circulating CN on this application. You'll find attached CN's criteria for sensitive uses in proximity to a main railway line.

Considering the site's proximity to a CP corridor as well, CP's feedback should be obtained as well.

Please keep us apprised of the City's decision and conditions.

Regards,



CN Community Planning and Development
Raymond Beshro – OJQ, MCIP
Urban planning consultant – Consultant en urbanisme



Railway Properties

1 Administration Rd
Concord, ON L4K 1B9
Telephone: 514-399-7627
Fax: 514-399-4296

PRINCIPAL MAIN LINE REQUIREMENTS

- A. Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 metres above grade at the property line, with side slopes not steeper than 2.5 to 1.
 - B. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
 - C. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
 - D. The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
 - E. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
 - F. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
 - G. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
 - H. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
 - I. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
-

March 6, 2018 & October 17, 2017: Transportation Planning & Design Division

- No concern with the proposed Zoning By-law Amendment
- Detailed transportation comments provided through the subdivision IPR process will need to be addressed as part of the subdivision application process.
- A Transportation Impact Assessment was identified through the subdivision IRED process and shall be scoped with City Staff prior to undertaking;
- A road widening dedication of 18.0 metres from centre line is required on Hyde Park Road.

March 1, 2018 & October 27, 2017: Environmental and Engineering Services Department

- No concerns with the proposed Zoning By-law Amendment

February 27, 2018 & October 24, 2017: Wastewater & Drainage (“WADE”) Division

- No objection to permit the development of a low to mid-rise mixed-use neighbourhood.
- The overall residential density of the subject lands is proposed to be 75 uph as stated in the Planning Justification Report. The density is not exceed the allocated capacity that was considered in the Initial Proposal Review (“IPR”).
- The following will be required for a Final Proposal Review for Plan of Subdivision:
 - Clarity of the population breakdown for each block, particular the mixed-use blocks
 - A servicing strategy which uses existing PDC stubs and avoids the need to service lands through easements or joint use maintenance agreements
 - Sewers placed in standard locations (or in the case of the road which is parallel to the sanitary sewer, centre the road over the sewer).

October 5, 2017: London Hydro

- No objection with the proposed amendment.

Appendix C – Policy Context

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

Provincial Policy Statment

- 1.1.3.2 – *Settlement Areas*
- 1.1.3.6 – *Settlement Areas*
- 1.2.6.1 – *Land Use Compatibility*
- 1.3.1 – *Employment*
- 1.6.8.3 – *Transportation and Infrastructure Corridors*
- 1.6.9.1 (a) and (b) – *Airports, Rail and Marine Facilities*

1989 Official Plan

- 2.2.1 v) – *Official Plan Vision Statement*
- 3.2.3.2 – *Residential Intensification, Density and Form*
- 3.3.3 – *Multi-Family Medium Density Residential, Scale of Development*
- 4.4.2.4 – *Auto-Oriented Commercial Corridor, Permitted Uses*
- 10.1.1 ii) – *Policies for Specific Areas, Criteria*
- 18.2.15 iv) – *Rail Policies, Residential Development Adjacent to Rail Corridors*
- 19.9.5 – *Implementation, Noise, Vibration and Safety*

The London Plan

- Table 11 – *Range of Permitted Heights in Neighbourhoods Place Type*
- Table 10 – *Range of Permitted Uses in Neighbourhoods Place Type*
- 7_ – *Our Challenge, Planning for Change and our Challenges Ahead, Managing the Costs of Growth*
- 60_ 6. – *Our Strategy, Direction #6*
- 66_ – *Our City, Planning for Growth and Change*
- 77_ – *Our City, City Structure Plan, Urban Growth Boundary*
- 103_ – *Our City, The Mobility Framework, Rail Network and Airport*
- 110_ – *Our City, The Mobility Framework, Regional Mobility Connections*
- 877_ 1. - 3. – *Shopping Area, Permitted Uses*
- 878_ 1. - 2. – *Shopping Area, Intensity*
- 1113_ 12. – *Industrial, How Will We Realize Our Vision*
- 1766_ – *Noise, Vibration and Safety, Sensitive Land Uses Near Noise Generators*

1770_ – *Noise, Vibration and Safety, Additional Noise Policies*

1771_ – *Noise, Vibration and Safety, Additional Vibration Policies*

1772_ – *Noise, Vibration and Safety, Additional Rail and Pipeline Safety Policies*

