

Response to London PEC
Re: Z-8945
Tony Mara - 127 Orkney Crescent

This proposed townhouse development is too large for the selected properties (536 and 542 Windermere Rd). The majority of our concerns regarding this application are a direct result of this excessive density and the lack of appropriate setbacks. Issues such as privacy, access to sunlight (shadowing effect), significant height transitions, insufficient on-site parking, inadequate space for proper waste management, loss of trees and more are all impacted by the overall scale (massing) of the proposed townhouse buildings (totalling 16 units) for the development space available. This can be demonstrated by the fact that even with the requested R5-7 zoning by-law (which allows for the maximum level of density for townhouse developments), the developer cannot meet the zoning by-law requirements regarding minimum setbacks. As a result, the proposed buildings in this application will be too close to the public sidewalk to the south (Windermere Rd), too close to the adjacent property to the west (123 Orkney Cres) and too close to each other.

Site specific challenges: An easement runs along the eastern side of 542 Windermere to accommodate a water main that, according to the City engineering department, services 85% of London's water. This easement prevents development for 19m of 57.9m total site width and reduces available site space by 33%. Also, the City is reclaiming 8m x 32m of 536 Windermere for future road widening. **Total available space for development is thus reduced from 0.278ha to 0.16ha – a 42% reduction overall.** If the maximum possible density for this site (without existing constraints) might be 16 units, then based on 60% available space for development a more appropriate density would be 10 units ($16 \times 0.6 = 9.6$), which would equate to 36 units per ha.

The only answer to address all of these concerns is to significantly reduce the density of the proposed development. This can be accomplished through effective application of the established residential zoning by-laws.

Zoning:

From zoning by-law documentation, section 9 (R5 zoning)

9.1 General Purpose Of The R5 Zone

This R5 Zone provides for and regulates medium density residential development in the form of cluster townhouses. Different intensities of development are permitted through the use of the seven zone variations.

Density provisions range from 25 units per hectare (10 units per acre), designed to accommodate townhousing development adjacent to lower density areas, to 60 units per hectare (24 units per acre) for inner city areas and locations near major activity centres. The higher density zone variation has been designed to accommodate stacked townhouses. The middle range zone variations are designed for most suburban townhousing developments.

The developer's application calls for the use of stacked townhouses (Planning Justification Report pg 31 - section 8.0. Conclusions) near the maximum allowable density level (58 units per hectare) for the requested R5-7 zoning. The area where these properties (536 and 542 Windermere Rd) are located (north side of Windermere Rd, approximately half way between each Doon Dr intersection) is currently zoned R1-6 for single detached dwelling units which represent **low density residential properties.**

From zoning by-law documentation, section 5 (R1 zoning)

5.1 General Purpose Of The R1 Zone

*The R1 Zone is the **most restrictive** residential zone, and...is restricted to only single detached dwelling units. Zone variations R1-4 to R1-9 are zones to be applied to most suburban single dwelling developments.*

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So, why would the city consider a re-zoning application moving from the most restricted, lowest residential density designation to the R5 zoning variation with the highest possible density designation? Especially when the R5 zoning by-law clearly states that the lower density provisions (R5-1, R5-2, R5-3) are designed for "townhousing developments adjacent to lower density areas".

From the 1989 Official London Plan

3.2.2. Scale of Development

Density of Residential Uses

*The development of low density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses, and shall result in net densities that range to an approximate **upper limit of 30 units per hectare***

3.2.3.8. Zoning By-law

*While residential intensification located within the Low Density Residential designation may be allowed up to a maximum scale permitted under the Multi-Family, Medium Density Residential Designation, Zoning By-law provisions will **ensure that new development recognize the scale of adjacent land uses and are compatible with the character of the area.***

From the current London Plan, Neighbourhood Place Type Policies:

935_ *The following intensity policies will apply within the Neighbourhoods Place Type:*

*Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, **utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open spaces***

Why have these policies and by-laws in place if they are not going to be respected and applied in the manner that they are designed?

