

## Report to Planning and Environment Committee

**To: Chair and Members  
Planning & Environment Committee**

**From: George Kotsifas, P. Eng.  
Managing Director, Development and Compliance Services  
And Chief Building Official**

**Subject: Public Participation Meeting Report  
31675 Ontario Ltd (York Developments)  
3080 Bostwick Road (Site 1)**

**Public Participation Meeting on: November 12, 2018**

## Recommendation

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of 31675 Ontario Ltd (York Developments Inc.), relating to the property located at 3080 Bostwick Road:

- (a) The request to amend the Official Plan to add the site to the list of preferred locations for convenience commercial uses, and the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(\_)/RO2(\_)\*B-\_\_ ) Zone, **BE REFUSED** for the following reasons:
- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
  - ii) The proposed development does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London Plan City Structure, the Neighbourhoods Place Type; and the Southwest Area Secondary Plan.
  - iii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
  - iv) The proposed development for Site 1 and the larger parcel does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types, or to provide for housing diversity;
  - v) The proposed bonus zone does not sufficiently demonstrate the increased height and density is in keeping with the Key Directions of The London Plan that would result in good planning; and,
  - vi) The proposed bonus zone does not adequately demonstrate enhanced public benefits commensurate to the requested increase in height and density.

## Executive Summary

### Summary of Request

The requested amendment is to permit site-specific Official Plan and Zoning By-law Amendments to allow for a mixed-use development with two towers consisting of 18

and 21 storeys, and 3,000m<sup>2</sup> of commercial and office space, with a total density of 262 units per hectare.

### **Summary of the Effect of Recommended Action**

The proposed development includes a number of positive features and design treatments for the site. Notwithstanding, Site 1 individually, and as part of the larger parcel, collectively represents intensity which is not appropriate and results in an over-intensification for the site. The requested mixed-use apartment is contemplated as an appropriate use for the lands, however the proposed height of 18 and 21 storeys and density of 262 units per hectare for this site exceeds the policies of The London Plan - High Density Residential Overlay, the High Density Residential designation in the Southwest Area Secondary Plan, and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan; all of which consider development up to 12 storeys and 150 units per hectare.

The proposal is not consistent with the Provincial Policy Statement, 2014, and does not conform to The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The intensity proposed is not aligned with the policies of the City Structure Plan and the intent of The London Plan that directs the most intensive development to strategic locations to make wise planning decisions. While consideration for site specific bonus zoning is allowed to increase height and density, it is not appropriate at the level of intensity for the subject site, as it is inconsistent with policy, and does not result in good planning. Additionally, the proposed form is only conceptual at this time, and the bonusable facilities, services and matters are insufficient to support the request.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms to be provided for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. There is no mix of housing type provided, with 100% of the proposed built form as high-rise residential apartments on Site 1 and the larger parcel of 3080 Bostwick Road.

The status of the various studies and reports required to support the proposed development are incomplete, and require additional information, revisions and/or amendments before they can be considered acceptable to substantiate the request. Matters of natural heritage, environment, urban design, bonusing, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal. At this time, the technical review of the proposed development is not yet complete and requires additional discussion, information, and for some items, could include the consideration of holding provisions.

Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider a development that has regard for the policies. However, the applicant has indicated that they do not support this position. In its current form, Staff recommends that the application be refused as it is not consistent with key policies that relate to the appropriateness of intensification, mix of housing form, bonusing provisions and a satisfactory technical review.

### **Rationale of Recommended Action**

It is recommended that this application be refused for the following reasons:

- i) The proposed amendment is not consistent with the Provincial Policy Statement (2014), that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses;
- ii) The proposed development does not conform to the Multi-Family, High Density Residential Designation of the 1989 Official Plan; The London

Plan City Structure, the Neighbourhoods Place Type; and the Southwest Area Secondary Plan.

- iii) The proposed development individually and collectively (with the larger parcel) represents an over-use and over-intensification that exceeds the maximum development permissions set out in the Official Plan and secondary plan policies;
- iv) The proposed development for Site 1 and the larger parcel does not provide a mix of housing types to minimize the overwhelming effect of large high-rise developments and broad segregation of housing forms and types or to provide for housing diversity;
- v) The proposed bonus zone does not sufficiently demonstrate the increased height and density is in keeping with the Key Directions of The London Plan that would result in good planning; and,
- vi) The proposed bonus zone does not adequately demonstrate enhanced public benefits commensurate to the requested increase in height and density.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject site is a 1.54ha portion of a larger parcel of land comprised of approximately 15ha of vacant land with frontage on Southdale Road West and Bostwick Road. The portion of the site that is the subject of the Official Plan and Zoning By-law amendment is identified as “Site 1” which is located at the northwestern most part of the site, closest to the intersection of Southdale and Bostwick. The site is vacant and located south of an existing medium density neighbourhood, situated on the north side of Southdale Road West.

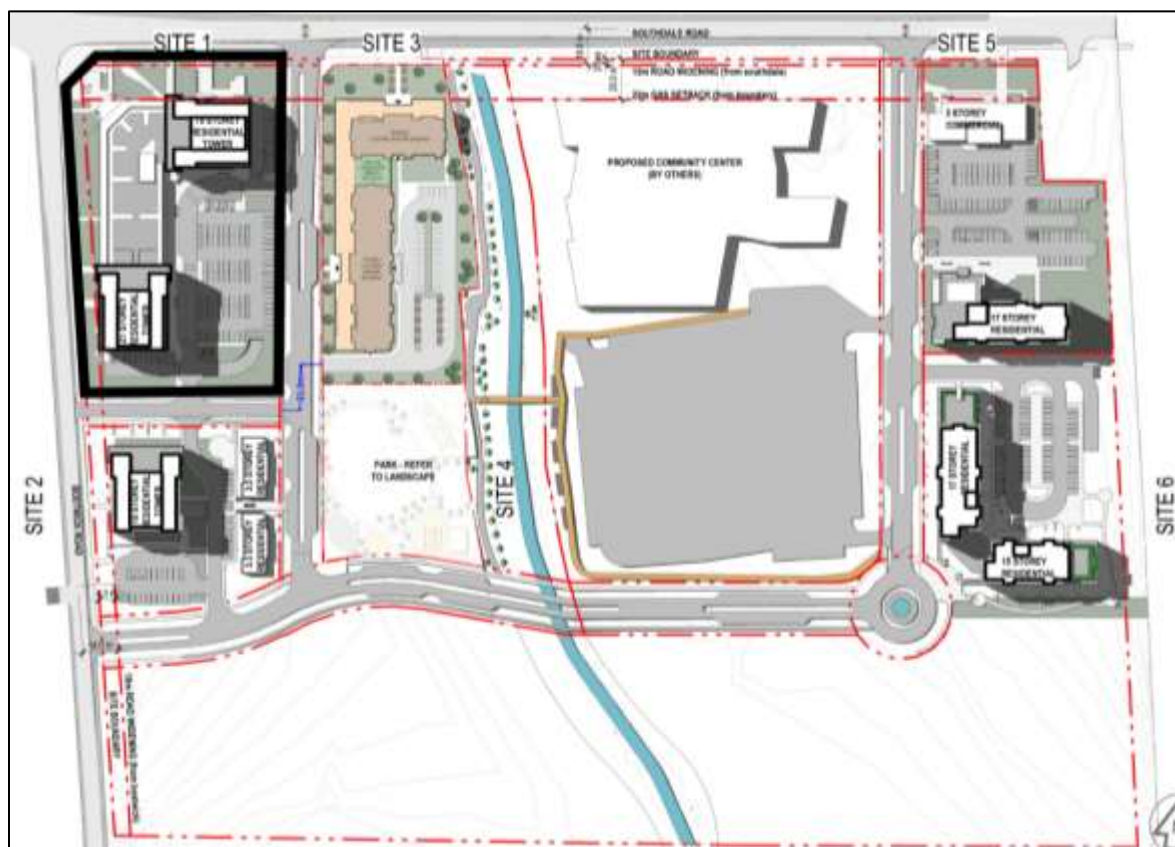


Figure 1: Initial Proposed Master Development Plan

**1.2 Current Planning Information (see more detail in Appendix C)**

- Official Plan Designation – Multi-Family, High Density Residential (MFHDR)
- The London Plan Place Type – Neighbourhoods & High Density Residential Overlay
- Southwest Area Plan Designation –High Density Residential (HDR)
- Existing Zoning – Urban Reserve (UR4) Zone

**1.3 Site Characteristics**

- Current Land Use – vacant
- Frontage – 99m (Southdale Road West)
- Depth – 164m (Bostwick Road)
- Area – 1.54ha
- Shape – Rectangular

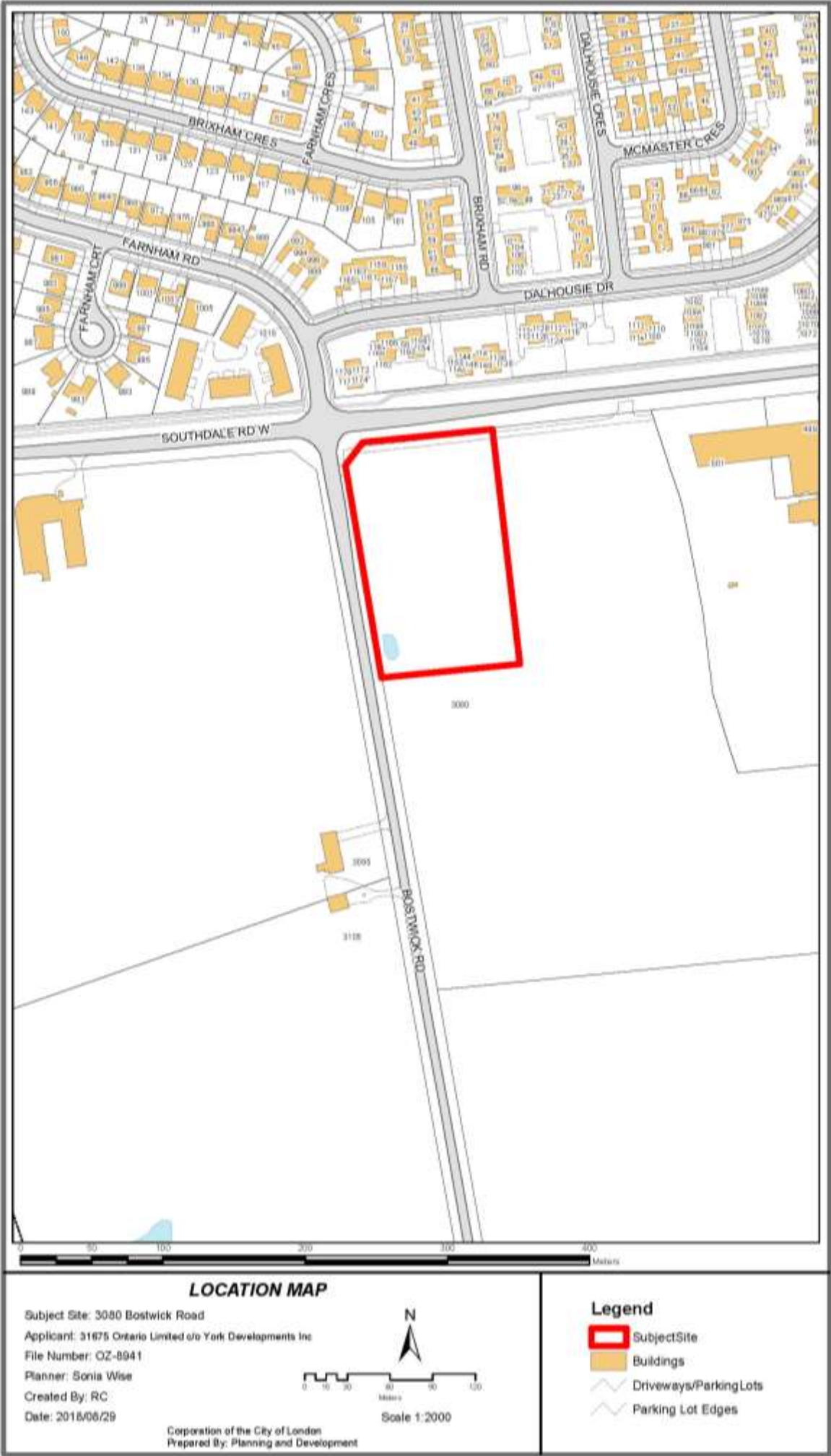
**1.4 Surrounding Land Uses**

- North – Residential
- East – Vacant land and Community Centre
- South – Vacant
- West – Vacant land and Agricultural

**1.5 Intensification (identify proposed number of units)**

- 372 residential units are being proposed within Site 1, which is located outside of the Built-Area Boundary, and Primary Transit Area

1.6 Location Map



### 1.7 Consent Application B.032/18

Site 1 is also the subject of an application for consent to sever B.032/18, to create the separate parcel, and retain the remainder of the lands for other development proposals. The consent application is being considered concurrently with the requested Official Plan and Zoning By-law Amendments.

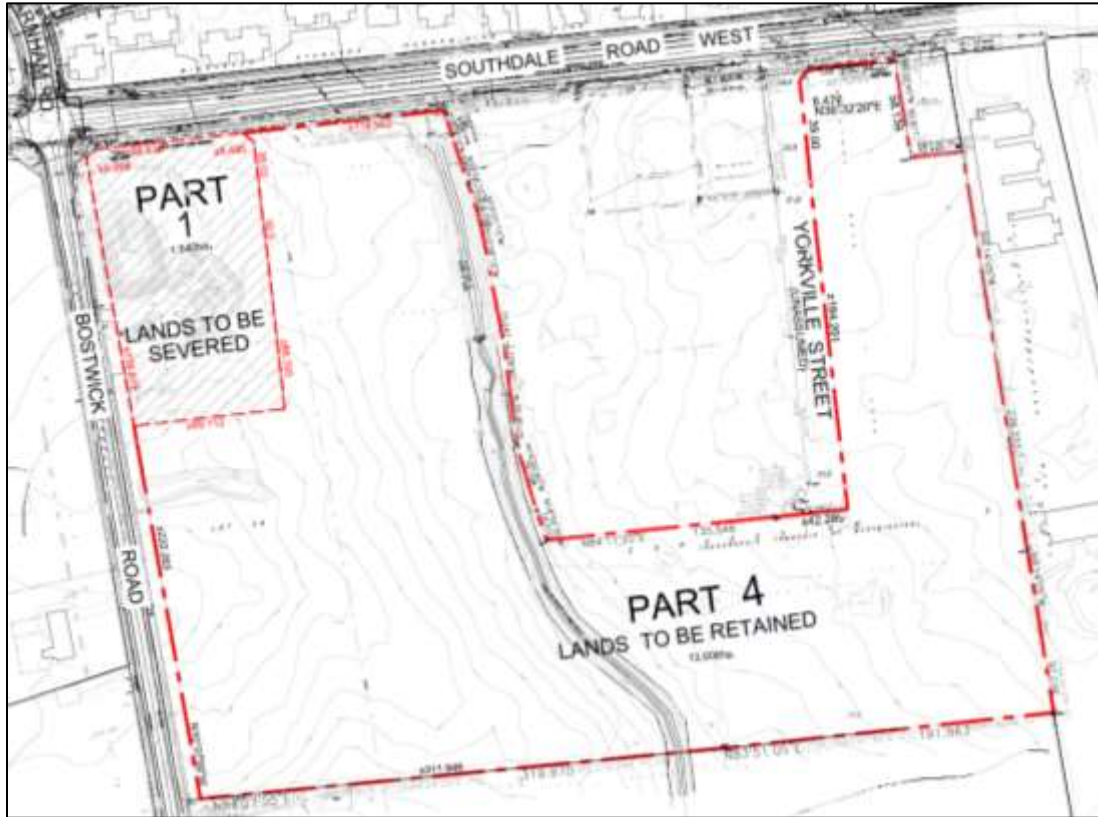


Figure 2: Proposed Severance Sketch B.032/18

### 1.8 Subdivision Application 39T-18502

The remainder of 3080 Bostwick Road to the south and east of Site 1 is the subject of an application for a draft plan of subdivision 39T-18502/Z-8931. The plan of subdivision is proposing three new roads, two new high density residential development blocks, an open space block and a new park block, as well as lands reserved for future development.

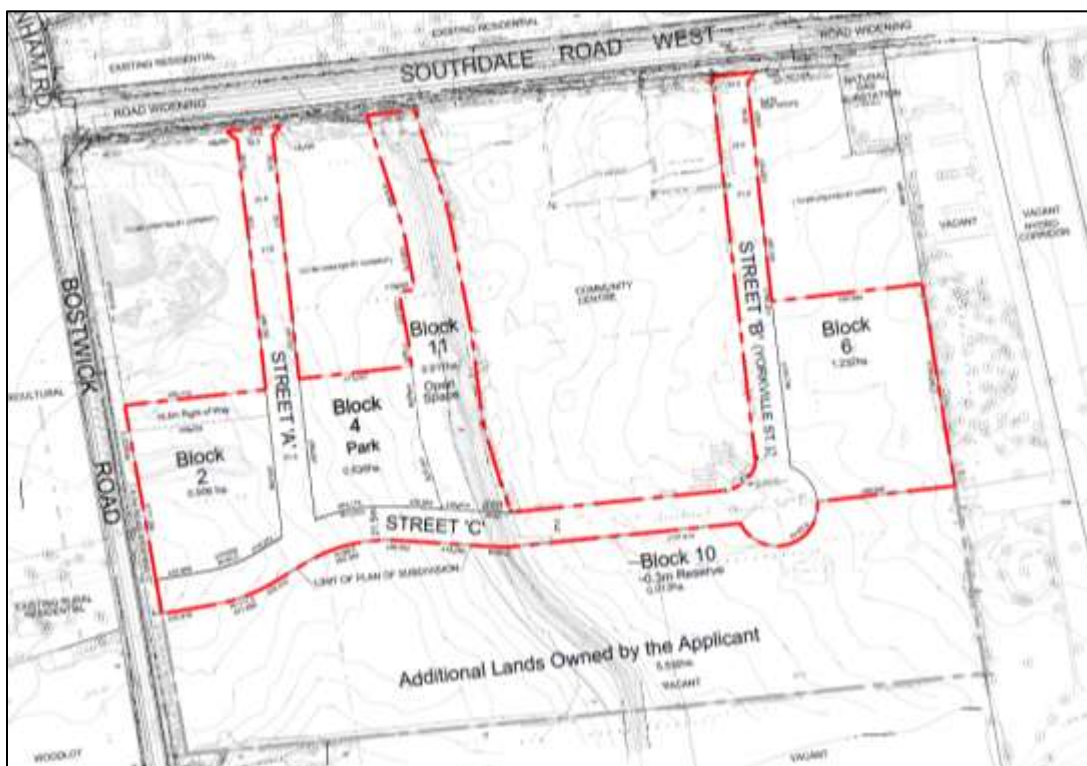


Figure 3: Proposed Draft Plan of Subdivision 39T-18502

The current Urban Reserve (UR4) Zone provides for and regulates existing uses on lands which are primarily undeveloped for urban uses. The UR zone is intended to protect large tracts of land from premature subdivision and development in order to provide for future comprehensive development. The proposed development for the subject site (Site 1) is being considered comprehensively with the proposed draft plan of subdivision, and the other site specific development applications for Sites 3 and 5, which are collectively referred to as the 'larger parcel'.