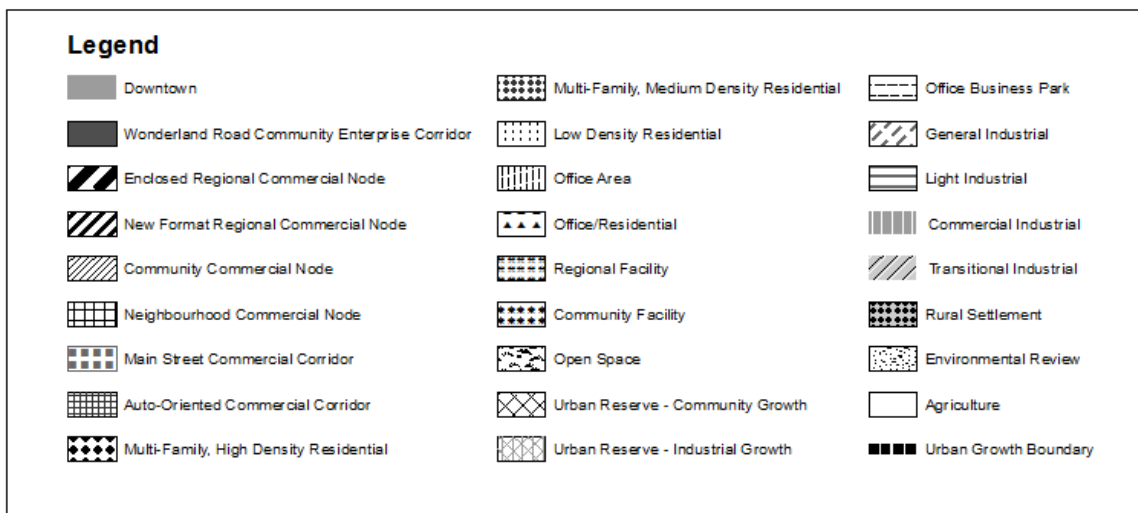
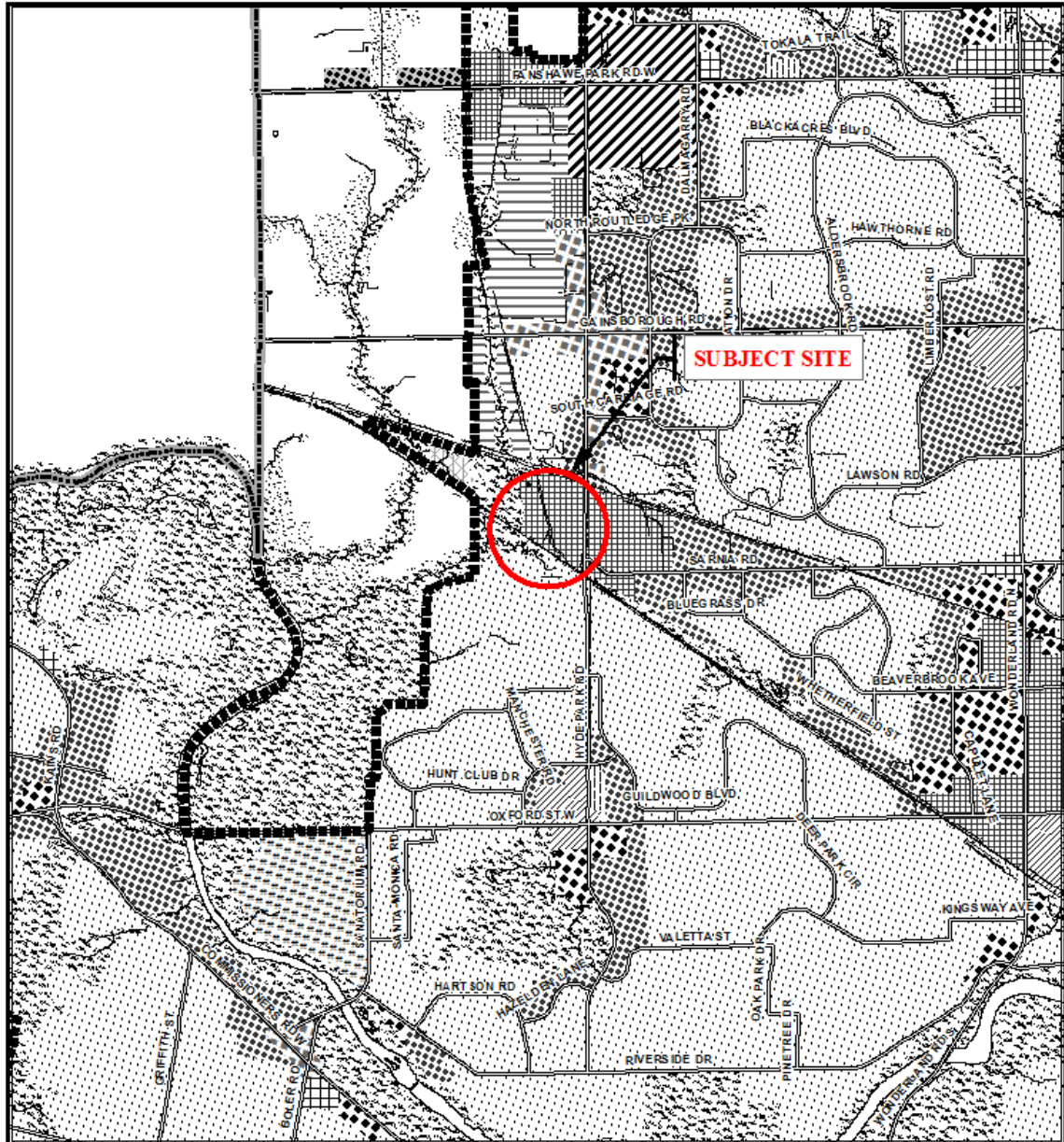
Hyde Park Community Plan