*"The City of London's Zoning By-law establishes and regulates the use of land by implementing the policies of the City's Official Plan. It provides the municipality with a **legally enforceable means of regulating land use, scale and intensity of development.** Zoning also serves to protect areas by preventing or limiting incompatible uses, and **establishing appropriate standards for development.**" (City of London zoning by-law web page)*

*"Zoning By-laws regulate how land and buildings are used, the location of buildings, lot coverage, building heights, and other provisions **necessary to ensure proper development.**" (City of London zoning by-law web page)*

We are calling on London's planning department, members of the planning committee and city council to follow your own rules. Protect the integrity of our neighbourhoods, community and our city by enforcing the zoning rules and provisions that are in place and clearly stated.

Based on the current zoning (R1-6) and the nature of the adjacent neighbourhood to the properties at 536 and 542 Windermere Rd, if a re-zoning is to be permitted it should be at a lower, more reasonable density level, by choosing a lower R5 variation (R5-1, R5-2, R5-3). The need for a lower density classification with these properties is even more necessary because of the 19m easement on the east side which restricts building construction to only 2/3 of the total space.

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With whichever R5 zoning variation is chosen for these combined sites, we urge the city to enforce the standards and requirements of that zoning variation without exception. The developer's current application, even with the highest density R5 zoning variation (R5-7) requested, **cannot** meet the zoning requirements. For their design plan to proceed, they require approvals for additional zoning variances

- Front and exterior side yard (South side facing Windermere Rd):
 - Minimum allowable depth/setback: 8m
 - Application setback: 2.1m
 - Actual setback from conceptual site plan: 0.2m (from exterior edge of stairs and lowered patios, which are attached and part of the building structure)
- Rear and interior side yard:
 - No windows (West side):
 - Minimum allowable depth: 5m (based on building height greater than 9m)
 - Application setback: 1.7m
 - With windows (North side):
 - Minimum allowable depth: 6m
 - Application setback: 6m
 - Actual setback from conceptual site plan: 4m (from exterior edge of stairs and lowered patios, which are attached and part of the building structure)

If the developer cannot meet the standards and requirements of the zoning by-law which the city deems appropriate for these combined properties, then the answer to this application should be NO / REJECT!

Additional concerns:

Overall fit, compatibility and sensitivity regarding the existing, adjacent properties and surrounding neighbourhood.

From the 1989 Official London Plan

3.2.3.4. Compatibility of Proposed Residential Intensification Development

*As part of an application for residential intensification, the applicant shall be required to provide an adequately detailed statement of the compatibility, where it is **clearly demonstrated** that the proposed project **is sensitive to, compatible with, and a good fit within, the existing surrounding neighbourhood** based on, but not limited to, a review of both the existing and proposed built form, massing and architectural treatments as outlined in section 3.7.3.1. of the plan.*

From the current London Plan, City Building Policies:

*199_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood's character and **demonstrate how the proposal has been designed to fit within that context.***

253_ Site layout should be designed to minimize and mitigate impacts on adjacent properties.

From the current London Plan, Neighbourhood Place Type Policies:

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939_... *All are important to realize our goals of purposeful, **sensitive, and compatible intensification within our neighbourhoods***

953_ *The City Design policies of this Plan will apply to all intensification proposals. In addition, the following design policies will apply:*

1. *A Planning and Design Report, as described in the Our Tools part of this Plan, shall be submitted for all intensification proposals. This report will **clearly demonstrate that the proposed intensification project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood.***
2. *Compatibility and fit, from a form perspective, will be evaluated based on such matters as:*
 - a. *Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, **building location, and parking.***
 - b. *Building and main entrance orientation*
 - c. ***Building line and setback from the street.***
 - d. ***Character and features of the neighbourhood.***
 - e. ***Height transitions with adjacent development.***
 - f. ***Massing appropriate to the scale of the surrounding neighbourhood***
3. *The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, **adequate buffering and setbacks,** and garbage storage areas.*

The developer uses glowing terms in relation to their proposal and the impact on the surrounding neighbourhood, such as “enhances”, “activates”, ... They also make statements like “no additional shadowing” and “no loss of privacy”. However, at no time does the developer effectively prove these statements, as required by the guiding policies from the 1989 Official London Plan and the current London Plan. What is demonstrated is how little sensitivity this application shows towards the surrounding neighbourhood and the significant, negative impact this proposed development will have on the adjacent properties.