## 2.0 Description of Proposal

### 2.1 Development Proposal

The proposal is for a mixed use development with residential apartments, offices and convenience commercial uses. There are two towers proposed consisting of 18 and 21 storeys (77m). Both proposed towers are connected by a proposed five storey building containing 2,000m<sup>2</sup> of office space and 1,000m<sup>2</sup> of convenience commercial gross floor area. A wide range of uses are requested, including: studios, food stores, restaurants, personal service establishments, clinics, financial institutions and pharmacies.

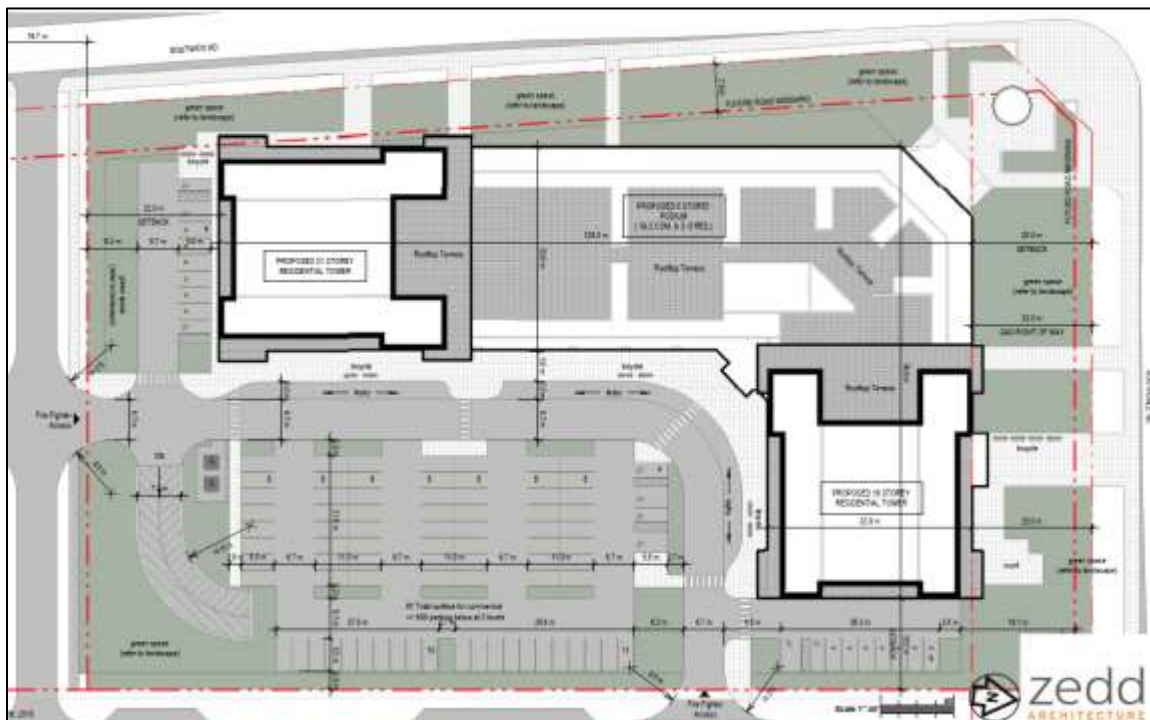


Figure 4: Conceptual Site Plan



Figure 5: Conceptual Rendering

## 3.0 Relevant Background

### 3.1 Planning History

The site is within the Southwest Area Secondary Plan area which came into full force and effect in April, 2014. Through the review of the SWAP, the Multi-Family, High Density Residential designation was approved by Council in October, 2012. In 2014, a portion of the lands at 3080 Bostwick Road were severed and re-zoned (Z-8386) to facilitate development of the Bostwick Community Centre.

### 3.2 Public Meeting

The requested amendment was before the Planning and Environment Committee on October 9, 2018 for a public participation meeting. An overview of the proposed development was provided as well as a summary of the public and stakeholder comments received.

The Planning and Environment Committee and Council endorsed the following:

*a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018 as Appendix "A" BE RECEIVED for information; and,*

*b) a public participation meeting BE HELD at a future meeting of the Planning and Environment Committee;*

### 3.3 Community Engagement (see more detail in Appendix A)

Notice of Application was circulated on August 17, 2018, and notice was published in the Londoner on August 16, 2018. There were 8 responses provided through the community consultation to date. A summary of the comments include:

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 1 – building height is too high, should be 14 storeys or less
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

A public participation meeting was held on October 9, 2018 to gather community comments and feedback. There was one speaker that was concerned about the impacts of cut-through traffic which will be analyzed further through a future speed/volume study along Farnham Road.

### 3.4 Requested Amendment

The requested amendment is for an Official Plan/Zoning By-law Amendment to permit the proposed mixed-use development. An Official Plan Amendment is required to add



the site to the list of preferred location for convenience commercial uses. A Zoning By-law Amendment is required to permit the proposed scale and intensity of residential, commercial and office uses on a site-specific basis. The Zone requested by the applicant is for a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(\_)/RO2(\_)\*B-\_\_) Zone.

### **3.5 Policy Context**

#### **Provincial Policy Statement 2014**

The *Planning Act* requires that all planning decisions made by City Council be consistent with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning, as Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. The PPS states that the most important vehicle for implementing the PPS is the Official Plan, which shall provide clear and reasonable policies that protect provincial interests and direct development to suitable areas (4.7).

#### **The London Plan**

The London Plan is the City's new Official Plan which was adopted by Council and approved by the Ministry. The London Plan represents Council's new direction for guiding land use in the City. At this time, portions of The London Plan referred to in this report are in-effect (Our Strategy, parts of Our City and City Structure Plan), and portions are under appeal (Neighbourhoods Place Type, High Density Residential Overlay and Our Tool – Bonusing). Notwithstanding their individual status, all policies of The London Plan have been considered in the evaluation of this application.

The City Structure Plan provides a framework for London's growth and change over the next 20 years which includes targeted growth in the City's Built Area Boundary and Primary Transit Area. All of the planning we do will be in conformity with the City Structure Plan.

The subject site is within the Neighbourhoods Place Type in The London Plan and located at the intersection of two Civic Boulevards. A range of uses are permitted including: single detached, semi-detached, townhouses, triplexes, small-scale community facilities, stacked townhouses, fourplexes, and low-rise apartment buildings. Secondary permitted uses in this location include: mixed-use buildings, and stand-alone retail, service and office uses. The development form is permitted between a minimum of 2 storeys and 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

The site is also located within the High Density Residential Overlay which recognizes greater development potential for some sites previously designated as Multi-Family, High Density Residential.

#### **1989 Official Plan**

The subject site is within the Multi-family, High Density Residential (MFHDR) designation, which primarily permits multiple-attached dwellings, and low and high-rise apartment buildings with densities generally less than 150 units per hectare for locations outside of Central London (3.4.3). Some secondary permitted uses are contemplated within the MFHDR designation that are considered to be integral to, and compatible with, high density residential development. Uses such as community facilities, small-scale office developments, and convenience commercial uses may be considered where they meet relevant policies (3.4.1).

#### **Southwest Area Secondary Plan (SWAP)**

Both The London Plan and the 1989 Official Plan recognize the need for a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The

London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558). The SWAP has also included relevant policies from the 1989 Official Plan which were carried forward and become part of the Secondary Plan. Where policies of the 1989 Official Plan are referenced but not carried forward, it is the intent that the SWAP is to be read in conjunction with the policies of The London Plan (20.5.17.1).

The site is located within the Bostwick Residential Neighbourhood and designated High Density Residential (HDR) in SWAP. Mid-rise to high-rise residential form is permitted with densities and heights up to a maximum of 150 units per hectare and 12 storeys respectively (20.5.9.2), as is the consideration for certain secondary permitted uses as well as site-specific bonus zoning.

## **Evaluation**

The primary review of the planning application was based on consideration for the policies of the Provincial Policy Statement, 2014, The London Plan, the Southwest Area Secondary Plan and the 1989 Official Plan. Portions of The London Plan have been appealed by York Developments as they relate to 3080 Bostwick Road. The planning analysis has resulted in 4 main areas where there is inconsistency with the Provincial Policy Statement, 2014, and/or nonconformity with the Official Plan policies. These include:

- 1) Intensity
- 2) Mix of Residential Uses and Form
- 3) Bonusing
- 4) Issues Requiring Further Consideration

### **1) Intensity**

#### **Our Strategy**

One of the 8 key directions of The London Plan is to ‘build a Mixed-use compact city’, by Implementing a City Structure Plan that focuses high-intensity, mixed-use development to strategic locations along rapid transit corridors and within the Primary Transit Area (59\_1). The level of intensity proposed could be considered appropriate for locations such as the downtown or a transit village where the population would best benefit from and contribute to the intended function, however the level of intensity is not appropriate for the site as it results in a dispersion of density and does not contribute to achieving a compact City form.

A related direction is to ‘make wise planning decisions’, which requires big picture and long-term thinking when making planning decisions to consider the implications of a short-term and/or site-specific planning decision within the context of this broader view (62\_3). The intensity proposed on the subject site needs to be considered where it fits in a city-wide context and whether it supports strategic and efficient growth intended by The London Plan.

#### **Our City**

The ‘Our City’ section describes the existing and future structure of the City, including the major elements that establish the physical framework of London, and how the City will manage growth in the next 20 years. Greenfield forms of development such as the proposed development will continue to be considered, though there is greater emphasis on encouraging and supporting growth within the existing built-up area of the city (79).

Directing infill and intensification to the Primary Transit Area is a major part of the Plan’s strategy to manage growth in the city as a whole and to achieve a target of accommodating 45% of all future residential growth in the Built-Area Boundary (91). Additionally, it is a target of the plan that 75% of all intensification be achieved in the Primary Transit Area which includes the greatest amount and highest level of transit service in the city (92\_2). The subject site is located outside of both the Built-Area

Boundary and the Primary Transit Area, and is not a desirable location for the level of intensity proposed.

The PPS directs that planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, such as the intensification targets for the Built-Area Boundary and the Primary Transit Area (1.1.3.5). Allowing the intensity of 262 units per hectare outside of the targeted growth areas will affect demand within those areas and is not in keeping with the intent for strategic long-term planned growth.

#### Growth Servicing

The PPS identifies that land use patterns within settlement areas shall be based on densities and a mix of lands uses which efficiently use land and resources, are appropriate and efficient use infrastructure, public service facilities, and do not require their unjustified or uneconomical expansion (1.1.3.2.a.1)&2)). The Growth Framework established by The London Plan is a plan for shaping growth over the next 20 years by directing growth to strategic locations. Infrastructure will be planned and directed to service the development patterns and levels of intensity expected based on the City Structure Plan, place type allocation and policies of this Plan (166). The proposed development significantly exceeds the anticipated level of intensity for the site which has the potential to influence development growth and demand in the broader city context.

#### Neighbourhoods Place Type

The site is located within the Neighbourhoods Place type which allows for a range of residential uses, and a development form between a minimum of 2 storeys and 4 storeys, with a potential to bonus up to 6 storeys (Tables 10-12).

#### High Density Residential Overlay

Though The London Plan directs higher density uses towards strategic locations to support and take advantage of public transit, such as in transit villages and along rapid transit corridors, it also recognizes some remnant high density residential areas (954). The subject lands are designated in the 1989 Plan as Multi-Family, High Density Residential, and are recognized in the High Density Residential (HDR) Overlay which retains greater development potential despite not being in a targeted growth location (955).

Lands like the subject site, which are within the High Density Residential Overlay but outside of the Primary Transit Area may be permitted up to 12 storeys with a density up to a maximum of 150 units per hectare. The proposed 18 and 21 storey form, and 262 units per hectare well exceed the intended cap of the HDR overlay policies.

#### Southwest Area Secondary Plan

The lands are designated as High Density Residential in the Bostwick Neighbourhood, which provides for a range of mid to high-rise residential uses. These lands are intended to be the most intensive in the residential neighbourhood areas which are implemented through development permissions that contemplate up to a maximum of 12 storeys, and 150 units per hectare. The proposed development surpasses the maximum height of 12 storeys with 18 and 21 storey towers, as well as the density with a requested 262 units per hectare. The height and form of the development directly influences the density through the provision of more residential units. The proposed intensity concentrates growth outside of the Built-Area Boundary and Primary Transit Area and results in an over-intensification of the site. The maximum height of 12 storeys and 150 units per hectare provide the most intensive permissions for development in the Bostwick Neighbourhood, and are appropriate parameters to guide future development of the site.

1989 Official Plan

The scale of development for Multi-Family, High Density Residential designated lands includes 150 units per hectare outside of Central London and up to 250 units per hectare within Central London bounded by the Thames River to the south (3.4.3). The site is located many kilometres outside of Central London, while proposing a density that would far exceed the greater density consideration afforded to that area.

Consideration of Comprehensive Development

The existing zone is an Urban Reserve (UR4) Zone which is intended to protect large tracts of land from premature subdivision and development in order to provide for the future comprehensive development on those lands. Despite the application for a site specific Official Plan and Zoning By-law Amendment and consent to sever, the entire legal parcel of 3080 Bostwick Road and its relationship to Site 1 requires holistic consideration, and the site cannot be evaluated in isolation. The remainder of the lands at 3080 Bostwick Road are also proposed for various high density residential development forms through other separate Official Plan/Zoning Amendments and a plan of subdivision. There are four additional development sites proposed, with three development sites (Site 5, Block 2 & Block 6) exceeding the maximum height and density, and one development site proposing the highest level permitted (Site 3).

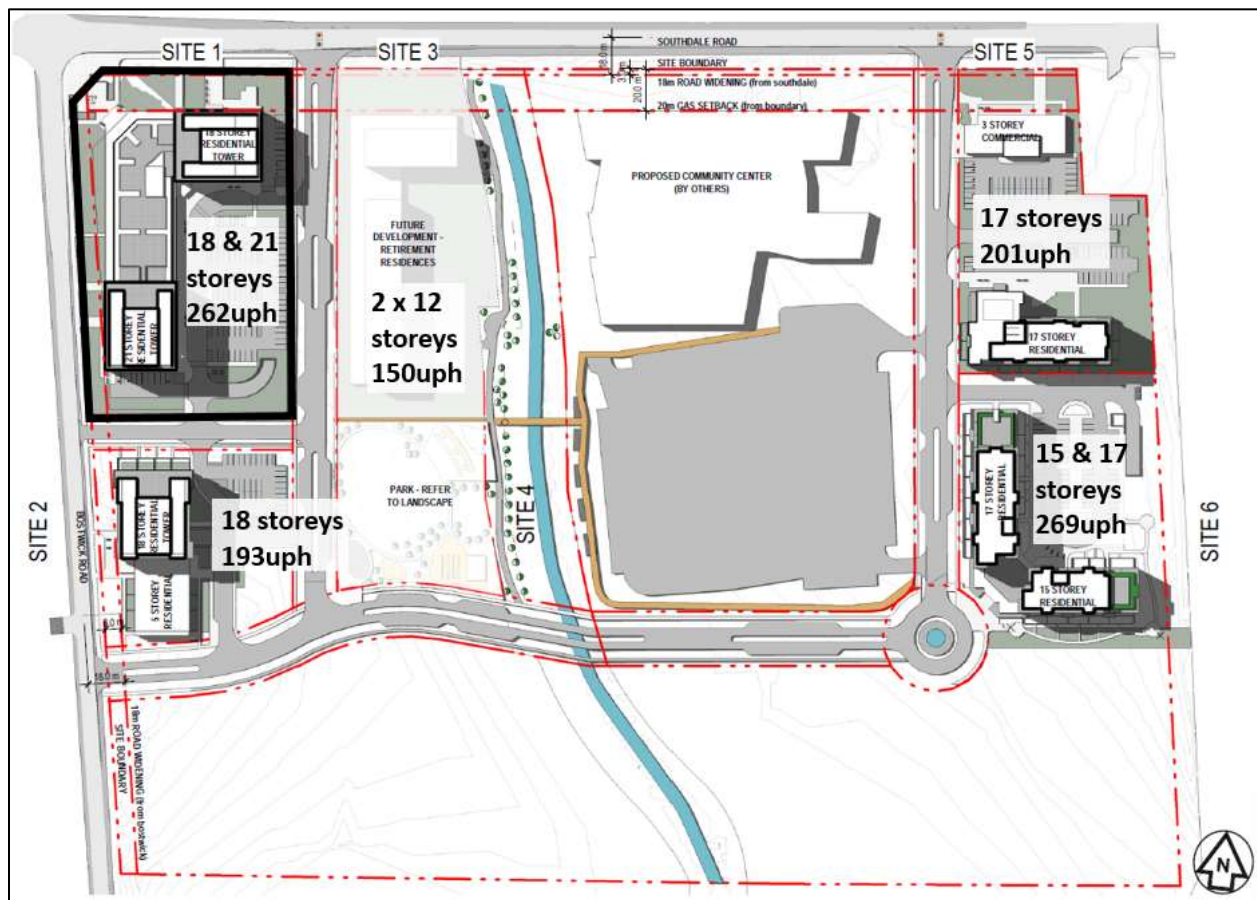


Figure 6: Master Plan Intensities

Intensity Summary

High-rise apartment buildings play a significant role in supporting the fundamental goal of linking land use and mobility. This type of development generates significant densities which can create a high demand for transit services. Directing these uses to the Downtown, Transit Village, and Rapid Transit Corridor Place Types creates vibrant active and connected centres, and is a key strategy to create the context for a viable and cost-efficient transit system.