D-6 Guidelines: Compatibility between Industrial Facilities and Sensitive Land Uses (1995)

Guidelines for New Development in Proximity to Railway Operations (2013)

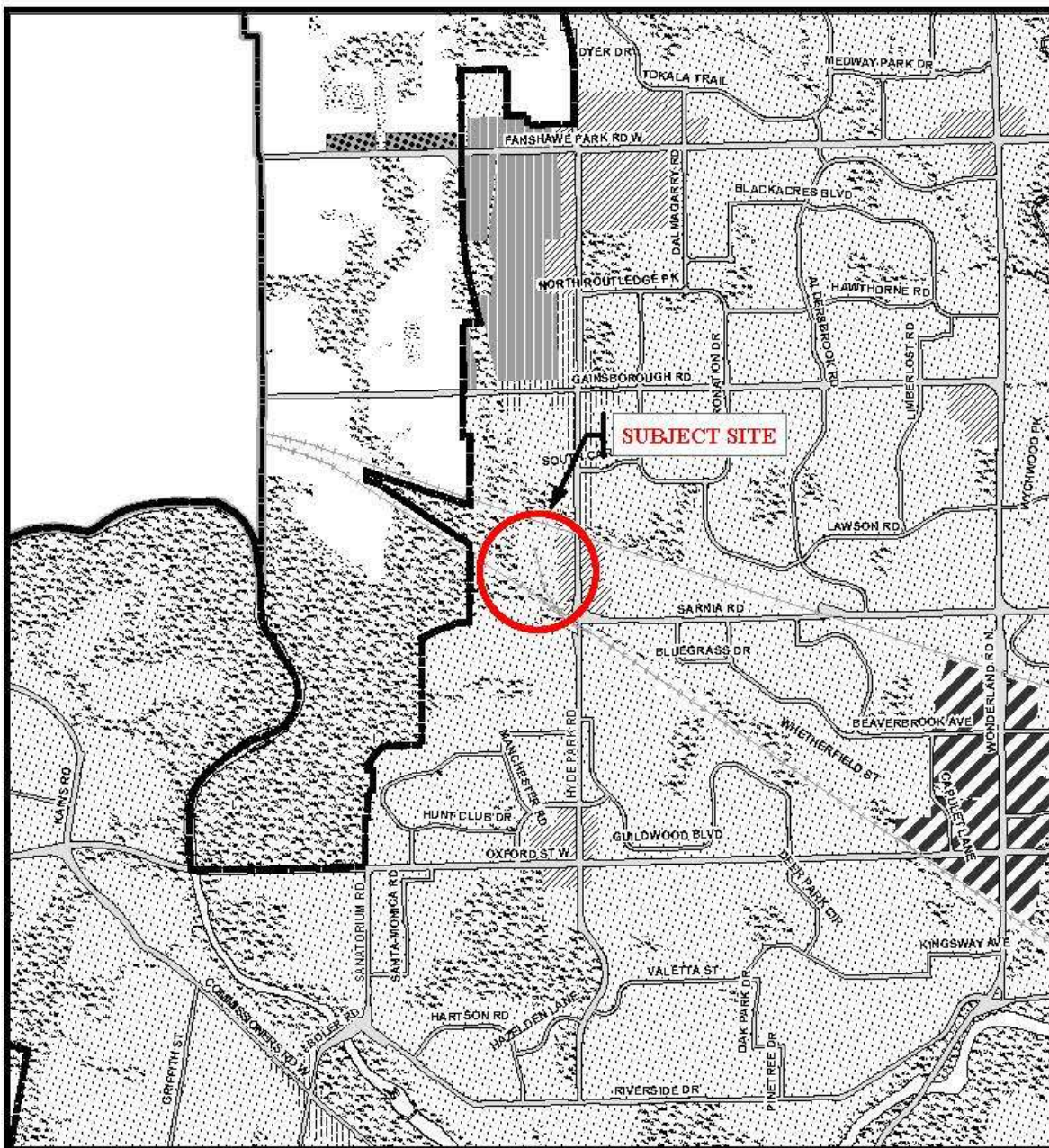
Appendix D – Relevant Background

Additional Maps



<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-8822</p> <p>PLANNER: MC</p> <p>TECHNICIAN: MB</p> <p>DATE: 2017/10/31</p>
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Legend

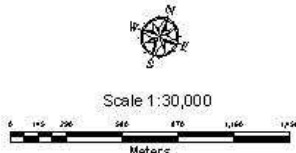
- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management 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.