To the West – 123 Orkney Cres

The western property line of 536 Windermere Rd is adjacent to 123 Orkney Cres, which is a **1 storey**, single family home less than 5m in height.

- Elevation: It should be noted that the elevation difference between 123 Orkney Cres and the property of 536 Windermere Rd, where the proposed buildings are expected to be placed is less than 1m at the front of the house and almost level (zero elevation difference) at the rear of the house. **NO SIGNIFICANT ELEVATION DIFFERENCE** between 123 Orkney Cres and 536 Windermere Rd.

To the North – 127 Orkney Cres

The northern property lines of 536 and 542 Windermere Rd are adjacent to 127 Orkney Cres, which is a **2 storey**, single family home. 127 Orkney Cres and 536 Windermere Rd (where the proposed buildings are planned to be located) is currently separated by a 1.2m single panel wood fence, as well as mature, 12m+ high trees along the fence on the 536 Windermere Rd property side. These existing, mature trees enhance the separation of these properties and provide significant privacy for each side. **ALL OF THESE TREES ARE PLANNED TO BE REMOVED DUE TO PROPOSED CONSTRUCTION.**

- Elevation: The elevation difference between 127 Orkney Cres and 536 Windermere Rd is approximately 2m, where the home at 127 Orkney Cres sits at the higher elevation.

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Privacy

1989 Official London Plan

3.2.2. Scale of Development

*Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and **loss of privacy***

3.2.3.5. Public Site Plan Review and Urban Design

ii. Residential Intensification site plan proposals shall address the following matters:

Sensitivity to existing private amenity spaces as they relate to the location of proposed building entrances, garbage receptacles, parking areas and other features that may impact the use and privacy of such spaces

Consideration of the following Urban Design Principles:

Buildings should be positioned to define usable and secure open space areas on the site and to afford a reasonable measure of privacy to individual dwelling units

From the Urban Design Brief:

4.0. DESIGN GOALS AND OBJECTIVES

Ensure the maintenance, and enhancement where possible, of privacy between the subject lands and abutting properties

Part 2 5.0 PROPOSED DEVELOPMENT

Landscaping and fencing along the side and rear yards is proposed to ensure preservation of privacy. Although specific landscape treatments will be refined through the Site Plan Approval process, evergreen plantings (Christina Norway Spruce) are proposed along the north lot line and additional evergreen shrubs are proposed between the buildings and westerly lot line. Street trees will also be added along the Windermere Road frontage.

Our response:

Because the buildings are being placement so close to the north west corner of the combined lot, and the plan calls for the removal of several large trees along the northern property line, this development in no way maintains the current level of privacy. It will decimate the current standard of privacy enjoyed by the adjacent properties.

127 Orkney Cres

- a. The development plan calls for the removal of several trees of significant height (40+ feet each) and foliage along the property line between 536 Windermere Rd and 127 Orkney Cres. Unless the trees that are being proposed to be planted as replacements (after construction is completed) are planted as fully mature trees in excess of 30 feet, they will be insufficient to replace the lost level of separation and privacy which the current trees provide.
- b. The existing fence along the property line between 536 Windermere Rd and 127 Orkney Cres is proposed to be replaced with a slightly taller 1.8m fence. The current fence provides separation of the properties, but no element of privacy. The proposed replacement will be as ineffective, especially if constructed of single wood panels.
- c. The elevation difference between 536 Windermere Rd and 127 Orkney Cres requires a significantly higher level of fencing and tree line to provide an effective separation/buffer between the properties.
- d. The size of the townhouse building, as well as the significant amount of glazing (ie. Windows) on the south building's side facing 127 Orkney increases the need for higher level of separation and buffering between

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the properties. 127 Orkney Cres' home has bedroom bathroom windows that will be directly facing this townhouse building and all of its windows.