Site 1 individually, and as part of the larger parcel, collectively represents intensity which is not appropriate and results in an over-intensification of the site. Locating such high density and intensity outside of the Primary Transit Area and Built-Area Boundary

does not conform to the policies of the City Structure Plan and intent of The London Plan that directs the most intensive development to strategic locations to make wise planning decisions. The concentration of the high density residential units outside of a targeted growth area like the Built-Area Boundary or Primary Transit Area influences the growth patterns and demand in the Southwest Area and broader City context.

The requested mixed-use apartment is contemplated as an appropriate use for the lands, however the height of 18 and 21 storeys and density of 262 units per hectare exceeds the High Density Residential Overlay, the High Density Residential designation in SWAP and the Multi-Family, High Density Residential designation policies of the 1989 Official Plan; all of which consider development up to 12 storeys and 150 units per hectare.

## **2) Mix of Housing Types**

The PPS identifies that healthy and liveable communities are sustained by accommodating an appropriate range and mix of residential uses (including second units, affordable housing, and housing for older persons) uses (Policy 1.1.1(b)). The only residential use proposed for Site 1 and the larger parcel of 3080 Bostwick Road is high-rise apartment, which does not provide a range or mix of residential uses.

### Our Strategy

To build a mixed-use compact city, a mix of housing types within our neighbourhoods is required so that they are complete and support aging in place (59\_5). The proposal is one piece of a larger development plan which proposes entirely the same form of development resulting in only one housing type provided.

To build strong, healthy and attractive neighbourhoods for everyone, neighbourhoods need to be designed to meet the needs for people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services (61\_2). The proposal does not provide any mix of housing forms that would contribute to providing a diversity and variety of housing that would truly cater to the needs of many.

### Neighbourhoods

Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms (918\_2). The proposed development provides a high-rise residential form which is further replicated on all of the development parcels under review for 3080 Bostwick Road. The result is a concentration of only high density residential units in one location that will be segregated from existing and future development forms.

### High Density Residential Overlay

On large sites or areas within the High Density Residential Overlay, capable of accommodating multiple buildings, a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings will be required (958\_3). The site itself, and its relationship to the larger parcel are both large enough to accommodate a variety of the forms specified, though the only residential use proposed is high-rise residential apartments, which does not achieve the intent of the policy. Additionally, zoning may not allow for the full range of height and density identified in these policies. (958\_5).

### Southwest Area Secondary Plan

The SWAP provides direction that in order to create diverse and connected communities, a mix of housing types, densities and design should be provided throughout each neighbourhoods (20.5.1.4.ii.a)). A range and mix of uses is required to achieve balanced and inclusive residential communities. In applications for subdivision, a diversity of building types is required to provide a mix of residential forms (20.5.4.1 iii)

c)). Site 1 and the entirety of 3080 Bostwick Road represent only one form of residential building type which does not achieve a balanced or inclusive community. Despite the site-specific consent to sever application for Site 1, it forms part of the larger parcel of 3080 Bostwick Road and is considered under the same criteria as a subdivision (51.12 Planning Act).

### 1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types according to location, size, affordability, tenure, design and accessibility, and minimizing the potential for land use compatibility problems which may result from an inappropriate mix of low, medium and high density housing (3.1.1.ii & vii). Outside of the Downtown and Central London areas, it is Council's intention that a mixing of housing types, building heights and densities shall be required in large designated areas which normally exceed 3ha (3.4.3.i). All areas shall include a diversity of housing forms such as mid-rise and low-rise apartments and multiple attached dwellings in order to minimize the overwhelming effect of large high-rise developments (3.4.3.i.b)).

Site 1 has a lot area of 1.5ha, but is part of the property of 3080 Bostwick Road which is 15ha and collectively larger than the identified 3ha which would qualify it as a 'large' site. Despite the individual applications submitted for Site 1, the consideration is based on the entire property which is well able to produce a variety of housing forms to provide for diversity. The lowest high-rise form is 12 storeys and the tallest is 21 storeys which does not allow for housing choice or variety. There are no low-rise, mid-rise or multiple attached forms proposed which results in 100% of the residential form on the larger parcel as high-rise apartments. Additionally, the UDPRP is supportive of a mix of built forms throughout this project.

### Mix of Housing Types Summary

In order to achieve well-designed and inclusive communities, a mix of housing types is necessary to support the needs for people of all ages, incomes and abilities, and provide opportunities for aging in place. It is not sufficient to provide for a variety of housing only within the context of the entire Bostwick Neighbourhood, as the policies require a mix within the designation as well, and on sites larger than 3ha. The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type, the High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms be provided for housing variety, and to minimize the overwhelming effect of large high-rise developments and the broad segregation of housing forms and types.

The policies of the 1989 Official Plan, the SWAP HDR, the Neighbourhoods place type and the High Density Residential Overlay allow for a wide range of multiple-attached, mid-rise and high-rise residential forms that can provide for a desirable mix of housing types on 3080 Bostwick Road and still achieve the intent for the Bostwick Neighbourhood as the most intensive of the residential designations within this area. It is not appropriate or desirable to allow only one residential form of residential use (high-rise) for the entirety of Site 1, as well as the larger parcel of 3080 Bostwick Road.

## **3) Bonusing**

### Southwest Area Secondary Plan

The SWAP policies for the High Density Residential designation in the Bostwick Neighbourhood allow for the **consideration** of site-specific bonus requests that exceed the maximum height and density of the High Density Residential designation (20.5.9.2.iii.c)). The requested increase in height above the 12 storeys maximum to 18 and 21 storeys, as well as the increase in density above the 150 units per hectare to 262 units per hectare is proposed through a bonus zone.

## 1989 Official Plan

Bonus zoning **may** permit increases to the height and density in return for the provision of such facilities, services or matters. The facilities, services or matters should be reasonable for their cost/benefit implications and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted. Bonus Zoning is provided to encourage development features which cannot be obtained through the normal development process (19.4.4.i&ii).

The increased height of 18 storeys and 21 storeys (77m), and density of 262uph is requested through a site-specific bonus zone. The proposed bonusable facilities, services or matters by the applicant include “enhanced urban design elements” as well as:

*b) To support the provision of common open space that is functional for active or passive recreational use;*

It is unclear where the common open space is located, how large it is, how it will be used for active or passive recreational use, and any other detail regarding potential qualification as a bonusable facility, service or matter.

The applicant has suggested that the land transactions for the Community Centre in 2014 would be considered as a bonusable element for the consideration of the developments proposed at 3080 Bostwick Road, however the transactions concluded in 2014 and did not provide any future density credit or development consideration. In 2014, part of the lands for the Bostwick Community Centre were received as a donation which was acknowledged with receipt of a tax credit for fair market value in the amount of \$2,380,000.00, and additional lands were purchased by the City for \$2,000,000.00 for a total of \$4.38M. The land transactions are ineligible to be considered as ‘bonusable’ for the current application as fair compensation was provided at that time, and the matter was concluded in 2014.

*c) To support the provision of underground parking;*

In the General Policies of SWAP, “parking should be located underground for large buildings, such as high-rise residential buildings, office buildings and mixed-use buildings” (20.5.3.9.iii.g)). The direction in SWAP for new development is required for all relevant properties in the southwest area, and is a feature able to be achieved through the normal development process. Additionally, there is the provision of surface parking as well, which does not result in the added benefit of increased landscaped open space if all parking was to be provided underground.

Underground parking formerly qualified as a bonusable element through the 1989 Official Plan, however the SWAP now requires underground parking as part of the building design consideration, and The London Plan no longer considers underground parking as an eligible bonusable feature. Underground parking is transitioning from a design feature that was considered above and beyond the normal development process to a requirement that forms the normal development process.

*d) To encourage aesthetically attractive residential development through the enhanced provision of landscaped open space;*

It is unclear the degree to which the provision of landscape open space is enhanced. The R9-7 zone requires a minimum provision of 30% landscaped open space, and the proposal is for the provision of 32.7%. There is inadequate detail regarding the quality of landscaping as well to justify qualification as a bonusable feature. Providing only the minimum requirements of what is achievable through the normal

development process would not result in any enhanced public benefit or be eligible for consideration as bonusable.

*h) To support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit;*

It is unclear what features are proposed that promote energy conservation, waste and water recycling and use of public transit. Without detailed specifics of what these features are, it is not possible to determine if they truly represent an exceptional and enhancement that would result in a public benefit.

*j) To support the provision of design features that provide for universal accessibility in new construction and/or redevelopment*

It is unclear how the provision of design features provide for enhanced universal accessibility. The Ontario Building Code contains requirements for universal accessibility and if the proposal is only meeting the minimum of these requirements, it would be considered provisions through the normal development process and not eligible for any consideration as a bonusable element.

At the time of the preparation of this report, additional bonusing details were submitted by the applicant on October 31, 2018 which have been included as an attachment, but not yet been reviewed by the City.

#### The London Plan

Bonus zoning will only be considered where it is demonstrated that the resulting intensity and form of the proposed development represents good planning within its context (1653). The height and intensity proposed through the bonus request does not represent good planning as it is not combined with providing a mix of housing types or within a location that would support the intensity proposed. Greater height or density offered through type 2 bonus zoning will be commensurate with the public value of the facility, service or matter that is provided (1654). The proposed bonusing does not represent sufficient public benefit or offset the height or intensity increases.

#### Bonusing Summary

The proposed bonus zoning does not support a form or intensity of development that is in accordance with the City Structure Plan, or representative of good planning. Further, the bonusable features themselves would not represent a commensurate value to the requested increases in height and density as they do not reflect provisions beyond what can normally be achieved through the development process and do not represent any enhanced public benefit. The bonusing proposed is conceptual only and lacks specific details required to evaluate what the tangible items are, and whether they truly qualify as bonusable facilities, services and matters.

#### **4) Issues Requiring Further Consideration**

In addition to the items that fail to conform to the various PPS and/or Official Plan policies, the functional and technical elements of the proposed development are not in a satisfactory state or timing for acceptance. Many of the items under review require amendments, revisions and modification in order to ensure there will not be any detrimental impacts on the transportation network, natural heritage features or existing or planned development. The proposed development is not recommended for consideration until there is more detailed information provided to address the following:

#### Transportation and Mobility

The London Plan places a new emphasis on creating attractive mobility choices by focusing intense, mixed-use development to centres that will support and be served by



rapid transit, integrated with walking and cycling (60\_5). The site has proximity to the primary transit area boundary, but is not located within the boundary, or has access to rapid transit services. The site is not currently well served by transit having access to only a one-way service on Southdale from Bostwick to Wonderland which operates as a branch of Route 15, providing a quarter of the service of Route 15. The frequency of the route provides 30 minute one-way weekday daytime service, 60 minute evening and Sunday service, and 40 minute Saturday daytime service. The London Transit Commission has provided comments as follows:

*“We would note that this development falls outside the primary transit area of the London Plan. Directing large scale development outside of where transit operates frequently impairs efficient transit operations. Our transit network is forced to increase in geographic scale with relatively small gains in ridership - a definite concern of ours.”*

Without frequent and reliable transit service, single vehicle trips are likely to be more prevalent for mobility and movement. A total of 725 parking spaces are proposed to be located in two underground levels, with some surface parking spaces. Access is proposed from Street A to the east, as well as an east-west connection located to the south of the site. Transportation staff have reviewed the Transportation Impact Assessment and identified certain changes required for the correct and efficient operation of traffic. Transportation staff cannot support a full access for Street A, as the Southdale Road EA identifies a median at this location restricting the access to right in/right out. Furthermore, the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA.

#### Sanitary Servicing

Sanitary capacity for the larger parcel is currently limited to 7.5 l/s which restricts the blocks that can develop in the short term. These capacity issues can be addressed over the long term, however staging and/or phasing of the proposed development(s) will be required until the ultimate solution is available. Holding provisions would be required to ensure that capacity exists prior to construction and occupancy of proposed developments. There are planned growth works for the area identified in the 2014 DC Study which include a new pumping station on Colonel Talbot Rd. and a sanitary trunk sewer along Bostwick Rd. Further discussion on the ultimate solution for the site is warranted.

#### Natural Heritage and Environment

Site 1 is currently part of a larger parcel of land which includes environmental features such as the Thornicroft Drain and a significant woodland/wetland feature past the southern extent of Street C. Despite Site 1 being located at the northwest portion of the site and not having an immediate interface with the natural heritage features, the implications for providing a sufficient buffer to the Thornicroft Drain and any other natural features may adjust the location of the developable lands and have a cascading effect on the road locations and parcel shapes and sizes. Additionally, the proposed severance of the subject site would allow for a change in ownership which is only appropriate once the larger parcel has been addressed comprehensively from a natural heritage feature point of view to avoid the fragmentation of land.

It is essential that the lands for the whole of 3080 Bostwick Road are considered comprehensively to evaluate their collective impact on natural heritage and environmental features. Various concerns and comments have been raised by the UTRCA regarding the submitted Environmental Impact Study, Stormwater Management, and Hydrogeological and Water Balance provided, some of which are shared by EEPAC Environmental and Parks Planning staff. A summary of the comments provided by the UTRCA on the individual studies are as follows:

## Environmental Impact Study

*In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.*

## Stormwater Management

*The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.*

## Hydrogeological and Water Balance Assessment

*The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.*

## Summary of UTRCA Comments

*As was conveyed in our October 2, 2018 comments, given the UTRCA's outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.*

*However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.*

## Built Form and Design

In order to achieve a well-designed built form throughout the City, development that is designed to be a good fit and compatible within its context, a mix of housing types to support aging in place and affordability, and healthy diverse and vibrant neighbourhoods that promote a sense of place and character (193\_1,2,7&9). The proposed development has some positive features regarding design such as: providing for a continuous street wall along the Southdale Road and Bostwick Road frontages; incorporating the majority of parking within proposed buildings; and incorporating mix-use development at Southdale and Bostwick Road. However, changes to the design are required, as the current form proposed does not have sufficient details or merit to be considered an enhanced built design.

Stepbacks are required for the tower component from the lower level to create a podium feature instead of a sheer wall of 21 storeys from the ground floor to the top of the

building, and podiums are to be broken up horizontally in order to reduce their overall massing. Further, the UDPRP identified that with respect to the 5 storey podiums, there may be a need to potentially stepback an upper podium to reduce the massing of the podium. The tower should then have a further stepback. Additionally, the podiums should be broken up lengthwise - potentially into more than one building on a development site, to reduce the overall massing.

Bonus zone requests are intended to begin with an enhanced and exceptional building design of high quality which meets the urban design policies. It is not appropriate to consider a design that does not qualify as an enhanced design, as well as one that would not be able to 'lock in' the enhanced design to provide certainty regarding the implementation of positive features through subsequent planning and design processes.

### Zoning

The requested amendment is for a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(\_)/RO2(\_)\*B-\_\_) Zone which includes commercial, office and residential uses.

#### *Residential*

The proposed R9-7 zone is used to implement High Density Residential forms of housing and allows for the requested apartment building. The zone would be appropriate to implement the requested apartment use if it was applied in a context that supports the broader policies of providing a mix of land uses and consideration of a comprehensive development proposal.

Special provisions are requested for the proposed development that include: a 0.4m exterior side yard setback, a 22m rear yard setback, and an increased lot coverage of 37%. The reduced exterior side yard results in a building that is brought closer to the street edge which is generally acceptable. The reduced 22m rear yard setback still provides adequate setback from the rear of the property to allow for functionality. The increased lot coverage from 30% maximum to 37% requested is not an increase that would be unsupported, however it can be indicative of a building form that is too large for the site. Generally, there is a relationship between increasing the lot coverage of a building when the landscaped open space is equally increased to offset the built form coverage. The landscaped open space is proposed at 32% which does not provide this relief.

#### *Commercial and Office*

The London Plan contemplates some mixed-use and commercial uses at this location at the intersection of two civic boulevards, to meet the daily needs of neighbourhood residents, including: mixed-use buildings, and stand-alone retail, service and office uses. (918\_5). The provision of small-scale commercial and mixed use development could be appropriate at this location, and could contribute to providing residents with easy access to daily goods and services within walking distance.

It is a goal of this Plan to allow for an appropriate range of retail, service and office uses within neighbourhoods. The range of retail, service and office uses that may be permitted in this Place Type will only be permitted if they are appropriate and compatible within a neighbourhood context (924).

#### *Southwest Area Secondary Plan*

Higher intensity mid-rise, transit-oriented development is encouraged along portions of the arterial road network to support the provision of transit services as detailed in 20.5.4.1 iv) of the General Residential policies.