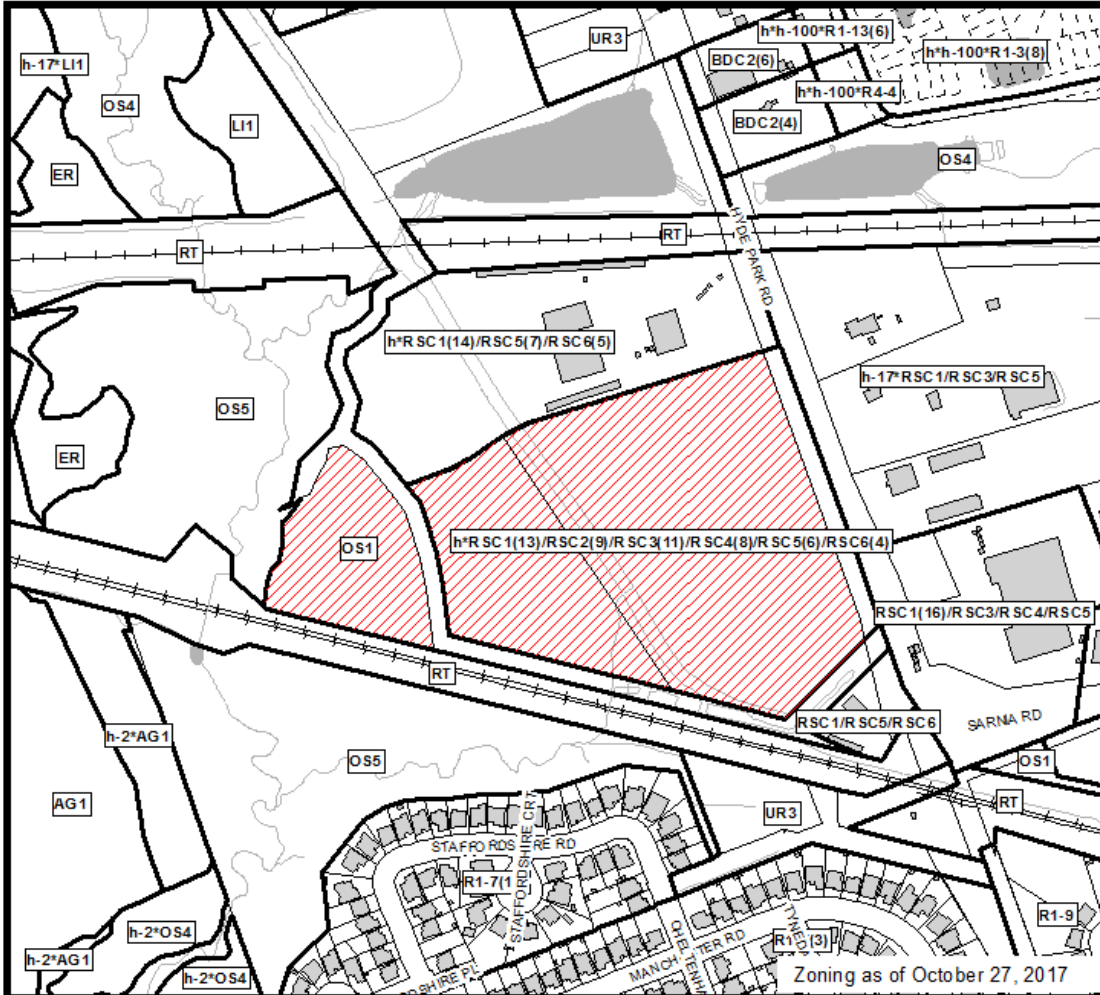
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.


CITY OF LONDON
 Planning Services /
 Development Services

LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: O-8822
Planner: MC
Technician: MB
Date: October 31, 2017



 COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: O S1 and h*R SC 1(13)/R SC 2(9)/R SC 3(11)/R SC 4(8)/R SC 5(6)/R SC 6(4)

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "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-8822 MC

MAP PREPARED:

2017/10/31 MB

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