- a. From page 13 of the Urban Design Brief: *The design allows for views into and out of the building, allowing for **passive surveillance** of the street*
- b. This mention of "passive surveillance of the street. Considering that the northern face of the building (directly facing 127 Orkney Cres) is almost identical to the southern facing (facing Windermere Rd), how does this "surveillance" term apply to the property at 127 Orkney Cres when the same level of glazing is applied?

There is NO WAY that this development, as currently planned will **not** significantly and detrimentally impact the current level of separation and privacy enjoyed by the residents of 127 Orkney Cres

123 Orkney Cres

- a. The eastern sides of these townhouse buildings will be 1.7m from the fence separating 123 Orkney.
- b. The proposed 1.8m fence will not be sufficient to provide effective separation and privacy, even with the minimal elevation difference between 123 Orkney and these townhouse buildings. Consider that the interior faces of each building will have a clear view of 123 Orkney Cres and its property and that these townhouse buildings will be 2.5 stories (9m+ in height), compared to a single storey home.
- c. The walkway between the two townhouse buildings, and two of the entrances will also be located very closely to the house at 123 Orkney Cres, increasing the likeliness of noise pollution for the residents of 123 Orkney
- d. The proposed outdoor "amenities" for the townhouse residents (ie. lowered patios) also will be in very close proximity with the home and property of 123 Orkney property
- e. From the Urban Design Brief: *It is noted that no windows are proposed on the east or west elevations to enhance privacy*
 - a. This statement is correct, however what it failed to mention is the location of the walkway and entrances in proximity to the 123 Orkney Cres property. With the proximity of the buildings to the adjoined property, and the significant amount of "glazing" (ie. Windows) proposed on the interior sides (north side of the south building and the south side of the north building), there will still be a significant privacy issue, which can not be elevated by a 1.8m single panel wood fence.

There is NO WAY that this development, as positioned so closely to the property line shared with 123 Orkney will NOT negatively impact the level of privacy currently enjoyed by the residents of 123 Orkney Cres.

Windermere Rd

- a. As per figure 17 of the Urban Design Brief, and the similar site plan: if you include the attached, external lowered patios jutting outward from the building, there appears to be very little (almost zero) setback from the property line (see the south east corner of the building), and **possibly only 1m setback from the public sidewalk!** At greater than 9m in height, this building will tower over pedestrians and will feel right on top off pedestrians walking on the sidewalk. Also, with these lowered patio areas being even closer to the sidewalk, there will be very little separation for pedestrians, as well as very little privacy for residents enjoying this "outside amenity".
- b. from page 13 of the Urban Design Brief: *The design allows for views into and out of the building, allowing for passive surveillance of the street*
 - a. With such significant "glazing" (ie. windows) on the front/south side of the building, and the building positioned so closely with the sidewalk and road way, what privacy will be enjoyed by the residents? And how does this design provide an improvement for pedestrians and

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travellers along Windermere Rd? It seems the purpose is to allow for more active surveillance rather than passive surveillance of the streetscape.

Access to sunlight (shading)

1989 Official London Plan

3.2.3.5. *Public Site Plan Review and Urban Design*

The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets

From the Urban Design Brief:

No shading on abutting lands is expected beyond which would otherwise be present with a two-storey single detached dwelling, especially given the lower elevation of the subject lands relative to lands to the north and west.

Our response:

- a. This statement is completely false. A two story, single family house is currently situated on the property of 536 Windermere Rd. It is situated in the middle of the lot, several metres from the western property line and the home at 123 Orkney Cres. The shading effect caused by the proposed townhouse development - where the buildings are substantially higher AND located MUCH closer to the adjacent property and home at 123 Orkney (1.7m) MUST be significantly increased over the current shading effect from the existing two story home at 536 Windermere Rd.
- b. There is NO substantial elevation difference between 536 Windermere Rd and 123 Orkney Cres to the West. Meaning that the full height difference between these two buildings will be "felt" as well as the resulting increased shading.
- c. With the proximity of the proposed townhouse buildings so close to the western property line, several of the trees (many not represented on the developer's images presented within this application) will be directly within the permanent shadow of these buildings and whose health could be negatively impacted as a result.