#### *Secondary Permitted Uses and Mixed Uses*

The SWAP Bostwick Neighbourhood HDR designation allows for the consideration of secondary permitted uses such as convenience commercial and community centre uses, allowed in the Multi-Family, High Density Residential designation of the 1989 Official Plan to be permitted (20.5.9.2.ii). There are secondary uses of convenience commercial and restricted office proposed for the site in a mixed use format. The full range of requested uses include:

#### Restricted Office (RO2) Uses

- Clinics;
- Medical/dental offices;
- Medical/dental laboratories; and,
- Offices.

#### Convenience Commercial (CC) Uses

- Bake shops;
- Commercial schools;
- Florist shops;
- Pharmacies;
- Restaurants eat-in;
- Brewing on premises establishments;
- Business service establishments;
- Convenience business service establishments;
- Day care centres;
- Offices;
- Studios;
- Food stores;
- Restaurants, take-out;
- Convenience services establishments;
- Convenience stores;
- Financial institution; and,
- Personal service establishments (all without drive-thrus).

The requested secondary uses include the full diversity and range of convenience commercial and restricted office uses contemplated as permitted uses by the policies. The focus for the Bostwick Neighbourhood is residential in nature, and intended to support the commercial uses along the Wonderland Enterprise Corridor. Convenience Commercial uses are generally limited in scale to a maximum of 300m<sup>2</sup> per use to ensure that the commercial uses are small-scale and serve the local community.

A special provision was requested for the CC zone to exempt the size restriction which would allow a permitted use to utilize the maximum 1,000m<sup>2</sup> for a single use. Having a large scale commercial use would not complement the Wonderland Road corridor and would instead compete with the commercial demand in the area. It is not appropriate to exceed the 300m<sup>2</sup> maximum size of each commercial use and the requested special provision is not supported.

Similarly, the full request for office use is 2,000m<sup>2</sup> which could be occupied by one single office use. The general provision for office space in the Wonderland Road Corridor is also 2,000m<sup>2</sup> and it is necessary to differentiate the hierarchy of office space through restricting the size of any one office use to 1,000m<sup>2</sup> to ensure the corridor contains the most permissive office opportunities.

#### Planning Impact Analysis

The Planning Impact Analysis will be used to evaluate applications for an Official Plan and/or Zoning change to determine the appropriateness of a proposed change in land use.

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

The lands to the north of the site are developed as low-medium density housing with townhouses and single detached dwellings as the dominant form. There is a Union Gas pipeline along the Southdale Road West frontage which requires an additional 20m setback of the built form from the road which can effectively mitigate shadow impacts and the bulk of the buildings. There will be greater shadowing on the lands to the north from the higher heights than there would be from a lower built form, though the impacts would still be reasonable.

The Bostwick Community Centre is located to the east of the site and residential uses in this location would support patronage of the community centre within walking distance. Lands to the south and west represent future development lands, which are designated to include a variety of low, medium and high density housing forms. Providing a mix of low-rise and mid-rise apartments as well as multiple attached dwellings would provide a more integrated and compatible form than the contrast between the high-rise proposed and future lower rise uses.

- b) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;*

The form of development lacks certain design features such as tower setbacks which would contribute to positive design and better pedestrian environment. The over-use of the site results in towers that present sheer walls to the street with minimal relief which emphasizes the tower height and massing. The proposed built form exceeds the maximum lot coverage for the site and requires additional modification to the form or additional lands to create a better built form outcome.

- c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use;*

The lands are designated and well suited to develop for a variety of High Density Residential forms. The proposal for Site 1 is one site of 4 additional development blocks which are all proposing at or above the maximum intensity contemplated for the lands. There are additional High Density Residential designated lands south of Street C which have not been included in the subdivision, and the development form and intent for these lands is not known at this time.

The lands in the Wonderland Road Enterprise Corridor were recently amended to reduce the residential intensity from a maximum heights of 14 storeys to 6 storeys with bonusing, and maximum densities from 175uph to 100uph with bonusing. The reduction in residential intensity was to recognize that there are more strategic locations in other areas of the city to direct the greater heights and densities than within the Wonderland corridor. Though the built form is capped at a mid-rise level of 6 storeys, there is the potential to bonus up to 100uph which is at a high density intensity.

Within the broader SWAP area, there is a special policy for lands at 17 & 31 Exeter Road which permits high density residential buildings up to 12 storeys and 150 units per hectare, which is currently undeveloped (20.5.6.5.v). Additional lands are located at Southdale and Pomeroy Lane under the North Talbot Area Plan which are developed with and proposed for a new 12 storey residential form.

There are a number of opportunity sites within SWAP that would accommodate high density or high-rise residential uses, including the subject lands.

- d) *the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.*

The site is in close proximity to the Bostwick Community centre which provides community and recreational resources. There is limited transit services currently,

which will likely be improved as more of the SWAP is developed, though it should be noted that this site is still located outside of the rapid transit corridors and Primary Transit Area. A new park of 0.636ha is proposed to the southeast of the site and Parks Planning staff have advised that additional parkland will be required to support the intensity proposed. The Thornicroft Drain is located further east which is showing trails for pedestrians within the buffer area as part of the subdivision, though trails cannot be located within the buffer and an additional 8m width is required to provide for the trail feature which will shift the boundary of Site 3.

- e) *the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing*

The provision of forms of housing other than single detached dwellings are encouraged in SWAP and The London Plan which provide intrinsic affordability given the smaller unit size compared to a detached dwelling (518). There is no affordable housing proposed as defined in Chapter 12 of the 1989 Official Plan, though the provision of affordable housing units could be considered as part of the bonusing services, facilities or matters in agreement with the Housing Development Corporation.

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

The proposed heights of Site 1 are 18 and 21 storeys. Surrounding heights of the nearby residential development proposals include two 12 storey towers on site 3 to the east, one 17 storey tower on site 5, one 18 storeys tower on site 2 and two 15-17 storey towers on site 6. There is very limited variation in building heights on the surrounding development sites which can create an overwhelming effect of the high-rise residential form. Providing a mix of low-rise and mid-rise apartment buildings will vary the overall heights of 3080 Bostwick Road, and reduce the intensities to be more consistent with the policy intent.

Urban Design staff have identified that heights should transition across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings. The UDPRP recommends a broader variation in building heights among the towers to create additional distinction in heights.

- g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

The site is mostly vacant with very little existing vegetation that would be desirable to retain. On the larger site, the Thornicroft Drain is a naturalized feature that is proposed to have a pathway located parallel to the drain which would provide access to the feature.

- h) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The vehicular access for Street A will require modification as there will be a median proposed along Southdale Road West, and the proximity of the existing traffic lights at Bostwick Road would not facilitate an additional set of lights. Certain amendments such as compliance with the City's Access Management policies are required to the TIA, which is currently under review. Sidewalks will be required on both sides of new streets to provide for comfortable pedestrian connections.

- i) *the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

The layout of the built form is oriented towards the corner which is a positive feature, however the lack of stepback from the tower to the 5 storey portion of the building does not create a podium and emphasizes more of the bulk and scale of the tower components. Without a mix of high-density housing forms provided on the larger site, future land uses may not be able to integrate as well with the proposed built form, given the concentration of high-rise form on the entire parcel of 3080 Bostwick Road and the eventual interface that will be created.

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

The Thornicroft Drain traverses the site which supports important environmental features such as the deciduous hedge row. The submitted environmental studies are being reviewed and have not progressed to a point where the impacts of the proposed development are known on the nearby woodlot/wetland feature to the south. The development limit associated with the Thornicroft Drain is similarly under review which may impact the eventual parcel fabric for Site 3 and possibly shift the location of Street A, which could impact the boundary limits of Site 1. Additionally, the pathway feature cannot be located within the buffer setback and it has been identified that additional land will be required to provide the pathway abutting the buffer.

- k) *constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;*

There is a minimum required setback of 20m from the Union Gas pipeline along Southdale Road West which is being provided. A noise study has also been prepared to address the arterial noise generated by Southdale and Bostwick Roads. The noise study is under review and pending minor amendments and endorsement by a certified engineer, is in a form that is generally acceptable to the City. There are no rail, landfill, sewage treatment, contamination or other similar generators of adverse impacts applicable to the subject lands.

- l) *compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

The proposed development does not conform to the City's Official Plan with regards to the intensity proposed, the lack of housing mix, the bonusing proposed, and status of required studies and reports. The existing Urban Reserve zone requires the comprehensive consideration of all the lands to avoid premature development and land use patterns. Site plan matters are being considered through the requested amendment, though there is no application for Site Plan Approval or Signage at this time.

- m) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis; and*

Additional works are required to first identify the extent of any adverse impacts on surrounding land uses. Some potential impacts such as the reduced infiltration on the nearby wetland have not identified a mitigation or avoidance strategy and require further exploration. Some impacts such as the development limits and flood limits of the Thornicroft Drain require additional information to determine any adverse impacts. At this time, the studies are underway to identify the impacts of the proposal and many are not in a satisfactory state to accept.

- n) *impacts of the proposed change on the transportation system, including transit.*

There are Environmental Assessments (EA) currently underway for Wonderland Rd, Bostwick Rd alignment, and Southdale Rd which are required to be incorporated in the TIA as well. Future scheduled works in the area are identified in the table and map below subject to Council approval and budget availability. There is limited transit service for the site, which may improve with greater built out of the general area, though there is concern expressed from the London Transit Commission (LTC) that allowing such large scale development outside of the primary transit area forces an increase to the geographic scale of the transit network with relatively small gains in ridership.

Table 1: Future Road Works

Id	Road	Limits	Improvement	Potential Year
1	Colonel Talbot	300 m South of Southdale to James Street	2 Lane Upgrade	2023
2	Bostwick	Pack to Wharncliffe	Realignment with 2 Lane Upgrade	2026
3	Southdale Road West	Bostwick to Pine Valley	2 to 4 through lanes with centre turn lane	2026
4	Bradley Avenue Extension	Wonderland to Bostwick	New 2 through lanes	2028
5	Wonderland Road	Commissioners to Southdale	4 to 6 through lanes	2028
6	Southdale Road West	Bostwick to Colonel Talbot	2 to 4 through lanes with centre turn lane	2031
7	Pack Rd	Colonel Talbot to Bostwick	2 Lane Upgrade	2032

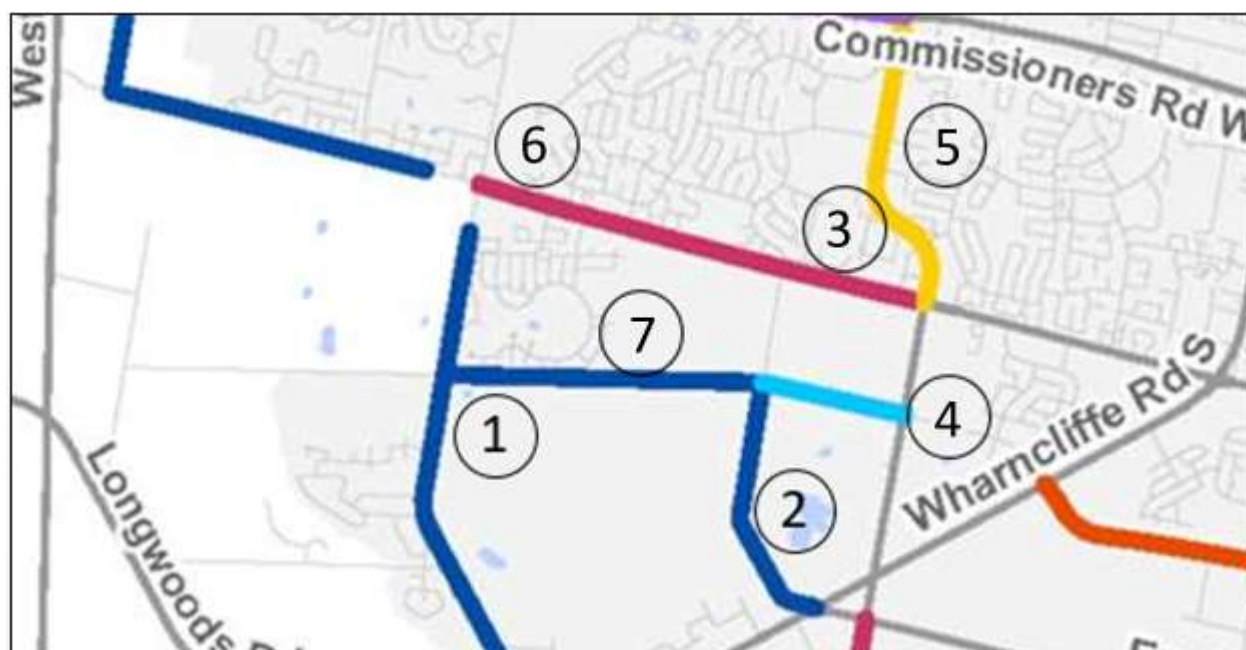


Figure 7: Map of Future Road Works in Area

## 5.0 Conclusion

Site 1 and the remainder of the subject lands at 3080 Bostwick Road are poised to support, and benefit from, well-designed and appropriate high density residential development that is consistent with the City's policy framework and provides for a mix of housing types. High density, high-rise housing forms are a valuable City Building tool to achieving the intent of the intensification goals for the Built-Area Boundary and Primary Transit Area, and allowing the intensities proposed for Site 1 has the potential to limit high density demand in other more strategic and desirable locations across the City. The intensities proposed for Site 1 of 18 and 21 storeys and 262 units per hectare, exceeds the maximum of 150 units per hectare and 12 storeys as identified by the policies of the High Density Residential Overlay of The London Plan, the High Density



Residential designation of the Southwest Area Secondary Plan and the Multi-Family, High Density Residential Designation of the 1989 Official Plan.

The policies in this location allow for the consideration of site specific bonus zoning request to permit increased height and/or density, though the request must result in good planning that fits within the broader policy framework and does not result in an over-intensification of the site. The intensity proposed for Site 1 does not conform to the City Structure Plan of The London Plan, which directs the highest intensities to strategic locations that can best avail and contribute ridership to transit and other services. Additionally, the bonusable facilities, services and matters proposed are insufficient to support such a requested departure from the maximums permitted.

The policies of the Southwest Area Secondary Plan, The London Plan Neighbourhoods place type and High Density Residential Overlay and the Multi-Family, High Density Residential designated lands of the 1989 Official Plan all require a mix of housing forms be provided on large high density residential lands for housing variety, and to minimize the overwhelming effect of concentrated and segregating high density residential forms and intensities. The applicant's submission for Site 1 and the larger parcel of 3018 Bostwick Road provides no mix of housing type or form, with 100% of the proposed built form as high-rise residential apartments.

Staff also have concerns regarding the status of the various studies and reports required to support the request, as many are incomplete, inadequate or require additional information and revisions. Matters of natural heritage, environment, urban design, bonusing, transportation, and sanitary servicing provision are required to be resolved or reach a satisfactory level of certainty to support the proposal.

It is the opinion of Staff that the applicant has not sufficiently demonstrated how the proposal is consistent with the Provincial Policy Statement, 2014, nor how it fully conforms to the policies of The London Plan, Southwest Area Secondary Plan, or the 1989 Official Plan. The proposed development individually and collectively with the other development parcels proposed at 3080 Bostwick Road represents a significant over-intensification of the subject site and general area. Staff are willing to continue working with the applicant to resolve issues, incorporate alternative high density housing forms to provide a housing mix, and consider the comprehensive development of 3080 Bostwick Road that has regard for the policies; however in its current form, staff recommend that the application be refused.

<b>Recommended by:</b>	<b>Sonia Wise, MCIP, RPP Senior Planner, Development Services</b>
<b>Reviewed by:</b>	<b>Lou Pompilii, MCIP RPP Manager, Development Planning (Subdivision)</b>
<b>Concurred in by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 5, 2018  
/sw

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## Appendix A – Public Engagement

### Community Engagement

**Public liaison:** On August 17, 2018, Notice of Application was sent to 552 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 16, 2018. A “Planning Application” sign was also posted on the site. Additional notification of the public participation meeting held on October 9, 2018 was provided on September 20, 2018.

8 replies were received

**Nature of Liaison:** The purpose and effect of this Official Plan and zoning change is to permit a mixed use development with residential, office and convenience commercial uses. Possible amendment to the Official Plan to add the subject site to the list of preferred sites to allow convenience commercial uses. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R9/Convenience Commercial Special Provision/Restricted Office Special Provision Bonus (R9-7/CC4(\_)/RO2(\_)\*B-\_\_) Zone to permit a range of high density residential uses in two towers of 18 & 21 storeys with a 5 storey podium, and 1,000m<sup>2</sup> of convenience commercial uses, and 2,000m<sup>2</sup> of office uses. A bonus zone is requesting an increased height of 21 storeys, and a density of 261 units per hectare in return for such facilities, services or matters described in section 19.4.4 of the Official Plan, and policies 1638-1655 of The London Plan.

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

Concern for:

- Increased traffic and congestion (x6)
- Increased cut through traffic in the established neighbourhood to the north (x3)
- Pedestrian safety
- Road improvements should be implemented as recommended in the Southdale EA (x4)
- Only the ward 9 councillor was identified on the notice, not the nearby ward 10
- The local school capacity and ability to accommodate increased number of pupils (x2)
- Site 1 – building height is too high, should be 14 storeys or less
- Greater building heights are difficult to evacuate in emergencies and may block satellite signals
- Provide convenient drop-off/pick-up spaces for para transit vehicles
- Provide affordable housing options and small-lot, small home options
- Reduced setbacks should not be allowed

Support for:

- Positive to see the site finally develop
- Interest in investing in the project

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

Telephone	Written
Tom Brimson 12-1015 Farnham Rd London ON N6K 1S3	Amanda Nash 1172 Dalhouse Dr London ON N6K 2Y1
Jim Cressman 957 Dalhousie Dr London ON N6K 1M8	Susan Spencer-Paton 31 Brixham Road London ON NK 1P5
Wing Man Lin	Esther Corcoran 143 McMaster Drive London ON N6K 1J5
	Ed Morrison
	Ron & Sharon Wimperis

**Additional Public Correspondence Received (after Oct 9)**

**From:** Ron & Sharon Wimperis [mailto: ]  
**Sent:** Monday, October 29, 2018 9:42 AM  
**To:** Wise, Sonia <swise@london.ca>  
**Cc:** Hopkins, Anna <ahopkins@london.ca>  
**Subject:** 3080 Bostwick Rd File: Z-8942 & File: OZ-8941

I just read the public notice regarding the above address.  
I am concerned about a couple things.

1) Site 3 is looking for adjustment for a senior-oriented apartment building. The original City Plans for the southwest part of the city called for a seniors building at 3535 Settlement Trail. To date this land is vacant and unkempt and will continue in this state, if it's original purpose is allowed somewhere else. If Bostwick is approved, what will become of the 3535 Settlement Trail property and the unpaved roads in the area? This approach of altering plans, is a big reason for the piecemealed road conditions in the area. Pack Road and Settlement Trail are a great examples of the timely completion of site improvements.

2) Site 1 is looking for more convenience commercial usage. This should not be approved until the infrastructure can handle the increased traffic. You can already see this with the new community center.

a. A two lane road (Southdale) was over capacity and the community center just added to the problem. The proposed "Street A" will also add to the congestion. The plans I saw indicate Southdale will be widened in 2 stages and not for a few years. First between Farnham and Colonel Talbot, followed by Farnham to Pine Valley. This seems backwards and/or should all be completed at once, followed by development.

b. Traffic on Southdale should indicate the need for advance greens at Farnham Rd, during rush hours.

c. Proposed "Street C" will add traffic to Bostwick and a right turn lane is needed from Bostwick to Southdale. Improvements to Bostwick Rd is years off and the developer could get this done as part of their site improvements and accessibility.

d. Reduced setbacks shouldn't be allowed. Future transit and transportation needs will be handcuffed, without proper planning now.

1) I would suggest stronger commitments, from the developers, towards the immediate surface roads needs stronger language and municipal follow up, as part of this development. Talbot Village is an example of a problem. Phases of the subdivision are over 10 years old and some roads still don't have the top coat of asphalt, including Settlement Trail, Old Garrison and Crane Road. Then take a look at a local collector road, Pack Road. It's a mess with no end in sight.

Looking forward to your response.

## **Agency/Departmental Comments**

September 20, 2018 – Development Services Engineering: Memo

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

### **Comments for the Re-zoning Application**

- A holding provision for the provision of access to the satisfaction of the City Engineer is required.
- Transportation has reviewed the TIA provided and cannot support a full access for Street A, the Southdale Road EA identifies a median at this location restricting the access to right in/right out, furthermore the signal spacing does not meet the minimum spacing as identified in the Access Management Guidelines. The timing of various DC road projects is currently being reviewed through the DC update and may impact future road capacity assumptions contained in the TIA. The applicant should update the TIA to reflect the above mentioned street A access restriction.
- A general "h" provision to ensure the orderly development of lands and the adequate provision of municipal services (i.e. to ensure the detailed design and agreement to construct the required watermain has been satisfied).
- An "h-100" provision to ensure the looped watermain discussed above is constructed, commissioned, and put into service.
- A revised sanitary capacity analysis to demonstrate flows from all three sites do not exceed the 7.5l/s sanitary allocation. All three sites and the draft plan of subdivision (excluding the SWCC) combined cannot exceed 7.5l/s as agreed upon in the Agreement of Purchase and Sale for these lands. Alternatively, flows above the allocated 7.5l/s for the subject lands may be able to be serviced by the future GMIS Bostwick Road Sanitary Sewer. The applicant should be advised that his consulting engineer can contact Wastewater and Drainage Engineering prior to submitting the revised analysis for further clarification regarding the scope of the sewer assessment.
- Provide a Professional Engineers stamp for the Noise Assessment.

### **Transportation**

The following items are to be considered during the future development application stage:

- The applicant shall construct all external works as identified in the future accepted TIA to facilitate the development of the subject lands;
- Widen Southdale Road to a maximum width of 24.0 metres in perpendicular width from the centerline of Southdale Road along the entire frontage of the subject lands.
- Widen Bostwick Road to a maximum width of 18.0 metres in perpendicular width from the centerline of Bostwick Road along the entire frontage of the subject lands.
- Provide a 0.3m road reserve block along the Bostwick Road and Southdale Road frontages.
- Provide sufficient right-of-way widening to dedicate 6.0 m x 6.0 m "daylighting triangle" at the intersection of Bostwick Road and Southdale Road.
- Provide plan and profile drawings demonstrating the design of the private access road to be located within the future dedicated right of way. The conceptual

centerline design of the draft plan of subdivision road network shall be included to ensure the private access road does not impact any future development.

- Individual access from Blocks 1 and 3 will not be permitted to Southdale Road.
- The access road is to be constructed to a standard suitable for winter maintenance, including but not limited to, installation of granular's, base asphalt and curb and gutter. The road structure shall be built to the road classification (as determined by the future draft plan of subdivision) standards.
- A plan/profile of Bostwick Rd may be required to determine sight line requirements as identified in the City's Design and Specifications and Requirements Manual at all street connections. If desirable decision sight distances cannot be achieved the applicant shall undertake works on Bostwick road at no cost to the City to achieve the desirable decision sight distances.
- A temporary turnaround may be required depending on the length of the private access.
- Any road and/or servicing crossing over the Thornicroft drain may require an Environmental Assessment Opinion Letter.
- Access arrangement will need to comply with the Southdale Road EA <https://www.london.ca/residents/Environment/EAs/Pages/Southdale-Road-West-Bostwick-Road-Improvements-.aspx>

### **Water**

The following items are to be considered during the future development application stage:

- Individual water service connections from the site directly to Southdale Road and/or Bostwick Road will not be permitted.
- The proposed municipal watermain shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal watermain along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

### **Wastewater**

The following items are to be considered during the future development application stage:

- Development of the site should be coordinated with the future draft plan of subdivision.
- The proposed municipal sewers shall be sized to accommodate the future draft plan of subdivision and any external tributary lands.
- The alignment of the proposed municipal sewers along the private access road (future dedicated right of way) shall be in standard location as per UCC 1M.

### **Stormwater**

The following items are to be considered during the future development application stage:

- City of London Permanent Private System policy applies and all post development flows for all storm events up to the 100 year storm shall be controlled to the pre-development levels.
- Quality controls to the standards of the Ministry of the environment, Conservation and Parks – MECP (formerly MOECC) shall be achieved by the use of an OGS (or any other applicable options such as catchbasin hoods, bioswales, etc.) providing normal (70% TSS removal) level.
- An MECP ECA may be required for the design and construction of any proposed outfall (e.g. the outfall proposed in Fig.-2 of the IPR TS2016-008). The applicant will have to contact the MECP to confirm if a new ECA is required. Please note that any required ECA may be obtained through B.032/18 or B.033/18. Coordination will be required.

- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution.

### Noise

The following items are to be considered during the future development application stage:

- The noise assessment will be required to be submitted as part of a future application for acceptance by the City. Ensure the report is updated to reflect any changes in design and layout.



# Memo

**To:** Sonia Wise  
Planner II

**From:** Jerzy Smolarek  
Urban Designer

**Date:** November 2, 2018

**RE:** 3080 Bostwick Rd

Sonia,

Urban Design has reviewed the relevant site plans and elevations for the re-zoning application at the above noted address and provide the following comments consistent with the Southwest Area Secondary Plan, the Official Plan, applicable By-Laws and guidelines, as well as the recommendations from the Urban Design Peer Review Panel:

Urban Design staff commend the applicant for incorporating the following into the design; providing for a continuous street wall along the Southdale Road and Bostwick Road frontages; incorporating the majority of parking within proposed buildings; the incorporation of mix-use development along the major street frontages; the inclusion of Public Streets; and the inclusion of a centrally located public park that will act as a focal point for the community.

Overall general site comments;

- Built form
  - Ensure that the proposed development respects the identified maximum heights within the Southwest Area Secondary Plan;
  - Transition heights across the sites from north to south, by locating the tallest buildings along Southdale Road and transitioning south with lower scale buildings;
  - Consider a variation in building heights for any proposed towers in order to create additional distinction and add interest to skyline;
  - Ensure proposed buildings are organized and sited to frame new public streets with good proportions and to create a sense of enclosure to the street;
  - Ensure any building proposed taller than eight storeys include a three or four storey podium. The tower(s) located on these podium should include a stepback from the edge of the podium. Additionally, ensure podiums are broken up horizontally in order to reduce their overall massing;
  - Ensure all proposed towers include small floor plates in order to avoid large shadows and the visual massing that occurs with long slab buildings;
  - Ensure all proposed buildings are articulated, both vertically and horizontally, to break up their overall massing. Provide for a variation in architectural expression

- and materials to further refine the scale of buildings, particularly at the lower levels;
- Where commercial is located at the base of buildings ensure:
    - Ensure the principal public entrance provides direct access to the public sidewalk;
    - Ensure primary windows and signage face the street;
    - Include awnings, canopies, and arcades to provide weather protection;
  - Where residential units are located at the base of buildings ensure;
    - The inclusion of ground floor individual unit entrances and private courtyard spaces with walkway connections to the City sidewalk or the private on-site pedestrian circulation network.
  - Include a mix of housing typologies through the sites including high-rise buildings, mid-rise buildings, stacked towns and townhouses;
- Parking
    - Include a combination of low masonry walls and landscaping along the edge of parking areas visible from any public street in order to provide a built edge along the street and to screen the parking function.
  - Park
    - Ensure the proposed public park serves as the focal point of the new community. Any proposed buildings should frame public streets and the proposed public park to provide for a built edge and “eyes on the street”.
  - Connectivity
    - Ensure that further vehicular and pedestrian connections are contemplated to the east and south of the subject site in order to provide for connectivity to surrounding area.

In addition to the general overall site comments, the following are site specific comments;

- Site 2
  - Include built form along the proposed north-south public street in order to provide for an active edge and enclosure to the park.
- Site 3
  - Include built form fronting on the proposed park in order to create an active edge and enclosure to the park.
  - Provide further details on the integration of the development on this site and the creek corridor.
- Site 5
  - Consider locating the taller building along the Southdale Rd frontage in order to allow for the southerly building to begin the transition of heights throughout the development.
  - Ensure buildings are located parallel to public streets in order to provide for a built edge, activate the street frontage and provide enclosure to the street.
- Site 6
  - Ensure the proposed buildings on this site are the lower in height than buildings proposed on sites to the north in order to provide for the transition to lower built forms south of the subject site.

If you have any questions or concerns please do not hesitate to get in touch with me.

Sincerely,



Jerzy Smolarek, MAUD  
Urban Designer  
JS





# Memo

**To:** Sonia Wise  
Senior Planner - Development Services

**From:** Environmental and Parks Planning

**Date:** October 28, 2018

**RE:** 39T-18502 – 3080 Bostwick Road

## NATURAL HERITAGE SYSTEM

Environmental and Parks Planning (E&PP) has reviewed the Draft Report completed by Stantec received in September 2018. E&PP have identified several issues that need to be addressed to complete and finalize the report. The following comments must be addressed in order to be compliant with the City's Environmental Management Guidelines (EMG), City of London Official Plan (OP) policies and London Plan Policies, and the Provincial Policy Statement (PPS 2014). Detailed comments are presented below.

1. Section 1.2 Study Area – It is noted in this section that the site was active agriculture until recently. Please note that the area has not been active agriculture for some time according to airphotos. It has remained a fallow field for over 5 years and was previously an orchard and not tilled. **Action: update description of current and past land uses.**
2. Section 2.2 City of London Official Plan – Please note that buffers are (not may be) required around all natural heritage features as per policy 15.3.6. It has been indicated that a Subject Lands Status Report (SLSR) was submitted to the City on August 24, 2017, E&PP does not recall being in receipt of the SLSR; please clarify what document this is that was submitted to the City of London and any correspondence between E&PP and Stantec regarding this document. The Minister approved the London Plan in December 2016. Please update this section, and note that a majority of the London Plan is now in force as per the OMB recent resolution (post submission of the EIS). **Action: Review and update this section.**
3. Section 3.2.2 Amphibian Calls – No early spring amphibian calling survey as per the MMP was conducted for the woodland habitat at the south end of the study. MMP are required to be followed for all amphibian calling surveys. The Bostwick Road EA conducted by Parsons in 2016 carried out amphibian surveys of this feature and confirmed that it is not SWH. However, in the future ensure MMP are followed to ensure investigations for amphibian SWH are completed. **Action: Revise section and other required sections accordingly.**
4. Section 4.6 Vegetation Communities – Please update Figures to include the 1998 ELC codes as these are what the City of London uses and is still the official ELC identified by the MNRF. A recent site visit by E&PP identified a wetland located along the edge of the Significant Woodland and the watercourse within the Significant Woodland. This feature has not been identified in the Report. Please review and revise the ELC communities and figures as required. Also, E&PP could not confirm the old field habitat as the majority of this community was recently ploughed under. E&PP note that altering the site during the review of an application is against council policy. E&PP is unable to confirm the description of the large old field habitat. **Action: Revise this section accordingly and note the unapproved vegetation clearing of the site.**
5. Section 4.10 Species At Risk – During the multiple breeding bird surveys, were no bobolink identified on or adjacent to the subject site? Field work conducted by Doughan and Associates for the Community Center (east of the watercourse) identified two male Bobolinks on the current subject lands (west of the watercourse) in the old field habitat. Please confirm that no Bobolink or Eastern Meadowlarks were heard or seen on the subject lands. While the primary threat to Monarchs is habitat loss in Mexico, other factors occurring in its northern range still contribute to the overall decline of this species. It is still

afforded some protection under SWH criteria as the species and its habitat is present on the subject site and are listed as a Special Concern species. **Action: Review and revise this section accordingly.**

6. Section 5.0 Significant Natural Heritage Features and Policy Implications – Under Significant Wildlife Habitat, please note that the Significant Woodland meets the criteria to be identified as SWH for Red-Headed Woodpecker (Special Concern). In addition, the Parson’s work on the Bostwick Road EA in 2016 confirmed the Significant Woodland as SWH for Eastern-wood Pewee (Special concern). This will be relevant for the future development blocks identified in the Master Plan Concept Figure 5 regarding the long-terms protection of the Significant Woodland feature and its functions. **Action: Review and revise this Section and any corresponding sections accordingly.**
7. Section 5.0 Significant Natural Heritage Features and Policy Implications – An analysis of applicable London Plan policies is required, in particular the wetland policies as wetland habitat has been identified by Stantec (MAMM 1-12) on the subject lands. **Action: Review and revise this Section and any corresponding sections accordingly.**
8. Section 6.0 Environmental Constraints – This section requires updating to incorporate the SWH components. Also, please review and ensure that the agreed to buffers as part of the Community Centre project have been implemented, as the Figure does not seem to accurately reflect this. **Action: Update section accordingly.**
9. Section 8.0 Impact Assessment – As previously noted, vegetation has already been removed on the subject site during the review of the application. The SWH (Monarch) will need to be addressed in a restoration plan for the buffers along the Drain and elsewhere on the subject site. This section must address the removal of wetland habitat located within the current proposed development footprint. The loss of area/vegetation associated with the riparian corridor as a result of the crossing of the Drain. A **Action: Update section accordingly.**
10. Section 9.0 Mitigation Measures – Reference to a required restoration plan is needed. Regard for the high-rise building design should incorporate bird friendly guidelines, reference to requiring this through the process is needed. **Action: Update section accordingly.**

Figure 4 Designated Natural Features – The woodland associated with the Drain should be identified as Significant Woodland and not ‘other woodland’ as this would meet the City’s criteria to be Significant Woodland based on its connectivity with the Significant Corridor and Significant Woodland. **Action: Update Figure accordingly.**

## PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 500 units, whichever is greater for residential uses and 2% for commercial uses. Parkland dedication calculations for the proposed development are listed in the table below. It is the expectation of E&PP that the majority of the required parkland dedication will be satisfied through land dedication with the remainder as a cash-in-lieu payment.
- The table below summarizes the information as per the submitted Plan.

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Block 1	1.42	262 uph	372	1.24
Block 2	0.906	193 uph	175	0.583
Block 3	1.12	150 uph	168	0.56
Block 5 - HDR	1.02	201 uph	198	0.66
Block 5 - Commercial			5000m <sup>2</sup>	.01
Block 6	1.232	269	331	1.10

Land Use	Area (ha)	Requested Density	Requested Unit Count	Expected Dedication (ha)
Required Parkland				4.243
Parkland Dedication– Block 4				0.636
Open Space dedication – Block 11 @ 1:27				0.034
Total Dedication on Plan				0.67
Outstanding Over Dedication Balance				3.573

- Multi-use pathways are to be located outside of buffer lands. An 8 meter wide block will be required for the multi-use pathway
- Based on the requested density for the proposed residential blocks additional parkland will be required to meet residential demand. This additional parkland may be located south of Street A. Additional discussions with the applicant will be required.
- The balance of any remaining parkland dedication will be taken as cash-in-lieu.
- Prior to the submission of the first engineering drawings, the owner shall consult with Environmental and Parks Planning Division to prepare:
  - - A concept/buffer plan for all open space blocks,
    - A concept plan for all proposed pathway blocks, and
    - A concept plan for Park Block (Block 4).
- As part of the first engineering submission, the Owner shall prepare an education package as approved by the City Planner that explains the stewardship of natural areas and the value of existing tree cover. The owner shall ensure that the education package is delivered to all purchasers and transferees of the lots in this plan.
- The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all existing and proposed private lots adjacent to existing and/or future Park and Open Space Blocks. Fencing shall be completed to the satisfaction of the City Planner, within one (1) year of the registration of the plan.
- The Owner shall not grade into any public Park or Open Space lands. In instances where this is not practical or desirable, any grading into the public Park or Open Space lands shall be to the satisfaction of the City Planner.
- Prior to the submission of the first engineering drawings, the owner shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks. The tree preservation report and plan shall be completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.
- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to the Environmental and Parks Planning Division monthly during development activity along the edge of the Thornicroft Drain and the woodland/wet land south of Street A.