From the Urban Design Brief:

Existing off-site mature trees to the north already shadow the interior side yard of the single detached dwelling to the north.

Our response:

- a. The majority of trees being referenced as "off-site" to the north are in fact on the premises of 536 Windermere and based on the current development plan, are expected to be removed during construction. While these mature trees currently offer a good amount of shading, it is not complete shading and is not comparable to the shading effect of a large 9m high building extending approximately 28m in length along the shared property line.

From the Urban Design Brief:

Appropriate glazing is proposed on all north and south elevations, maximizing the amount of natural light that will enter each unit. The buildings are sufficiently separated to exceed Ontario Building Code requirements. Interior units (facing the opposite building) are provided with ample windows to allow for natural light penetration (Section 11.1.1 ix);

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Our response:

- a. The developer makes a point in mentioning the “appropriate” amount of glazing (windows) on all of the north and south elevations. They fail to point out that the building elevations facing each other, which will only be 4m apart, will have limited access to sunlight. Especially the northern elevation of the southern building, which will have NO direct access to sunlight. Because no windows are planned for the east and west elevations of the buildings, some units will be significantly limited in their access to sunlight.
- b. They will see the residents in the other building up close and personally, but will not see much of the sun. This situation is similar for the northern elevation of the northern building facing 127 Orkney Cres.

Height transition

From the current London Plan:

287_ Within the context of the relevant place type policies, the height of buildings should have a proportional relationship to the width of the abutting public right-of-way to achieve a sense of enclosure.

*298_ An appropriate transition of building height, scale and massing should be provided between developments of **significantly different intensities**.*

From the Urban Design Brief:

3.0 SPATIAL ANALYSIS

The housing stock within the “Low Density Residential” areas are primarily large single detached dwellings, 1 to 2.5-storeys in height...

4.0 DESIGN GOALS AND OBJECTIVES

Appropriately integrate the built form into the existing context, specifically in terms of massing, height, and articulation

Part 2 5.0 PROPOSED DEVELOPMENT

The buildings are proposed to be approximately 9m in height, generally consistent with proximate single detached dwellings in the area

6.0 RESPONSE TO OFFICIAL PLAN DESIGN POLICIES

The height is similar to adjacent single detached dwellings to the north, alleviating privacy concerns that are common with higher buildings.

From the 1989 CITY OF LONDON OFFICIAL PLAN

6.2.2 Additional Urban Design Considerations for Residential Intensification

As per Section 953, the proposed development is compatible and fits within the existing context as follows:

The proposed intensity (i.e. massing, height, scale) and design is compatible with character and features of the surrounding neighbourhood.

8.0 COMPATIBILITY REPORT

The height of the buildings is consistent with the upper end of typical low-density residential buildings heights, being 2-3 storeys. However, due to the grade differential between the subject lands and lands to the north and west, the proposed buildings will appear approximately 2m shorter, when viewed from the north or west

Our response:

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- a. The northern property lines of 536 and 542 Windermere Rd are adjacent to 127 Orkney Cres, which is a **2 storey**, single family home.
- b. The western property line of 536 Windermere Rd is adjacent to 123 Orkney Cres, which is a **1 storey**, single family home less than 5m in height.
 - a. What examples are there of 3 storey residential buildings in the area?
 - b. What % of residential homes in the area are 3 storey?
- c. The grade differential between 536 Windermere Rd and 123 Orkney Cres is from less than 1m to zero / level. There is NO significant grading differential that will help offset the height differences between the **1 storey** home and adjacent **2.5 storey** townhouses.
- d. The height transition will appear **EVEN MORE EXTREME** by the proposed townhouse buildings being positioned so closely (1.7m) from the shared property line.