AM/BP



October 24, 2018

City of London - Development Services  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Sonia Wise** (sent via e-mail)

Dear Ms. Wise:

**Re: UTRCA Supplementary Comments re File OZ-8941 – Site 1 Official Plan & Zoning By-Law Amendment**  
**File Z-8942 – Site 3 - Zoning By-Law Amendment**  
**File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment**  
**Applicant: York Developments**  
**Agent: MHBC**  
**3080 Bostwick Road, London**

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In our comments dated October 2, 2018, the Upper Thames River Conservation Authority (UTRCA) advised of a number of concerns pertaining to the technical studies that were submitted to support the development applications proposed for the regulated lands known municipally as 3080 Bostwick Road as follows:

### **PEER REVIEW OF TECHNICAL REPORTS**

#### **Hydrogeological and Water Balance Assessment**

The UTRCA has reviewed the ***Preliminary Hydrogeological Assessment & Water Balance Residential Development - 3080 Bostwick Road London, Ontario*** prepared by exp dated February 2018 and offers the following comments -

#### **Hydrogeological Assessment**

The Hydrogeological Assessment and Water Balance itself had limited water quantity and quality data.

The Executive Summary states that '*Groundwater elevation and water quality monitoring is on-going with additional hydrogeological interpretation to follow at a later date.*' However, additional data including water quality and quantity data collected up to August 22, 2018 was provided. Thus, as indicated in the title, the submitted document is preliminary in nature.

The format of the report is comprehensive, concise and generally meets the guidelines provided by the UTRCA. The well completions, siting, purging and general testing are well documented. The inclusion of technical background information in appendices is clear and scales are comparable between graphs enabling comparisons.

Deficiencies to be addressed in the final report are outlined below.

1. Include updated quantity and quality data in the final report. The preliminary report itself provided limited water quantity data. Indicate changes to interpretation, if any, based on an inclusive data set.
  - a. Include date of SWRT. Was this after the loggers were installed and visible on water level data?

2. Please include missing borehole logs in the final report (digital copies were provided for the current review). Please provide borehole logs included in cross-sections and their locations (boreholes were included from the Community Centre project in the middle of the proposed development but not included in the appendices).
3. Please incorporate a discussion of the natural heritage features, describing their groundwater dependent status as outlined in the indicated background material (Toronto and Region Conservation Authority, 2017).
4. Based on the cross-sections, the covering till which may act in some areas as a confining layer thins towards the unnamed drain and towards the south. The water table in the aquifer is below the bottom of the overlying till. The scale of the depth of the unnamed drain is not represented in the cross-section.
  - a. Upon review of the manual measurements (6 locations versus 4 locations), the monitors along the drain are normally higher than wells MW17-1 and MWS5-2 approximately 250 m away from the drain.
  - b. Upon review of continuous data:
    - i. MW17-3 and MW17-2 are located in proximity to the drain. MW S5-2 and MW17-1 are approximately 250 m from the drain.
    - ii. Although, MW17-2 is noisy and peaked and always higher than the other wells, there is only 1.5 m average difference in water levels between all the continuous monitored wells. 17-2 peaks shortly after a precipitation event during the recharge period (approximately November through May). The peak in recharge occurs in the other monitors, in a similar period however more subdued and delayed.
    - iii. The 17-2 monitor is in the same aquifer as the other locations. The topography south of the Site, where the woodland/wetland is located is higher in elevation and likely contributes to the mounding at this site.
    - iv. Between December and April, MW 17-1 and MW 17-3 are similar in elevation and variation. Between May and August, the two curves diverge and MW 17-1 declines more than MW 17-3.
    - v. Based on the above noted variations, it is reasonable to assume that mounding occurs along the drain and particularly in the area of MW17-2 where the overlying till is thin. MW17-2 should be included in water table mapping of the Site. A more representative high water level with manual measurements is likely obtained on February 8, 2018. MW 17-2 may also be influenced by wetlands to the south and the intersection of surface water catchments. In most air photographs, water is present in the drain that traverses the Site throughout the year.
5. The final/cummulative development of 3080 Bostwick Road has the potential to significantly impact the water balance as indicated on P. 15. It is unclear whether Site 7 development is included in the water budget. On P 15 it is stated that infiltration will be about 11% of pre-existing. Runoff increases significantly. The loss of infiltration and increased runoff have the potential to significantly affect the natural heritage features to the South which includes a wetland and significant woodlands. The evaluation needs to review the seasonal and long term variations of the wetland, and dependencies of the wetland based on species, habitat and water level variation. The changes to the water budget are not supported in the Conservation Ontario guidelines.
6. It is stated on p 12 that *'the influence of road salt in the surface water is impacting groundwater adjacent to the Drain'*. Sampling occurred on November 15, 2017, therefore it is unlikely that there was road salt applied prior to the sampling event and thus sample quality likely represents longer term impact of the surface water on the groundwater. There was limited discussion on further impacts due to de-

icing materials from the new development. Please address the water quality impact to the Site from the development.

7. Please include additional impact assessment and comprehensive recommendations to maintain the natural heritage features in proximity to the Site.

The most significant deficiency is in the incorporation of the hydrogeological interpretation and the impact to the natural heritage features and the regulated areas on and adjacent to the Site. In conclusion, there is insufficient assessment of the groundwater and the natural heritage features from a water quality and quantity basis. Further work needs to be completed prior to conditions of draft plan approval being provided by the UTRCA for the proposed development of 3080 Bostwick Road as the changes to the water budget alone are likely to significantly impact the natural heritage features.

#### Water Balance

1. The water balance analysis is based on the soil type on the site. The water balance should be based on the catchment areas contributing to the existing natural features to the south. Also, the water balance calculations used a 13 ha area in the analysis but no supporting drawing based on topography was provided. Please update the water balance calculations based on the contributing area to the existing wetland and provide a figure showing the area supported by contour information.
2. Please update the water balance calculations under the proposed development conditions by coordinating with IBI consulting doing the stormwater management design for the site to make sure that the infiltration and runoff values used and volumes targets are met and incorporated into the stormwater management design of the site under the post-development conditions.
3. The estimated infiltration under the pre and post-development conditions are 45,216 m<sup>3</sup> and 4,953 m<sup>3</sup> per year respectively. Please compensate for the reduction in the infiltration on the site under the proposed condition and support the compensation with water balance calculation in collaboration with IBI.
4. The proposed measures for the increased infiltration on the site under the post-development conditions should be discussed with the IBI and should be supported with the calculations to make sure that infiltration deficit is met under the proposed conditions.
5. Please make sure to use the same values in the water balance calculations used by IBI for this site especially the infiltration values under the pre- and post-development conditions.
6. The infiltration values used for the hydrologic B soil ranges from 266 to 295 mm/year while the MOECC 2003 Manual Table 3 listed infiltration values for the hydrologic soil B ranging from 228 to 274. Please provide justification for the infiltration values used in the water balance calculation for the hydrologic soil B.
7. The impervious of 0.90 is being used for the major portion of the site under the post-development conditions. The impervious used in the water balance under the post-development conditions should match with the impervious values used by IBI in their water balance for the site under the post-development conditions. Please address.

#### Stormwater Management

The report titled ***Storm Drainage and Stormwater Management Plan*** prepared by IBI Group dated May 2016 was reviewed. We offer the following comments:

1. Please submit Figure 1 titled *Storm Drainage Areas* as a full size drawing, supported with contour information to provide a better understanding of the local drainage and catchment areas on the site.
2. The UTRCA's Regulatory Storm is the 250 year storm and not the 100 year storm. In Section 2, page 2, reference is made to the 100 year storm control to pre-

development levels. Please update the report as per the UTRCA requirements of controlling up to the 250 year storm.

It is also noted that quantity control will be provided up to the 100 year storm but then it is stated that the future public road will drain to the upgraded open channel without quantity control due to feasibility issue. Please provide further explanation.

3. The uncontrolled major and minor flows from the site may cause erosion, flooding and water quality issues in the receiving Tributary D. The UTRCA requires that consideration be given to interim measures to slow down the runoff from the site to avoid local flooding and erosion that may be caused by increased imperviousness on the site due to development.
4. Please submit a cross section for the existing tributary D both upstream and downstream of the property under the existing and proposed conditions showing the 10, 50, 100 and the 250 year storms elevations.
5. Please submit a HEC-RAS model supported by updated survey and cross sections which considers the upstream area of approximately 213 ha to properly delineate the flood plain width for the Tributary D on the property.
6. Please identify the area contributing runoff to the natural heritage features to the south including the wetland and calculate the base flows and infiltration required for the wetland to be sustained using water balance approach. As previously noted, please update the water balance calculations under the existing condition by identifying and showing areas contributing runoff to the wetland in the south under the existing condition.  
The water balance under the proposed condition should be undertaken to compensate for the runoff and infiltration under the proposed conditions.
7. Please provide a clear description and show the areas that will be treated by the proposed Oil and Grit separator.
8. It is mentioned that quantity control will include the use of SWM LIDs. Please show the location and details of the proposed SWM LIDs to be used for quantity control with details and supporting calculations. Also, please submit a drawing showing the location of the SWM LIDs on site.
9. Please update the report by adding flows for the 10, 25 and 50 years storm events.
10. Please check the Time to Peak values in Table 3.1 provided on page 5 and 6. The Tp values varied approximately from 1.3 to 2.25 minute. Please check calculations for the Tp and update the VO2 model accordingly.
11. Detailed Sediment and Erosion Control (SEC) drawings with staging and other details and notes will be required signed and sealed by P.Eng.
12. The SWM report shall be properly signed, sealed and dated by P.Eng.
13. Please provide justification for the Curve Number (CN) values used for the soil on the site. Please support the CN values with local soil map.
14. Please submit riprap sizing calculations shown on the Drawing sheet PP-07. Please submit a cross section showing details such as width and depth of the proposed riprap.
15. Please submit channel conveyance and capacity calculations to make sure the channel has enough capacity to convey flows from the site and upstream under the proposed conditions.

The UTRCA reviewed **3080 Bostwick Road Environmental Impact Study** prepared by Stantec dated May 1, 2018. The UTRCA does not agree with the intent of an EIS being to “assess and mitigate the potential impacts of the proposed development on the natural heritage and hazard features”. Rather, the intent of an EIS is to evaluate the natural hazard and natural heritage features, and to then determine whether development may be permitted within or adjacent to the features depending on what functions need to be protected to maintain these features, as well as what type / intensity of development is acceptable. The EIS should be focused on protection and maintenance of the natural hazard and natural heritage features, not only on mitigation measures. With this in mind, the UTRCA provides the following comments:

1. The development footprint should be established after the EIS is complete – therefore it should not be the first figure in the report, but rather come as a recommendation that has been determined (and justified) from the analysis in the EIS.
2. Please ensure that the EIS consistently refers to the deciduous woodland community in the south (Patch 10064) as a Significant Woodland and the Thornicroft Drain as a Significant Corridor whenever these features are mentioned and whenever describing the project study area / site conditions. As well, please include that the deciduous woodland community in the south (Patch 10064) has been identified as Open Space and Environmental Review on Schedule 4 in the Southwest Area Plan and the hedgerow has been identified as Open Space in Schedule A of the Official Plan.
3. Please review and include the August 2017 SLSR and EIS for the Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons as part of the background literature review considered in the EIS.
4. Section 3.2.2 states that three breeding survey windows were captured for breeding amphibian stations, as required by the MMP survey protocol, and occurred in April, May and June. However, Table 3.1 and 3.2 shows amphibian call count surveys only in May and June of 2008, and only in May of 2014. Although we agree that April 2014 was a cool spring, there were several dates that met the > 5 °C requirement including April 8, 10 – 13, 17, 20 – 21, 24, 28 – 30. Also note that surveys must be conducted under three temperature regimes, > 5°C, > 10°C and > 17°C. These protocols were not met in 2008 surveys, or in 2014 surveys. Furthermore, several years have passed since the surveys such that additional amphibian field work could have been completed. Therefore, we request that a full three breeding survey windows be completed following the MMP survey protocol.
5. Breeding bird windows are from April to August, yet surveys were only conducted in June. Given the significance of the woodland feature, and the potential for rare or special concern bird species, we request that additional breeding bird surveys occur in May, July and August.
6. Bank Swallows generally arrive in Ontario starting in mid to late April and continue through May, and most depart starting in late July and continue through August and September. Therefore, the supplementary fieldwork to inspect the fill piles for the potential presence of Bank Swallow activity on October 5, 2017 is not an appropriate time to conduct such work.
7. Section 4.2 mentions that the connection between the hedgerow, designated as Open Space in Schedule A of the Official Plan and the deciduous woodland community in the south (Patch 10064) has been cleared for a collector right of way. Please provide further detail about this removal.
8. CA regulated areas include all watercourses (including intermittent streams), all waterbodies, and all wetlands, both evaluated and unevaluated, as well as the



associated wetland areas of interference. Please show these on a map. These include the wetland habitat(s) within the deciduous woodland community in the south (Patch 10064), the small patches of wetland along Thornicroft drain and its tributaries, and the MAMM1-12 community on the west side of the property shown in Figure 2. Please correct this information in the appropriate sections throughout the EIS and include it on Figure 4.

9. Section 4.4.1 refers to high erosive energy in the drain channel leading to bed and bank material erosion and downstream deposition. Further mention is made to Parish's work which suggests that large scale remediation work may be required. Will this remediation work be included /required that as part of this project?
10. Section 4.6 states that none of the vegetation communities are considered rare in the province, yet the Dry-Fresh Black Walnut Deciduous woodland community is ranked S2/S3 and therefore would be considered rare. Please discuss.
11. Section 4.11.1 refers to fish being present despite the lack of habitat variability and turbidity due to periodic erosive forces from storm runoff from the north. Will any work be done to correct these conditions as part of this project?
12. Please show where the rare (S2) native tree species (Honey Locust) was found. Since it cannot be confirmed that the species occurs at the site as a result of anthropogenic means, we request that this species is protected from the effects of development. Please discuss how this protection will be achieved.
13. Appendix F does not use the Significant Wildlife Habitat criteria for Ecoregion 7E. For example, there is no criterion for Deer Yarding Areas and there is a criterion for Special Concern and Rare Wildlife Species. Please revise Appendix F and Section 5.5 using the appropriate criteria and address the following:
  - a. Vegetation classification should follow the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC as SWH criteria are based on the 1998 classification system. Recognizing this, the following SWH types may meet the candidacy assessment criteria and will need to be evaluated:
    - i. Turtle Wintering Areas
    - ii. Ground Colonially Nesting Birds
    - iii. Turtle Nesting Areas
    - iv. Wetland Amphibian Breeding Habitat
    - v. Marsh Breeding Bird Habitat
    - vi. Shrub/ Early Successional Bird Breeding Habitat
  - b. Patch 10064 contains Rare Vegetation Community as it has been identified as a Black Walnut deciduous woodland. This is a rare vegetation community (S2/S3).
  - c. Patch 10064 contains Significant Wildlife Habitat due to the presence of terrestrial crayfish.
  - d. Patch 10064 contains habitat for two Special Concern species - the Monarch and the Red-headed woodpecker. Both species were observed on site.
  - e. Patch 10064 may contain nesting habitat for Special Concern species - the Eastern Wood Pewee.
  - f. Only the northern 50 to 70 m of the significant deciduous woodland community in the south (Patch 10064) was investigated. As a result, it is not possible to confirm SWH using defining criteria and a more conservative approach to evaluating SWH must be undertaken for this community, relying on candidate criteria to identify SWH. The following SWH types may meet the candidate criteria:
    - i. Raptor Wintering Area
    - ii. Bat Maternity Colonies

- iii. Tree / Shrub Colonially Nesting Birds
  - iv. Old Growth Forest
  - v. Waterfowl Nesting Area
  - vi. Bald Eagle and Osprey Nesting, Foraging and Perching Habitat
  - vii. Woodland Raptor Nesting Habitat
  - viii. Seeps and Springs
  - ix. Woodland Amphibian Breeding Habitat
  - x. Woodland Area Sensitive Bird Breeding Habitat
- g. The Southdale Community Centre SLSR and EIS by Dougan & Assoc. identified three species at risk birds (Bank Swallow, Barn Swallow and Bobolink) on site, as well as S1 Hairy Mountain mint and the special concern Monarch. These observations should be considered in the SWH evaluation. The barn swallows were determined to be possibly nesting in a culvert just south of Southdale Road, while the two male bobolinks were seen foraging on the west side approximately 30 – 50m from the watercourse. The Monarch foraging habitat was assumed to include components of the old field meadow community that support forbs such as Milkweed, while it is unknown where the Hairy Mountain Mint was observed.
14. Please provide buffer calculations following the City of London criteria in Section 5.10. Note that a 30 m buffer has been recommended for the southwestern corner and southern edge of the deciduous woodland community in the south (Patch 10064) in the August 2017 SLSR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons given the sensitivity of the feature.
15. Table 5.1 would suggest 30 meter buffers on all watercourses (permanent and intermittent) and that those buffers are vegetated with trees (better for preventing water temperature increases) and grasses (better at reducing overland sediment flow).
16. Please provide support for the statement in Section 6.0 that “Ecological buffers that were previously agreed to for the proposed development have been incorporated into the boundary line placement of the individual blocks”. Who agreed to these buffers? Is there documentation supporting this agreement? How was this reached without an EIS to determine what features and functions needed to be protected?
17. Section 7.1 states that future public roads will drain to the Thornicroft Drain using oil / grit separator technology to control quality. How will the salt from the roads be addressed? Where will snow be piled?
18. According to a letter by Dougan & Associates dated September 23<sup>rd</sup>, 2014, a reduced buffer on the east side of the Thornicroft Drain was permitted for the community centre, given that the buffer was to be increased on the west side. The Thornicroft Drain was designated as a Significant Corridor in Schedule B1 of the City of London OP. If the development to the north was in place when this designation was determined, it may not be appropriate to simply state in Section 8.1 that “the current riparian zone of the Thornicroft Drain does not provide a connection to any feature to the north due to its terminus at Southdale Road West and the developed area to the north of the road. Furthermore, the uncontrolled flows arriving from the storm sewer draining developed lands to the north as well as the areas of erosion along the Thornicroft Drain warrant a large buffer surrounding this feature.
19. Given the numerous impacts of trails in natural features, the UTRCA is not supportive of trails within buffer zones. Trails could potentially be located on the outside edge of a buffer zone, but that should not reduce the size of the buffer itself.

20. Section 7.1 states that an EIS specific to the outlet constructed on the east side of the Thornicroft Drain was previously prepared and submitted in 2016 by Stantec. Furthermore, Section 8.2 states that vegetation removal has been completed on the east side of the Thornicroft Drain to accommodate the construction of the storm outlet. Please provide additional details. How much vegetation was removed? Was a tree preservation plan prepared? Was the 2016 EIS accepted?
21. In Section 8.0, please include the following information in the EIS when determining impacts:
  - a. In the August 2017 SLSR and EIS for Bostwick Road Improvements (Municipal Class EA) prepared for City of London by Parsons, seven (7) of the nine (9) fish species listed in Appendix C have a preferred temperature classification of cool (19 – 25° C). Please confirm the temperature regime.
  - b. Patch 10064 is a significant woodland, with five regionally rare plant species, confirmed Significant Wildlife Habitat, and ephemeral drainage channels and vernal pools along the western portion
  - c. A 30 m buffer has been recommended for the southwestern corner and southern edge of the woodland.
22. Section 8.1 mentions opportunities to work within the buffer area of Thornicroft Drain and within the main channel to apply rehabilitation techniques to mitigate future erosion. Will the mitigation only be for future impacts and not existing ones? Please provide more details.
23. Please provide additional information justifying the alignment of the future Street C crossing and the placement of a second SWM outlet that includes:
  - a. a tree analysis,
  - b. an appropriate buffer for the portion of the significant deciduous woodland (Patch 10064) that extends into the Subject Property east of the Thornicroft Drain where Breeding Bird Point Count Location 3 (BB3) is located,
  - c. location of erosion,
  - d. location of groundwater indicator species, including watercress and spotted jewelweed
  - e. any other important considerations to support placement of Street C and second SWM outlet. Given that the watercourse is already experiencing habitat degradation due to the existing stormwater outlet upstream what impacts will this second outlet have? How will those impacts be prevented? Please provide more details.
24. Section 9.2.1 speaks about exclusion fencing for construction. Will there be a permanent fence separating the completed development from the natural features?
25. The last sentence in Section 10.0 is incomplete.
26. Please put the 1998 ELC for southern Ontario (Lee et al 1998), rather than the 2008 updated ELC, on the Figures as SWH criteria are based on the 1998 classification system. What is the classification for the vegetation community where amphibian survey station B was located?
27. Please identify plant species by ELC vegetation community in Appendix D
28. Summary in Appendix E should state that 2 amphibians (not 1) were identified on site.

In conclusion, there is not enough information provided in the EIS to determine whether development within the significant deciduous woodland community in the south (Patch 10064) or within the 30 – 40m buffer of the Thornicroft Drain, or within the vegetation communities supporting Species at Risk will have any long-term impacts to their

ecological function of these features. As such, we request a more conservative approach to ensure that the ecological function of the natural features will be maintained.

**RECOMMENDATION**

We understand that the applicant has requested that the applications - File OZ-8941 – Site 1, Official Plan & Zoning By-Law Amendment File Z-8942 – Site 3 - Zoning By-Law Amendment and File OZ-8943 – Site 5 - Official Plan & Zoning By-Law Amendment be considered by the City's Planning & Environment Committee (PEC) at its meeting on November 12, 2018. As was conveyed in our October 2, 2018 comments, given the UTRCA's outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system as well as the noted deficiencies of the supporting technical reports, the Conservation Authority continues to recommend that the applications be **deferred** so that the matters can be addressed or alternatively be refused.

However, if the matter is considered by PEC at its November 12, 2018 meeting and the Committee is supportive of the applications, the UTRCA requests that holding provisions be applied to Site 1, Site 3 and Site 5 whereby the applicant shall be required to submit/prepare a Hydrogeological Assessment and Water Balance Analysis, a Stormwater Management Report and an Environmental Impact Study to the satisfaction of the UTRCA.

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  
TT/LN/IS/CC/cc

c.c. Sent via e-mail -  
Applicant – York Developments  
Agent - MHBC  
UTRCA – Mark Snowsell & Brent Verscheure, Land Use Regulations Officers



# Memo

**To: Proponents**

- David Yuhasz, Zedd Architecture Inc.
- Carlos Ramirez, York Developments
- Ali Soufan, York Developments
- Scott Allen, MHBC

**City of London Personnel**

- Sonia Wise, Senior Planner
- Jerzy Smolarek, Urban Designer

**From: Urban Design Peer Review Panel (UDPRP)**

- Steven Cooper, Architect (declared conflict)
- Jordan Kemp, Urban Designer
- John Nicholson, Architect
- Janine Oosterveld, Urban Designer
- Heather Price, Urban Designer
- McMichael Ruth, Architect

**RE: Draft Plan of Subdivision: 3080 Bostwick Road  
Presentation & Review, October 10, 2018**

The Panel provides the following feedback on the submission to be addressed through the draft plan of subdivision application. From the Proponent, additional information was provided that clarified that there are also consent applications and zoning amendments currently underway for parts of the subject lands. Note that the comments were provided to broadly relate to the overall master plan concept and are to be considered holistically. Detailed comments on individual sites have not been provided. The proponent is aware that the detailed design will be reviewed by the Panel at the site plan consultation stage. The Panel found it difficult to evaluate this proposal because of lack of clarity around the type of development application proposed and variation among drawings. Comments were provided in three broad categories:

**Public Realm**

- The overall structure of new public streets and pedestrian connections appear to work well across the entire site. Cross-sections for new public streets should be designed to encourage pedestrian movement and active transportation.

- The public park should serve as the “heart” of the new community. New buildings should frame public streets and the proposed public park to provide for casual overlook and “eyes on the street”. As presented, the public park is framed by surface parking areas, which is not appropriate.
- Pedestrian circulation between the buildings, and throughout the master plan, should allow for greater connection between each building and each side of the public streets. Forecourts at main entrances and larger sidewalks with more connections to other points could be used to strengthen circulation routes and improve pedestrian experiences.
- Buildings should be organized and sited to frame new public streets with good proportion and to create a sense of enclosure on both sides.
- The streetscape design should blend seamlessly between public and private realm.
- The Panel is supportive of boulevard treatment along all new public streets that meets or exceeds the City’s design requirements.
- The Panel is of the opinion that it is important that there is consistency in the streetscape design throughout the street network - among the various development applications (subdivision and consent). Consider how cycling facilities (on or off-street) are integrated into the master plan and will relate to future development on adjacent properties.
- The Panel is supportive of boulevard street tree plantings and on-street parking as shown on the master landscape plan. Ensure soil volumes and the location of utilities are considered in the street design to accommodate illustrated trees.

#### Built form

- The overall approach to built form should be guided by a set of urban design guidelines to be used through evaluation of proposals during the Site Plan Approval process.
- The Panel is of the opinion that a consistent design vision should be woven through the entire project including Site 3. The Proponent indicated at the meeting that the building elevations submitted for Site 3 were to be considered a placeholder with a refined concept that aligns with the overall design concept to follow through a future development application.
- It was unclear how the Panel should comment on building height relative to the conflicting policy framework between the Southwest Area Plan and the London Plan. City staff were not available at the meeting to clarify. Comments provided in this section are general in nature and do not provide opinion on the policy framework.
- A design principle that should be identified in area-specific urban design guidelines and applied to all sites is that the relative height of buildings along the streets should relate to the human scale. With respect to the 5 storey podiums, there may be a need to potentially stepback an upper podium to reduce the massing of the podium. The tower should then have a further stepback. Additionally, the podiums should be broken up lengthwise - potentially into more than one building on a development site, to reduce the overall massing.
- Individual parcels should be developed to minimize parking lot exposure to the street. As an example, the orientation of the 17-storey building on Site 5 could frame the street rather than a perpendicular orientation.
- The Panel supports the use of architectural features to break up massing of the proposed buildings. Design principles such as this should be integrated into design guidelines associated

with the subdivision and consent applications. It is positive to see the intent to create a streetwall along new and existing public streets, but the approach is inconsistent throughout the site.

- Articulate the buildings (vertically and horizontally) to break up the overall massing. Use of variation in architectural expression and materials to further refine the scale of buildings, particularly at the lower levels.
- Reconsider siting and organization of tall buildings on east side of site. If “slab” style buildings continue to be part of the proposal, ensure that they effectively create a comfortable pedestrian environment and an appropriate scale along public streets.
- Reconsider built form of slab buildings on the east side of the site. At a minimum, slab buildings should be broken down through design/massing. In particular, the proposed building on Site 6 should be reconsidered. Distance separation is also an important consideration such that their massing doesn’t read as one building.
- Consider rooflines as it relates to overall city skyline as this project will be visible from a significant distance.
- Ensure street setbacks allow for landscape/trees within the pedestrian environment to create a comfortable pedestrian environment.

#### Other design components

- Overall, the Panel is of the opinion that area specific urban design guidelines should be adopted through the subdivision/consent or zoning bylaw amendments and applied at the time of site plan to ensure a consistent design approach throughout the project despite the possibility of more than one developer.
- The Panel is supportive of a mix of built forms throughout the project.
- The Panel recommends a broader variation in building heights among the towers to create additional distinction in heights.
- Give consideration to canopies and other elements through detailed design that support streetscape design.
- Shadow impacts on community centre, proposed park and amenity areas should be evaluated.
- The Panel commends the Proponent for master planning the area.

#### Concluding comments:

The Panel requests that urban design guidelines be prepared and adopted in support of the draft plan of subdivision and zoning bylaw amendments. The Panel requests the opportunity to review and comment on the urban design guidelines. Additionally, the Panel will provide detailed comments at the time of each site plan.

Sincerely on behalf of the UDPRP,



Janine Oosterveld, MCIP RPP (UDPRP Chair)



# MEMO

KITCHENER  
WOODBIDGE  
LONDON  
KINGSTON  
BARRIE  
BURLINGTON

<b>To:</b>	<b>Sonia Wise, Senior Planner Development Services Division, City of London</b>
<b>From:</b>	<b>Scott Allen, Partner</b>
<b>Date:</b>	<b>October 31, 2018</b>
<b>File:</b>	<b>1094'B'</b>
<b>Subject:</b>	<b>3080 Bostwick Road (Master Plan Concept) Bonusing Zoning Program York Developments</b>

Further to your request for additional information regarding bonusable elements for the 3080 Bostwick Road proposal, please find below a summary of the facilities, services and matters proposed for bonusing under the City's 1989 Official Plan and new Official Plan (The London Plan).

### **Bonusing Approach**

The bonusing program itemized below builds upon, and supports, the design objective for the Master Plan Concept developed for 3080 Bostwick Road (i.e., to develop these lands as an integrated (complete) neighbourhood and a community focal point).

The intent of this bonusing program is to provide a series of public benefits that achieve the following:

- Encourage healthy, active lifestyles for both future residents and the broader Bostwick community;
- Promote synergies with the facilities planned on-site and the adjacent Southdale Community Centre; and
- Enhance the overall compatibility of this development with existing neighbourhoods.

Collectively, the elements of this program are to offer a level of public benefit commensurate with the proposed building height and residential density. It is also important to note that all features identified in Tables 1 and 2 below would be provided in a comprehensive bonusing program to help implement the Master Plan Concept in its entirety.



**Program Elements**

Table 1 identifies the components of the proposed bonusing program relative to the standard bonusing criteria of the 1989 Official Plan.

**Table 1: Summary of Bonusable Items (1989 Official Plan)**

<b>Bonusable Items (Section 19.4.4. ii)</b>	<b>Bonusable Items (facilities, services, matters)</b>
b). Provision of public open space	<ul style="list-style-type: none"> <li>• Dedication of community park (Site 4). The parkland dedication requirement calculated for the entire development would be provided in a cash-in-lieu of parkland payment pursuant to By-law CP-9.</li> </ul>
c) Underground parking	<ul style="list-style-type: none"> <li>• Underground parking to reduce surface parking areas.</li> </ul>
d) Enhanced landscaped open space	<ul style="list-style-type: none"> <li>• Boulevard enhancements for Streets A, B, and C including common element improvements above City design standards ('cost-plus' enhancements include theme lighting, a water feature, public seating, masonry walls, irrigation systems, bicycle lanes, wrapped LED lighted for boulevard trees).</li> </ul>
h) Innovative/sensitive design	<ul style="list-style-type: none"> <li>• Charging stations, car share, bike share facilities available to the public.</li> </ul>
j) Provide for universal accessibility	<ul style="list-style-type: none"> <li>• 20% accessible apartment units (15% is required per building per the OBC).</li> </ul>
<b>Additional Considerations</b>	
Dedication of public open space	<ul style="list-style-type: none"> <li>• Donation of approximately 2.8 ha (7.0 ac) of property within the original 3080 Bostwick Road parcel to accommodate the Southwest Community Centre.</li> </ul>
Adoption of design guidelines	<ul style="list-style-type: none"> <li>• Implementation of design guidelines to provide direction for the final architectural/urban design elements of all development blocks within the Master Plan Concept.</li> </ul> <p><u>Note:</u> The use of guidelines will allow for certain refinements to the form/layout of individual project sites during the detailed design phase for each block, while also ensuring that core Master Plan themes are respected. Design Guidelines will be based upon the design themes proposed for Site 5 and will be prepared to the satisfaction of City staff pursuant to a holding provision.</p>

Table 2 identifies the components of the proposed bonusing program relative to the standard Type 2 Bonus Zoning criteria of The London Plan. Notwithstanding that the Type 2 criteria are currently under appeal and not in effect, York Developments has developed this program to address these bonusing considerations.

**Summary of Type 2 Bonusable Items (The London Plan)**

<b>Bonusable Items (Policy 1652)</b>	<b>Bonusable Items (facilities, services, matters)</b>
1. Exceptional site and building design	<ul style="list-style-type: none"> <li>• High quality architectural design (building/landscaping) including a common design theme applied to street boulevards. Design elements are to be defined in approved design guidelines.</li> <li>• Provision of underground parking facilities.</li> </ul>
2. Dedication of public open space	<ul style="list-style-type: none"> <li>• Dedication of community park (refer to Table 1).</li> </ul>
3. Provision of off-site community amenities	<ul style="list-style-type: none"> <li>• Boulevard enhancements for Streets A, B, and C including common element improvements (refer to Table 1).</li> <li>• Neighbourhood park feature (Site 4) supporting community-oriented activities and containing a farmers' market pavilion (promoting 'farm-to-table' initiatives), amphitheatre, outdoor physical fitness equipment, spray pad and skate park. <u>Park facilities will complement, and support, YMCA programming.</u></li> </ul>
6. Public art	<ul style="list-style-type: none"> <li>• Six steel sculptures placed in development setback along Southdale Road West frontage.</li> </ul>
8. Sustainable development forms	<ul style="list-style-type: none"> <li>• Green roofs accessed from rooftop amenity areas.</li> </ul>
9. Contribution to transit facilities	<ul style="list-style-type: none"> <li>• Two transit shelters along Southdale Road West frontage to promote bus ridership.</li> </ul>
10. Large quantities of secure bicycle parking and cycling infrastructure.	<ul style="list-style-type: none"> <li>• Dedicated areas for bicycle parking along Southdale Road West frontage and within the community park (Site 4).</li> <li>• Cycling lanes planned for Streets B and C.</li> </ul>
14. Car parking, car sharing and bicycle sharing facilities accessible to the general public.	<ul style="list-style-type: none"> <li>• Charging stations, car share, bike share facilities available to the public.</li> <li>• Public parking in Site 5 (to help mitigate YMCA overflow).</li> </ul>
15. Extraordinary tree planting	<ul style="list-style-type: none"> <li>• Large caliper trees spaced 15 m apart along Street A and B corridors.</li> </ul>
Additional Considerations	
Dedication of Open Space	<ul style="list-style-type: none"> <li>• Refer Table 1.</li> </ul>
Design Guidelines	<ul style="list-style-type: none"> <li>• Refer to Table 1.</li> </ul>

**Summation**

We trust that the bonusing program described above is informative, and will assist with your review of the associated planning applications. Following internal review of this bonusing proposal, York Developments would be pleased to discuss any specific aspects of the program with you in more detail.