Parking

Application Urban Design Brief:

*Vehicular access to the site is provided by a single driveway from Windermere Road. **Ample parking is provided within the surface parking lot.***

Our Response:

- a. The proposed development in this application is for 16 townhouse units, with each unit being approx. 1,500sqft and including four bedrooms. The application specifies only 25 parking spaces for these 16 units. If they are required to provide handicap parking spaces (isn't this required by law?), the available parking spaces is reduced by two spots for every handicap space created (to accommodate the larger spacing requirements).
 - a. So, if even one handicap space is created, they are only providing **23** parking spaces for these 16 units – which is less than 1.5 spaces per unit!
- b. With the proximity of these townhouses to the university, and relatively small sized units for four bedrooms, it is very likely that the majority of these units will be rented to university students. From recent and local neighbourhood experiences, it is also likely that these students will bring with them more cars than can fit in the expected 23 parking spaces. Considering the close proximity of walkways to Angus Crt and Orkney Cres, it is very reasonable to expect that our adjoined neighbourhoods will end up being affected by this parking overflow.
 - a. In fact, on page 21 of the Planning Justification Report as part of the transportation Impacts section, the developer indicates "***Given that there is no on street parking on Windermere Road, should additional temporary parking be required (i.e. for a social event), on street parking is available to the subject lands on Orkney Crescent, Brussels Road, and Angus Court, accessible via the pedestrian sidewalk connections to the east and west of the subject lands.***"

Bottom line is – this is another indication of how this proposed development is **too big, too dense** for the available space, including parking. Either more parking spaces are required, or less units!

Waste Management

From the 1989 Official London Plan, Residential Land Use Designations:

Residential Intensification-site plan proposals shall address the following matters

Sensitivity to existing private amenity spaces as they relate to the location of proposed building entrances, garbage receptacles, parking areas and other features that may impact the use and privacy of such spaces

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From the current London Plan

266_ Loading, garbage and other service areas will be located where they will not detract from pedestrian connections and where they will not have a negative visual impact from the street

953_ The City Design policies of this Plan will apply to all intensification proposals. In addition, the following design policies will apply:

*The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and **garbage storage areas**.*

Our Response:

- a. While this is typically a matter for the site plan approval process, I believe it is important that the developer be required to provide some level of detail as to how and where waste will be stored and removed. It relates directly to the zoning by-law approval process as it contributes to the argument regarding a development too large for the available space – affecting many factors which influence the livability of the property as well as the total impact on the adjacent properties.
 - a. Storage: With so much of the lot space already built on or accounted for, it may not be an easy task to locate an outdoor storage “tank” on the property in a suitable location – not too close and obvious from Windermere, and not too close to the abutting properties to the north and east.
 - b. Disposal: If the developers do envision a centralized garbage collection system with contracted removal services, the question becomes how well will the garbage truck be able to access the site to retrieve the garbage and the exit the site back on to Windermere? If you look at the submitted site plan, and consider the setup of the parking lot, filled by the 25 tenant spots, there is not a lot of room for additional manoeuvring for a large garbage truck. If this is not the approach planned by the developers, and it is expected that residents will put their garbage curbside each week for garbage removal by the city, this poses additional issues. This site will be increasing garbage removal requirements from two single family type homes to 16 four bedroom units. This can add up to a significantly larger waste removal process for the city each week. Consider Windermere Rd, which has been described as an “arterial” road, but is one lane in each direction. How badly will traffic get backed up with a garbage truck having to potentially pick up 48 bags/cans of garbage EVERY WEEK, plus an additional trip (with stops) to pick up 32 recycling bins!

Play Areas

From the 1989 Official London Plan:

*Residential developments that are likely to house families should include an appropriately sized outdoor children's play area that is **safely** accessible from all units in the development*

- a. The fact that the developer, in their application does not make any mention of a play area designed for children further re-enforces the purpose of this proposed townhouse development. If townhouses with four bedroom units are not built with families in mind, what other type of resident will be most likely to be interested in these types of units? Students. I understand that the city cannot accept or decline a development application based on the type of resident that will live there. However, understanding the type of resident will allow for consideration of important conditions which may affect design, planning and zoning decisions, including:
 - a. Increased noise
 - b. Waste management

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- c. Additional parking requirements
- d. From recent, local experience, it is reasonable to expect that a townhouse unit housing four unrelated students will require more than 1.5 parking spaces per unit, which is the MINIMUM amount of parking spaces required. Please, require that either the developer reduce the size and density of their townhouse development to a more suitable level or require them to build additional parking spaces – sufficient for expected needs.