## Appendix B – 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 Statement, 2014

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.7 Long-Term Economic Prosperity

### The London Plan

- 54 Our Strategy
- 79 Our City – City Structure Plan
- 193 City Design Policies
- 309 City Building Policies
- 516 Affordable Housing
- 916 Neighbourhoods
- 954 High Density Residential Overlay
- 1556 Secondary Plans
- 1577 Evaluation of Planning Applications
- 1645-1655 Bonus Zoning

### Southwest Area Secondary Plan

- 20.5.1.4 Principles of the Secondary Plan
- 20.5.2 Community Structure Plan
- 20.5.3 General Policies
- 20.5.4.1 General Land Use Policies
- 20.5.5 Neighbourhoods
- 20.5.9 Bostwick Neighbourhood
- 20.5.17 Appendix 4: Official Plan Excerpts – Policies

### 1989 Official Plan

- 2.1 Council Strategic Plan
- 3.4. Multi-Family, High Density Residential
- 3.6.5 Convenience Commercial and Service Stations
- 3.6.8 New Office Development
- 11.1 Urban Design
- 19.4.4 Bonus Zoning
- 20 Secondary Plans

### Z.-1 Zoning By-law

- Section 3: Zones and Symbols
- Section 4: General Provisions
- Section 13: Residential R9 Zone
- Section 18: Restricted Office Zone
- Section 29: Convenience Commercial (CC) Zone

**Appendix C – Relevant Background**

**Additional Maps**




**LOCATION MAP**

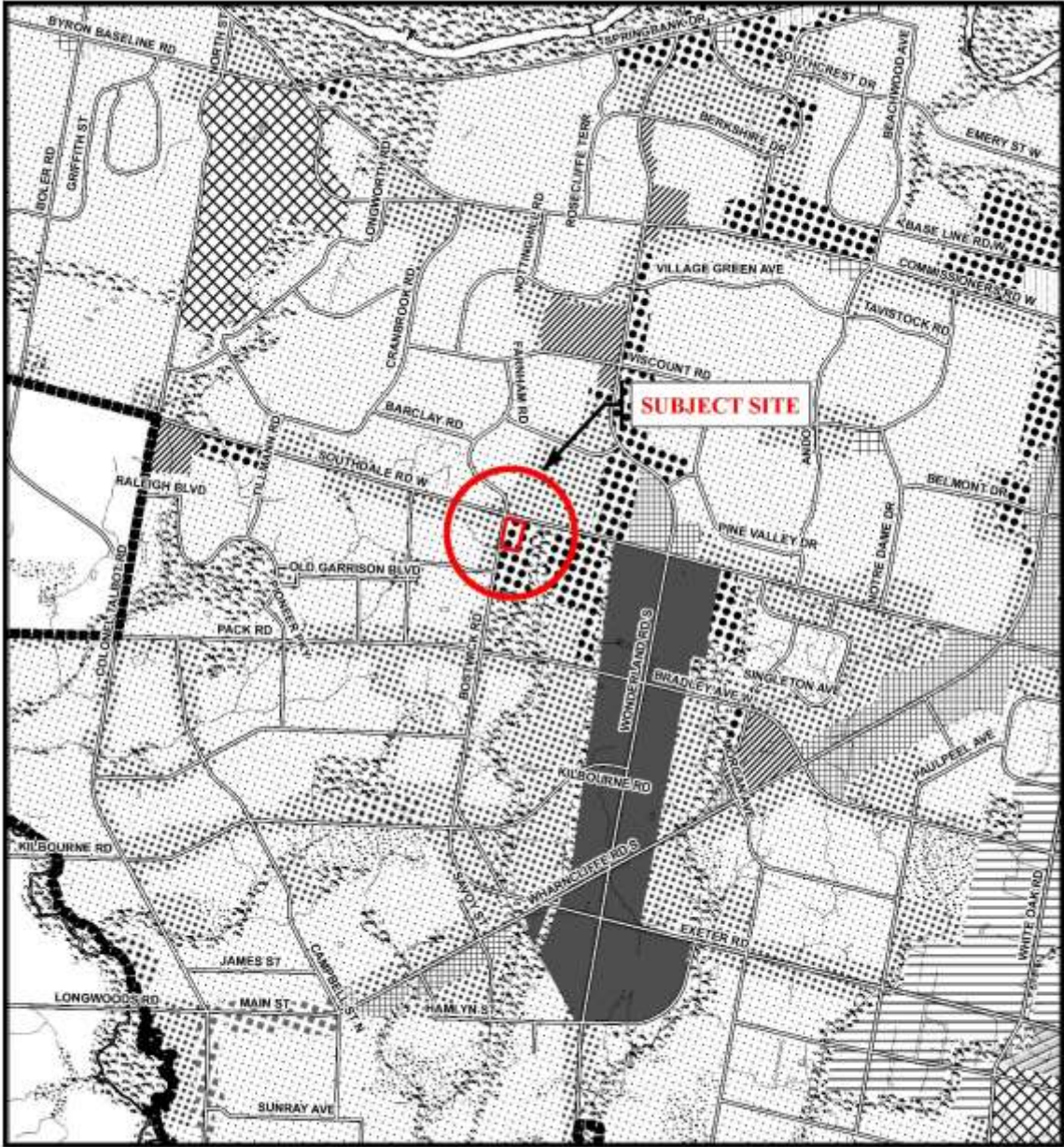
Subject Site: 3080 Bostwick Road  
Applicant: 31675 Ontario Limited c/o York Developments Inc  
File Number : OZ-8941

Planner : SW  
Created By : RC  
Date : 2018/08/29  
Scale : 1:3000

Prepared by : Graphics & Information Services,  
Planning Division Corporation of the City of London  
File:planning\projects\p\_locationmaps\MXD

**Legend**

 Subject Site

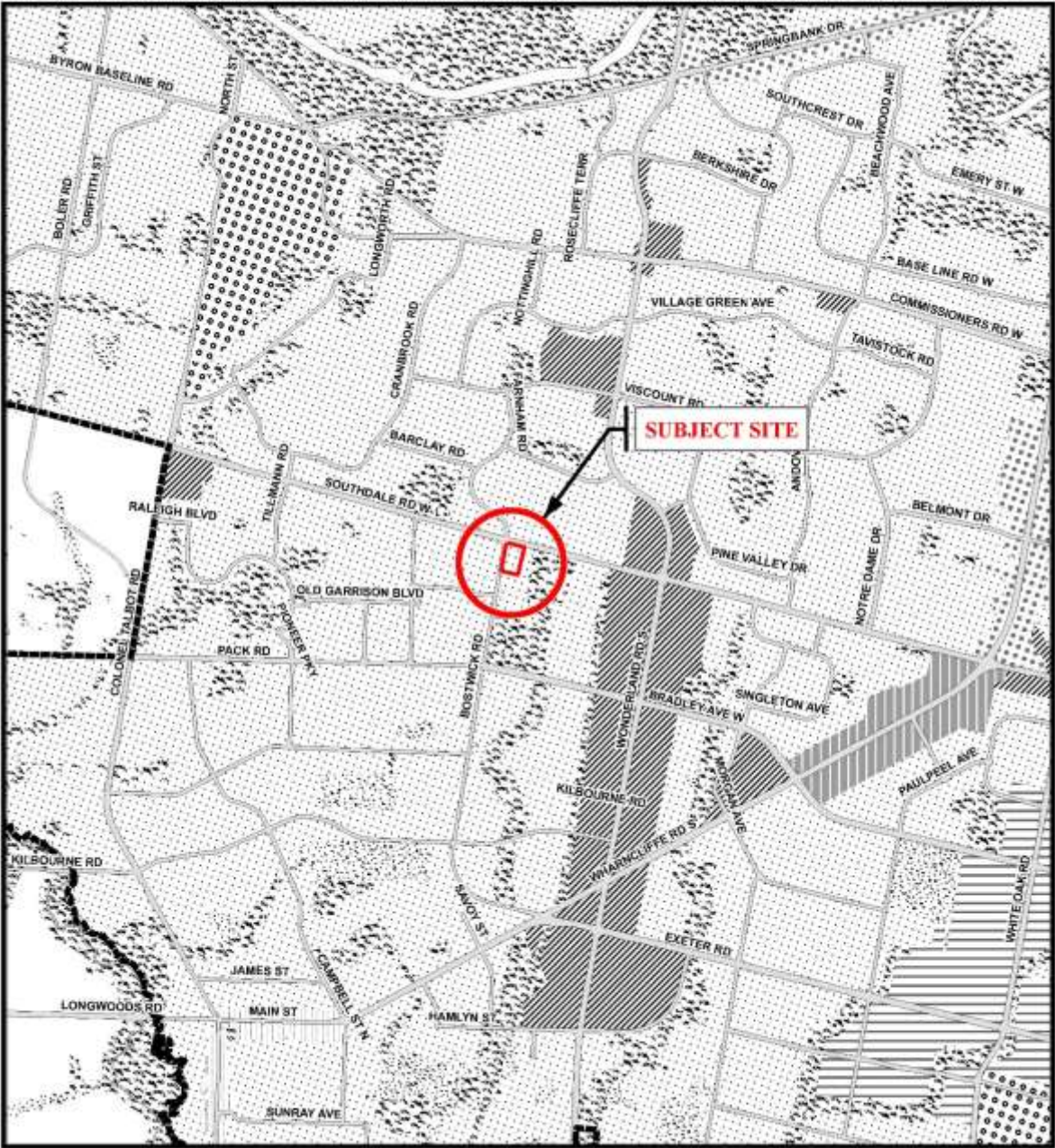


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p><b>CITY OF LONDON</b></p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8941</p>
		<p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/09/29</p>

PROJECT LOCATION: e:\planning\projects\p\_official\plan\work\consolid00\excerpt\mxd\_templates\scheduleA\_b&w\_6x14\_with\_SWAP.mxd



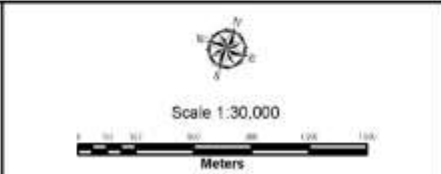
**Legend**

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	

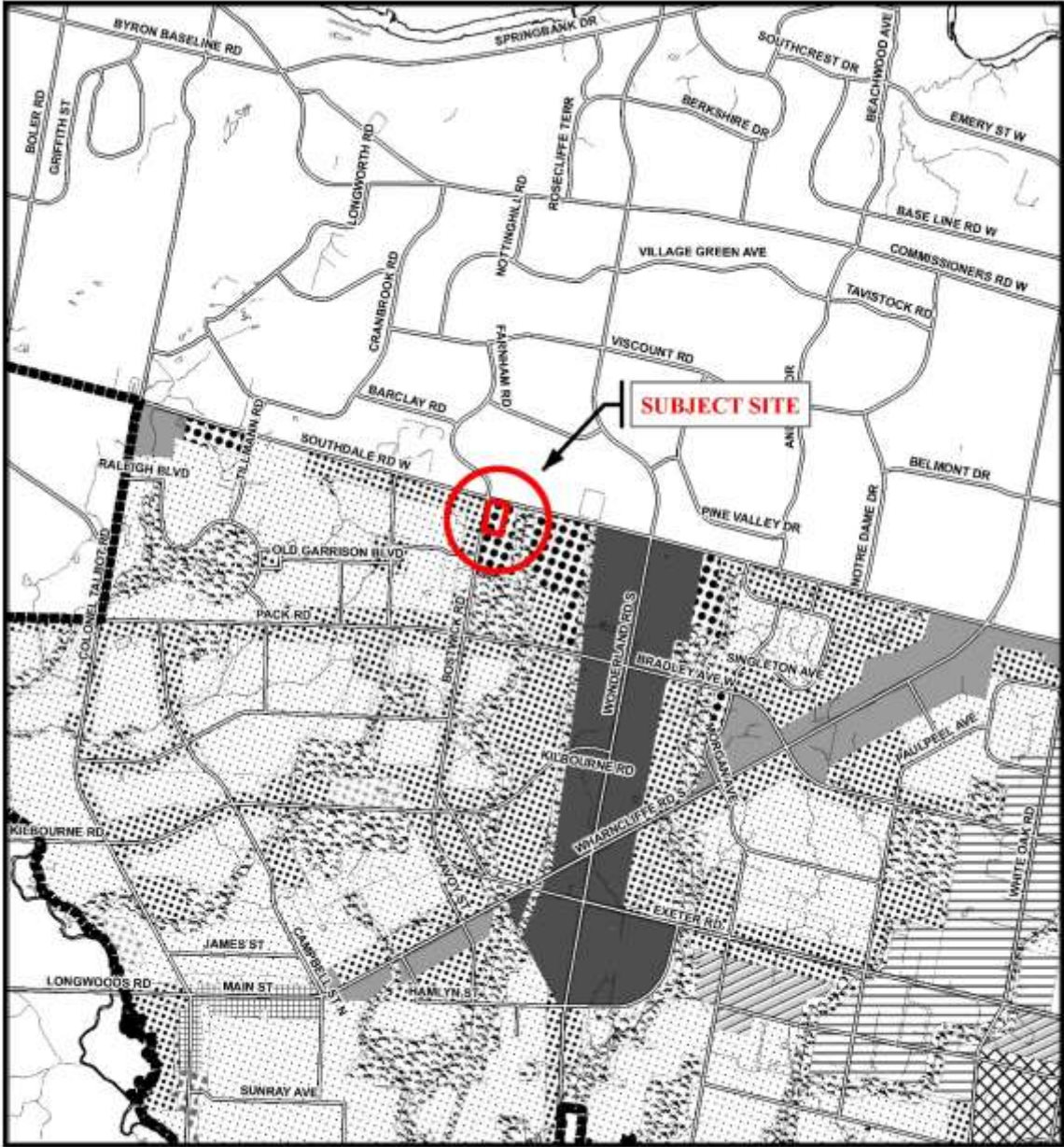
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*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.*

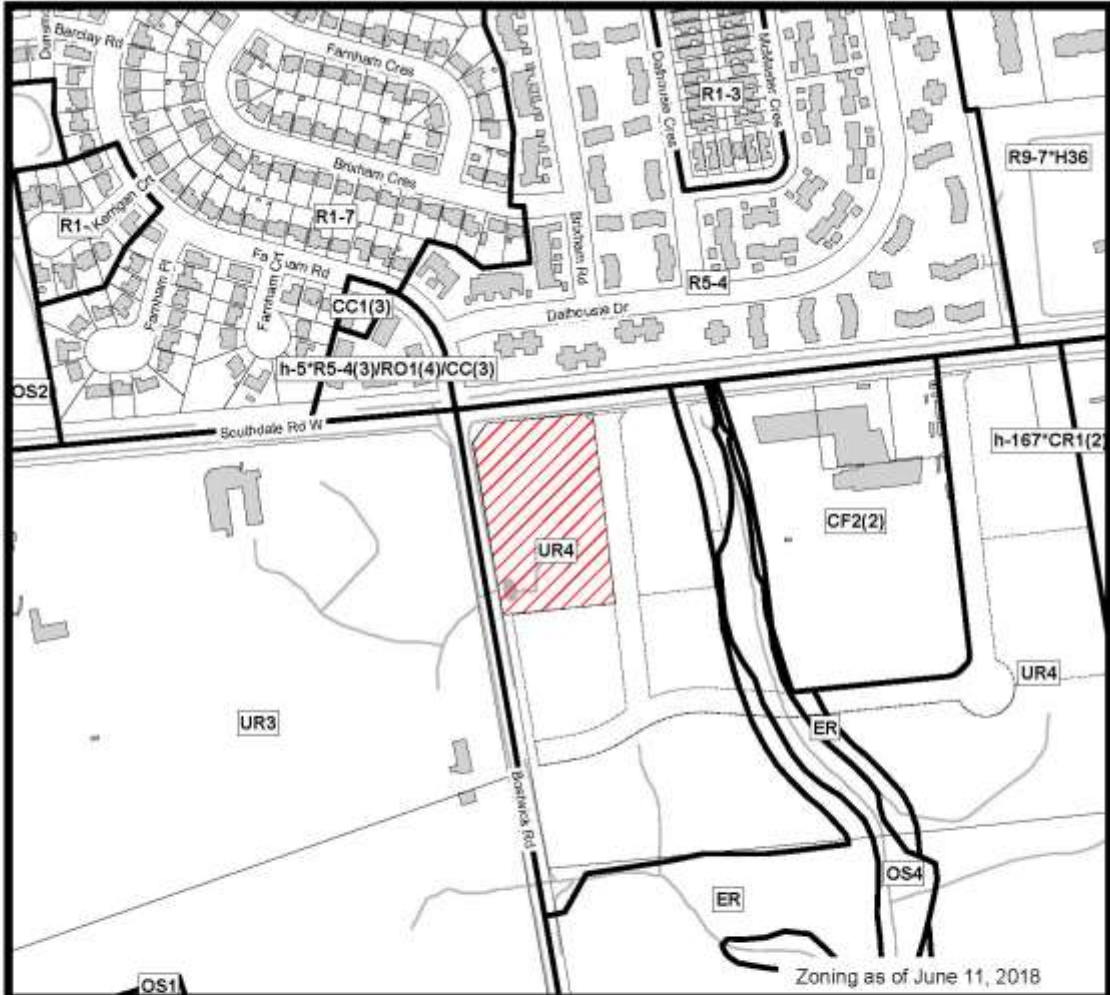
**CITY OF LONDON**  
 Planning Services /  
 Development Services  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**  
 PREPARED BY: Planning Services



**File Number:** OZ-8941  
**Planner:** SW  
**Technician:** RC  
**Date:** August 29, 2018



<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> High Density Residential</li> <li> Medium Density Residential</li> <li> Low Density Residential</li> <li> Commercial</li> <li> Office</li> <li> Wonderland Road Community Enterprise Corridor</li> <li> Main Street Lambeth North</li> <li> Main Street Lambeth South</li> <li> Open Space</li> <li> Institutional</li> <li> Industrial</li> <li> Commercial Industrial</li> <li> Transitional Industrial</li> <li> Urban Reserve Community Growth</li> <li> Urban Reserve Industrial Growth</li> <li> Rural Settlement</li> <li> Urban Growth Boundary</li> </ul>		
<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  SOUTHWEST AREA STUDY SECONDARY PLAN                  - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8941</p> <p>PLANNER: SW</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/08/29</p>



 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

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

**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:  
OZ-8941 SW

MAP PREPARED:  
2018/08/28 RC

1:5,000  
0 25 50 100 150 200 Meters



**Additional Reports**

OZ-6662: 2004 Request for Official Plan and Zoning By-law Amendments to develop site for various residential and commercial uses

O-7609: 2012 Council Approved Official Plan Amendments associated with Southwest Area Plan

Z-8386: 2014 Zoning by-law Amendment to facilitate the development of the Bostwick Community Centre

OZ-8941: October 9, 2018 Public Participation Meeting Report