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Conclusion:

The application has failed to meet several of the stated design goals and objectives

- Provide a development that utilizes high-quality materials in a built form **compatible with proximate low-density residential dwellings**
- Appropriately **integrate the built form into the existing context**, specifically in terms of **massing, height, and articulation**
- **Ensure the maintenance, and enhancement where possible, of privacy between the subject lands and abutting properties**

The majority of the issues and concerns regarding this application, including zoning variances are directly caused by the oversized nature of the development in relation to the available lot space. Site challenges are a reality with this property, considering the 19m easement on the east side of 542 Windermere Rd, which the developer must contend with. We, the neighbours of the adjacent neighbourhood should not be required to pay the price and make these significant sacrifices so the developer does not have to sacrifice his financial gains by reducing the density of this development, including an adjustment in scale and density (massing) of the building(s) to a more reasonable level.

Recommendations from Staff Report (dated December 19, 2018):

While London's planning department acknowledges that the R5-7 zoning is too egregious in density for this site and recommends that the planning committee reject this part of the application, it does not address the issues identified within this document or the concerns raised by the neighbourhood residents.

- Planning staff are recommending a reduction to 12 units (R5-5) but is also recommending that the developer re-design for 5 bedrooms per unit to accomplish the stated goal of 60 total bedrooms. This recommendation results in **NO reduction in actual residential density**
 - Based on 60 bedrooms on this site (applicant's requested R5-7 or city staff's R5-5), the actual density will be **214 bedrooms per ha** (60 over .28ha)! Waterloo recently updated their residential zoning and established a density limit of 150 bedrooms per ha for similar development situations. The density level is even worse when considering the site limitations reducing available space by 40%. The real density of this development will be **the equivalent of 375 bedrooms per ha!!!** The proposed density level for this site @ 60 bedrooms is EGREGIOUS!
- Planning staff are continuing to accept the applicant's requested minimum setbacks which are well below the zoning by-law standards
- Planning staff don't even indicate any issues with the fact that the rear setback is allowed even though there is planned a front building façade complete with primary entrances and extensive windows on to habitable spaces. This façade directly faces an adjacent single family residence (127 Orkney Cres).
- Planning staff recommendations include "the recommended reduction in the number of units that can be achieved on site should also assist with the goal of maximizing tree preservation and protection on the subject lands."
 - We refute this directly. With the excessively minimal setbacks still being allowed, no additional trees are demonstrated to be preserved. Including the row of existing, mature trees along the northern property line of 536 Windermere Rd which provides privacy screening with 127 Orkney Cres and the Orkney Cres walkway and roadway, which will still be removed for construction purposes.

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What we are asking for:

Protect integrity of the surrounding neighbourhood by

- A. Make them fit a more reasonable R5 zoning (R5-1, R5-2, R5-3) that allows for the proper setbacks as well as a designed buffer between adjacent properties and the Orkney Cres neighbourhood to the north.
- B. Require more appropriate setbacks that more closely align with current zoning requirements.
 - 5.5m westerly side yard setback towards 123 Orkney Cres
 - 8m setback towards the northern property line to account for the front building façade with primary entrances and extensive windows on to habitable spaces
- C. Requirement an **appropriate** number of on-site parking spaces. Based on a design that appears designed for student housing, a minimum of two (2) parking spaces per unit plus additional spaces for handicap and visitor parking. With a more appropriate density of 8-10 units, the currently proposed 24 parking spaces should be appropriate.
- D. Establish an easement (minimum 5m) along the property lines of 536 and 542 Windermere Rd shared with 127 Orkney Cres, which requires the protection of existing landscaping as well as planting additional landscaping that provides for a buffer space between these adjacent properties and the new development.
- E. A Higher (4m min due to elevation differences) and a more solid fencing (minimum double panel wood) along the property lines of 536 and 542 Windermere Rd shared with 123 Orkney, 127 Orkney and 6 Angus Court.